

October 9th, 2007
MDMS.gujarat/510/Mo HRD

Shri. Champak Chatterjee,
Secretary to Govt. of India,
Department of Elementary Education and Literacy,
Shastri Bhavan
New Delhi 110 001.

Sub: Opening of primary Schools in all the relief colonies of Gujarat.

Dear Shri. Champak Chatterjee,

You may kindly recall that I had met you and also written in my letter about the failure of the Gujarat state government to open schools in 81 relief colonies with persons who were internally displaced by the communal violence of 2002. I attach a copy of report.

In his affidavits-in-reply dated 16 Aug 2007, in the writ petition (civil) no.196 of 2001 before the Supreme Court of India, New Delhi (also attached), the Chief Secretary, Government of Gujarat stated that 'as per the report of the Education Department, a total number of 105 schools are within the reach of 86 colonies. The number of children in these school are 39993 in total, out of which, 2355 children are from the colonies. Government primary schools with MDM facilities are available to all the 86 colonies. In 72 colonies, schools are available within 0.5 to 1.0 km. distance. In the case of 9 colonies, the nearest Government schools is situated at a distance of 1.0 to 1.5 km. and 5 colonies are such where the schools are at a distance of 2 kms'.

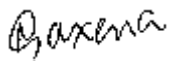
I request the intervention of the Government of India to please affirm to the state government that the distance norm does not apply to a post conflict situation where internally displaced people are unwilling to return to their original homes because of

**DR. N. C. SAXENA, COMMISSIONER AND
HARSH MANDER, SPECIAL COMMISSIONER OF THE SUPREME COURT
IN THE CASE: PUCL v. UOI & Ors. WRIT PETITION (Civil) No. 196 of 2001**


insecurity. The children are not willing to go to even the physically nearby school because of this same sense of insecurity. Therefore our request remains that primary schools be opened under SSA in all colonies despite the claim of the state government that the colonies do not qualify for separate schools because of the distance, because of the reality of continuing insecurity of a post conflict situation where internally displaced people are unwilling to return to their original homes.

Since the Mid Day Meal Scheme (MDMS) is being monitored by us on behalf of the Supreme Court and forms a central part of the entitlement to a hot, cooked meal for all primary school children of Government and Government aided schools, we feel that it is imperative that children in these relief colonies have access to this. This would be part of the State's responsibility for compliance of Supreme Court Order on the MDMS.

With Regards,



Dr. N.C. Saxena



Harsh Mander