IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

904 PUBLIC INTEREST LITIGATION NO.15 OF 2014

STUDENTS ISLAMIC ORGANISATION OF INDIA
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr. Sayyed Tauseef Yaseen, Advocate for the petitioner
Mr. S. D. Ghayal, AGP for the respondent/State
Mrs. Surekha Mahajan, Advocate for respondent Nos. 2 and 3
Mr. Ujwal Patil, Advocate for respondent No. 6

CORAM : Z. A. HAQ &
S. M. GAVHANE, JJ.

DATE : 04-03-2020

P. C.

. Heard.

2. By this Public Interest Litigation, the petitioner-Organization has prayed that respondent Nos. 1 to 3 be directed to print and provide the text-books of 11th and 12th std. in Urdu medium or to make alternate arrangement for providing the text-books in Urdu medium.

3. The petitioner-Organizatinon, relied on the provision of Sections 18(e) and (02) of the Maharashtra Secondary and Higher Secondary Boards Act, 1965 [hereinafter referred to as 'the Act of 1965'] to urge that respondents are under an obligation to provide the text-books of 11th and 12th std. for all the subjects in Urdu

medium.

4. It is pointed out that after issuance of the Government Resolution dated 25-04-2016, the responsibility of preparing or causing preparation of books and prescribing them as text-books, is of the respondent Nos. 5 and 6. The learned AGP for the respondent No. 5 and the learned advocate appearing for the respondent No. 6 have pointed out from their replies that the respondent No. 5-council had submitted a detailed proposal to the State Government regarding the curriculum of subject planning for standard 11th and 12th vide letter dated 20-11-2018 as per the recommendations of the Co-ordination Committee meeting dated 24-10-2018. It is pointed out that in the meeting dated 24-10-2018, it was decided that the medium of instructions and printing of the text- books would be only in Marathi and English. It is pointed out that the decision to print the text-books in English and Marathi is taken, as instructions for Science subjects are imparting in English medium through out the globe and decision to print books in Marathi is taken, as Marathi is the official language in Maharashtra State. The other factors are also pointed out, such as the unique terminology of Science subjects.

5. On going through the reply filed by the respondent Nos. 5 and 6, we find that there is proper justification for not providing the text-books of the Science subjects in any other language except English and Marathi. It cannot be said that there is any arbitrariness or discrimination. However, if any publisher approaches the

respondents with the text-books printed in any other language except English and Marathi for certification of it as prescribed text-books, the concerned respondent shall take action in the matter within one month.

6. With the above observations, the Public Interest Litigation is disposed.

In the circumstances, the parties to bear their own costs.

[S. M. GAVHANE, J.] **[Z. A. HAQ, J.]**

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