Supreme Court/Kendriya Vidyalayas

Education for All

ment (HRD) to decide on a

the HRD Ministry to take a decision in

ted a representation to the HRD minis-

ter to set up a KV in every tehsil/taluka.

On not getting any response, he filed a

writ petition in the Delhi High Court.

However, on October 1, 2019, a High

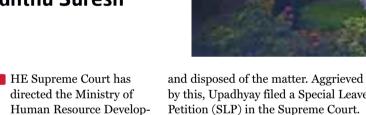
Court bench of Chief Justice DN Patel

and Justice C Hari Shankar said that

It all started when Upadhyay submit-

the case within three months.

The Court has directed the HRD Ministry to take a decision on a petition seeking KVs be set up in every *tehsil* of the country By Ananthu Suresh



plea with regard to the set-"a Kendriya Vidyalaya in every tehsil ting up of Kendriya Vidyawould achieve the code of a common layas (KVs) in all tehsils of the country. culture, removal of disparity and dis-A bench headed by Justice NV criminatory values in human relations Ramana took up the plea of Ashwini It would enhance virtues and improve Kumar Upadhyay, a BJP leader and an life quality, elevate thoughts, which advocate, and said that the courts canadvance the constitutional philosophy of not decide what school should be equal society". opened and where. Instead, it directed

Many countries follow a uniform education system, which is a vital element for unity, he said. Establishing central schools will bring such unity as there are around 1,209 central schools in India established under the HRD Ministry and they, apart from being affiliated to the CBSE, have a common syllabus, curriculum and school uniform, he said.

In the apex court, he contended that

Further, by providing a common curriculum, KVs ensure that children do not face educational disadvantages when their parents are transferred from

He contended: "The great golden goals set out in the Preamble of the

Constitution—'sovereign, socialist secular democratic republic' and 'unity and integrity of the nation' cannot be achieved without providing a common education to all students of I-VIII standard."

He held that the "High Court had failed to appreciate that after detailed debate and feedback, Article 21A was inserted in the Constitution. Thus, the medium of instruction may be different but there must be no discrimination in the quality of education. The right of a child, aged 6-14 years, should not be restricted only to free education, but must be extended to equal quality education without discrimination on the ground of the child's social, economic and cultural background, thus a common syllabus and common curriculum is required for students of I-VIII standard".

Upadhyay further said that "we have resolved to constitute India into a Socialist, Secular, Democratic Republic. Justice, Liberty, Equality and Fraternity are cornerstones of our democracy. Justice is the genus, of which socio-eco-



nomic justice is one of its species. To achieve real equality and elevate poor, weak, Dalits, tribals and the deprived sections of society, the state must provide uniform education having common syllabus and common curriculum to all students of I-VIII standards in the spirit of Articles 14, 15, 16, 21A and Preamble of the Constitution".

Tet another argument placed by Upadhyay with respect to unity and integrity was that KVs have students from various parts of the state. Due to this, equal opportunities are given to them despite their language and territorial differences. Every festival is celebrated irrespective of religion and region.

Further, the low fee structure in KVs will benefit poor students in getting quality education. According to the petitioner, this will encourage other schools to provide better education as they will

face competition.

With respect to the quality of education in KVs, he contended that teachers appointed are qualified in teaching their particular subject and are regularly trained to enhance their skills and to follow new techniques for effective learning of students.

He said that currently, there are more than 5,000 tehsils in the country and government officers who get posted there for implementing various Union development schemes prefer not to stay there but go to some district headquarters or state capital due to the poor infrastructure or non-availability of good schools. A tehsil being an administrative unit, government officers such as the tehsildar, engineers, doctors, lecturers and so on work there, but due to the non-availability of good schools, they

The low fee structure in KVs will benefit poor students in getting quality education. The petitioner felt it will encourage other schools to provide better education as they face competition

keep families away.

According to Upadhyay: "This distance not only weakens them emotionally but also takes a toll on their health due to travel. It reduces efficiency, making public functions lag and sometimes this even hampers work. The establishment of a Central School in every tehsil will help the employees reduce their burden as they will be able to keep their families with them."

He suggested that the "best thing the State can do for society, is not to fetter it with laws but straighten the lives with honesty and modesty. The best function of the State is not to legislate but educate, to make not laws but schools".

Statesmen, like the subtlest teachers, should suggest through information, rather than invite "pugnacity with prohibition; motto should be millions for education, not one cent for compulsion. Citizens ask not for lawmakers but creative teachers; submit not to regimentation but to knowledge; achieve peace and order not through violence but through spread and organisation of intelligence", he pleaded.

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setting up KVs in every tehsil across the country or making it mandatory to study the "aims, objects and basic strucone place to another. ture of the constitution" are policy decisions best left to the central government

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