



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPPL No. 75 of 2023

In The Matter Of **Suo Moto Public Interest Litigation**

Versus

The Chief Secretary & Others

AMARDEEP
CHOUBEY

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by AMARDEEP
CHOUBEY
Date: 2025.08.19
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19/08/2025	<p>This is an office reference.</p> <p>Heard Mr. Siddharth Dubey, Mr. Ishan Verma, Mr. Amiyakant Tiwari, learned Court Commissioners. Mr. Y.S. Thakur, learned Additional Advocate General for the State, Mr. Tushar Dhar Diwan, learned CGC for the Railways.</p> <p>In compliance of the Court order dated 04/08/2025, the Joint Secretary, Government of Chhattisgarh, Department of School Education, C.G. has filed an affidavit and the relevant portion of the same is reproduced hereunder:-</p> <p><i>“3. It is submitted respectfully that the Secretary, Government of Chhattisgarh, Department of School Education is presently on leave from official duties due to his personal reasons, therefore, the deponent presently holding the post of as Joint Secretary,</i></p>

Government of Chhattisgarh, Department of School Education prays for leave of the Hon'ble Court to swear the affidavit and submit it before the Hon'ble Court on behalf of the Secretary, Government Department of School Education. of Chhattisgarh.

4. It is respectfully submitted that in compliance of the Hon'ble Court's order, a two member enquiry committee consisting of the Sub Divisional Officer (Revenue) and Block Education Officer, Palari was constituted by the Collector, Distt. Balodabazar-Bhatapara to enquire into the matter and submit the report.

5. That, the enquiry committee has submitted its enquiry report on 06.08.2025 before the Collector, Distt. Balodabazar-Bhatapara. The enquiry committee had visited the Government Middle School, Lachchhanpur on 02.08.2025 and recorded statement of the villagers, parents, Panchayat representative, members of Shala Vikas Samiti, teachers and students. A copy of report dated 06.08.2025 is filed herewith as ANNEXURE D/1.

6. That, in the report dated 06.08.2025, according to the statement of students, on 28.07.2025 the dog soiled the food of the Mid Day Meal being prepared by the Self Help Group, in the Government Middle School Lachchhanpur. This incident was informed to the teachers of the School by the students, the

teachers advised the members of Self Help Group not to distribute soiled eatable to the students despite that the Self Help Group distributed food to the children. Despite complaint made to the Headmaster of the School, soiled eatable was not removed from the meal and was consumed by the children.

7. That, the Chief Medical and Health Officer, Balodabazar-Bhatapara has submitted his report and according to his report up to 08.08.2025, three doses of Anti Rabies Vaccine has been administered to 84 children of the School. According to his report all the students are fit after regular health checkup and are regularly attending the School. It has been further reported that the children are in continuous observation of Primary Health Center Lachchhanpur.

8. It is respectfully submitted that the first dose of Anti Rabies Injection was administered to the students on 30.07.2025, 31.07.2025 and 01.08.2025. The second dose was administered on 02.08.2025, 03.08.2025 and 04.08.2025 and the third dose has been administered on 06.08.2025, 07.08.2025 and 08.08.2025.

9. It is respectfully submitted that the Self Help Group Jai Laxmi Swa Sahayata Samuh has been removed from the work of Mid Day Meal in Government Middle School Lachchhanpur and

has been barred from any further governmental benefit.

10. It is respectfully submitted that show-cause-notices were issued to the Headmaster and teachers of Government Middle School Lachchhanpur. The Incharge Principal Santosh Kumar Sahu and Cluster Principal have been suspended vide order dated 06.08.2025. The Incharge Headmaster and Teachers and Cluster Coordinator have also been suspended vide order dated 06.08.2025. The Joint Director, Education, Raipur has imposed minor penalty of one Fincrement without cumulative effect vide order dated 06.08.2025 on three teachers namely Ravi Lal Sahu, Nemichand Baghel and Nampyari Dhruw. Copies of suspension and punishment order are filed herewith as ANNEXURE D/2.

