



**145 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP-7985-2026 (O&M)
Date of Decision:17.03.2026**

RUDRA AGGARWAL

....PETITIONER(S)

VERSUS

UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

....RESPONDENT(S)

**CORAM:- HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. Vikas Kumar Gupta, Advocate for the petitioner.

Mr. Vishal Sharma, Senior Panel Counsel and
Mr. Manjit Singh, Advocate
for the respondent(s)-Union of India.

ASHWANI KUMAR MISHRA, J. (Oral)

1. This petition has been filed for issuing a *writ of certiorari* quashing the rigid age criteria specified under The Right of Children to Free and Compulsory Education Act, 2009 (for short, '*Act of 2009*') (Annexure P-5), National Education Policy, 2020 (for short, '*Policy of 2020*') (Annexure P-6) and Guidelines for admissions in Kendriya Vidyalaya Sangathan (for short, '*Instructions*') (Annexure P-7).

2. Learned counsel for the petitioner states that the fixing of a minimum age of six years for admission in school to Class-I is irrational and arbitrary. It is also submitted that many private schools are admitting students even below the age of six years, and therefore such a policy cannot be interpreted in a manner that requires students who have already passed Class-I from a private school to appear again in Class-I in Kendriya Vidyalaya Sangathan schools.

3. Perusal of the Act of 2009 indicates that it has been enacted with the intent to provide free and compulsory education to all children aged 6-14 years. Section 4 of the Act of 2009 confers a right upon a child above six years of age, who has not been admitted to any school, to be provided education in an educational institution. Pursuant to the Act of 2009, the Policy of 2020 has also been framed, wherein a child above three years of age is required to attend Anganwadi/pre-school/balvatika for a period of three years before he/she can take admission in Class-I above the age of six years. It is in consonance with this policy document that instructions have been issued by the Kendriya Vidyalaya Sangathan schools providing for the minimum age of six years for admission to Class-I. Clause 4 of the Instructions reads as under:-

“4. ELIGIBLE AGE FOR ADMISSION

A Child must be 6 years old for Class-I as on 31st March in the academic year in which admission is sought (Child bor on 1st April should also be considered). The minimum and maximum age limit for admission in Kendriya Vidalayas in various classes is given below:

<i>Class</i>	<i>Minimum/Maximum Age as on 31st March of the Year in which admission is sought.</i>
<i>Class-I</i>	<i>6 years but less than 08 years of age</i>
<i>II</i>	<i>7 years but less than 09 years of age</i>
<i>III</i>	<i>8 years but less than 10 years of age</i>
<i>IV</i>	<i>9 years but less than 11 years of age</i>
<i>V</i>	<i>9 years but less than 11 years of age</i>
<i>VI</i>	<i>10 years but less than 12 years of age</i>
<i>VII</i>	<i>11 years but less than 13 years of age</i>

VIII	12 years but less than 14 years of age
IX	13 years but less than 15 years of age
X	14 years but less than 16 years of age

4. For the holistic development of a child, the policy document provides for a child to go through Anganwadi/pre-school/balvatika before he/she actually enters Class-I. It is with the intent to ensure that such a child spends some time in Anganwadi/pre-school/balvatika that the minimum age of six years is prescribed for admission to Class-I. The policy has been framed apparently after adequate inputs have been received for the complete development of a child. In matters of such policy, the scope of interference would be extremely minimal, and that too only where the policy is shown to be wholly irrational and arbitrary.
5. We do not find any such irrationality or arbitrariness in the policy that may persuade us to interfere in the instant writ petition.
6. In that view of the matter, the instant writ petition is **dismissed**.
7. All pending miscellaneous applications, if any, also stand disposed of.

[ASHWANI KUMAR MISHRA]
JUDGE

[ROHIT KAPOOR]
JUDGE

MARCH 17, 2026
Rahul Joshi

1. Whether Speaking/reasoned
2. Whether Reportable
- Yes/No
Yes/No