11. It is respectfully submitted that the Collector, Balodabazar-Bhatapara vide his letter dated 08.08.2025 addressed to all the concerned in the School Education has issued certain directions relating to the preparation and distribution of Mid Day Meal in Schools. According to the letter dated 08.08.2025 the kitchen shed is to be covered by fences and bleaching powder is to be used in and around kitchen shed twice in a week. The items used in Mid Day Meal are to be quality checked and clean. The Headmaster / Teacher is to

compulsorily get the students hand-washed before meals. He has further directed to take action against the Self Help Group which is not maintaining the quality of the Mid Day Meal. It has also been suggested that the parents should also be made a participant in watching the preparation and distribution Mid Day Meal. A copy of letter dated 08.08.2025 is filed herewith as ANNEXURE D/3.

12. That, the Directorate of School Education has also issued guidelines to all the District Education Officers, State of Chhattisgarh vide letter dated 07.08.2025. Guidelines relevant to the food quality maintenance of cleanliness and hygiene, food safety quality check after preparation of the food and to ensure the standard of the food as prescribed in the Pradhan Mantri Poshan Shakti Nirman Yojna to be adhered to has been given. A copy of guidelines dated 07.08.2025 issued by the Directorate of Public Instruction, Raipur is filed herewith as ANNEXURE D/4.

These guidelines have been issued to ensure that no such incident reoccurs in future.

13. It is respectfully submitted that since the children have been found fit after health checkup, no compensation has been granted to the students. It would be apposite to mention that the health of the students are being monitored continuously by the Primary Health

Center Lachchhanpur.

From bare perusal of the above affidavit, it transpires that on 28/07/2025, a dog soiled the food of the mid-day meal being prepared by the self help group, in the Government Middle School Lachchhanpur.

After coming to know about the incident, the Chief Medical and Health Officer, Balodabazar-Bhatapara has submitted a report and three doses of anti-rabies vaccine has been administered to 84 children of the school. It has also been stated that all the students are fit after regular health check up and they are regularly attending the school. It is also stated in the affidavit that the children are in continuous observation of primary health center Lachchhanpur and the Headmaster and Teachers of the said school have been placed under suspension.

Further the Collector, Balodabazar-Bhatapara vide his letter dated 08/08/2025 addressed to all the concerned in the school education, has issued certain directions relating to preparation and distribution of mid-day meal in the schools. With respect to grant of compensation to the students of the said school is concerned, it is stated in the affidavit that no compensation has been paid.

Considering the fact that it was an institution of the

Government and self help group was assigned to provide mid-day meal, but the said mid-day meal was soiled by the dog and it was unfit for consumption for the students of the school and though three doses of anti-rabies has been administered to 84 children of the school, it was negligent on the part of the State to take care that the food which was being offered in the mid-day meal by the self help group to the children of Middle School, we deem it proper that Rs.25,000/- be paid by the State to each of the student of the concerned Middle School, who had consumed the said meal, within a period of one month from today.

Further, we hope and trust that the State would be more vigilant and careful in providing mid-day meal to the children studying in the Government Schools.

Learned Court Commissioner has pointed out that so far as the fixation of food items in the Anganwadi Center, the State has filed a reply, wherein vide letter dated 17/02/2025, the State has requested the Center for revising the prices of the food items, but seven months have passed, no reply has been received from the Central Government.

In view of above, Mr. Diwan, learned Central Government Counsel appearing for the Ministry of Women & Child Development, New Delhi, prays for and is allowed a

week's time to inform this Court regarding the steps taken by the Union of India in that regard.

Registry is directed to array the Secretary, Ministry of Women & Child Development, Government of India, New Delhi, as a party/respondent in the present petition.

Further, through a covering memo, which has been filed by the learned Court Commissioner, it has been brought on record that certain Anganwadi Centers are being run in the dilapidated rented buildings.

In this regard, the Joint Secretary, Government of Chhattisgarh, Department of Women and Child Development, is directed to file his personal affidavit.

List the case on **17/09/2025**.

SD/-

SD/-

(Bibhu Datta Guru)
Judge

(Ramesh Sinha)
Chief Justice

Amardeep/
Gowri