

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

2025:PHHC:058598-DB



(204)

CWP-16074-2024 (O&M)

Decided on :05.05.2025

MATA GEJWANTI EDU. SOCIETY AND ANOTHER

.....Petitioner(s)

Versus

CBSE AND ANOTHER

.....Respondent(s)

CORAM : HON'BLE MR.JUSTICE SHEEL NAGU,CHIEF JUSTICE  
HON'BLE MR.JUSTICE SUMEET GOEL

Present:- Mr. Parvinder Singh, Advocate for the petitioner (s).

Mr. Munish Kapila, Advocate for the respondents.

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**Sheel Nagu,Chief Justice (Oral)**

1. The petitioner-Education Society has filed the present petition under Articles 226/227 of the Constitution of India seeking quashing/setting aside of the letter/communication dated 06.05.2024 (Annexure P-12) issued by the Central Board of Secondary Education, New Delhi (for short 'CBSE').

2. We have heard learned counsel for the rival parties.

3. Learned counsel for the rival parties are at consensus that there were three objections by the Review Committee of the CBSE, while rejecting the application for re-affiliation filed by the petitioner, which are as follows: -

*"1. However, it is appearing that it has HT lines which are passing over in front of the school's main entrance, which may pose as a serious safety hazards.*

*2. The building safety certificate does not have floor wise details.*

3. *The stamp of the issuing authority is an vernacular medium, however its notarized translation has not been submitted by the school.”*

4. As regard deficiency No.2, the petitioner submits that the same has been rectified on 08.05.2025. As regard deficiency No.3 is concerned, the petitioner is ready and willing to submit the notarized translation of the stamp of the issuing authority, which was initially in vernacular medium. As regard the deficiency No.1 of high tension lines passing over in front of the school main entrance, learned counsel for the respondent-CBSE has drawn our attention to the Affiliation Bye-Laws 2018 dated 18.10.2018, particularly to Clause 4.7.6, which is reproduced as under for ready reference:-

*“4.7.6. The school shall follow the guidelines related to safety of the children in schools contained in the following:-*

*(a) The guidelines issued by the Hon’ble Supreme Court of India in Writ Petition (Civil) No.483 of 2004 in the matter of Avinash Mehrotra (Petitioner) Versus Union of India & others (Respondents)*

*(b) The guidelines on School Safety Policy, 2016 issued by the National Disaster Management Authority which is statutory in nature.*

*(c) Manual on Safety and Security of Children in Schools Developed by National Commission for Protection of Child Rights.*

*(d) National Building Code-2005, as amended from time to time.”*

5. The Apex Court decision in the case of ***Avinash Mehrotra Vs. Union of India & others (Writ Petition (Civil) No.483 of 2004 decided on 13.04.2009)*** *inter alia* made it mandatory for the affiliation of a school to comply with the guidelines including the National Building Code of India-2005, Fire and Life Safety and the Code of Practice of Fire Safety in Educational Institutions issued by Bureau of Indian Standards, which mandate minimum prescribed safety standards for every school. Relevant part of the decision of the Apex Court in the said case reads as under:-

*“35. In view of what has happened in Lord Krishna Middle School in District Kumbakonam and other incidents which have been enumerated in the preceding paragraphs, it has become imperative that each school must follow the bare minimum safety standards, in addition to the compliance of the National Building Code of India, 2005, in particular Part IV-Fire & Life Safety and the Code of Practice of Fire Safety in Educational Institutions (IS 14435:1997) of the Bureau of Indian Standards. The said safety standards are enumerated hereinbelow:*

**3.1 FIRE SAFETY MEASURES IN SCHOOLS:**

*i to viii*

*xxxxxx xxxxxx xxxxxx*

*ix. No High Tension lines should run inside or in close proximity to the school. Steps must be taken to shift them if they are already there.*

*x*

*xxxxxx xxxxxx xxxxxx”*

6. Reverting to the facts of the case, especially the Review Committee’s findings; the first deficiency shown is that there are High-Tension Electric Lines passing over in front of the school main entrance, which may pose serious safety hazards.

7. Learned counsel for the petitioner in reply submits that after the impugned order was passed on 06.05.2024 (Annexure P-12), the High-Tension Lines which were passing over the front gate of the school have been shifted to the other side of the road and are not in the close vicinity of the school and, therefore, now satisfy the requisites of sub-clause (ix) of Clause 3.1 of the Fire Safety Measures in Schools issued by Bureau of Indian Standards.

8. Since the aforesaid deficiency of High-Tension Lines being inside or close to the school has been recently rectified, a fresh inspection needs to be conducted by the competent authority under the CBSE.

9. Learned counsel for CBSE has informed that the petitioner-school has applied afresh vide Application No.WS-00708-2526 and after seeking

further instructions submits that CBSE is ready and willing to re-inspect the premises of the school and give a fresh report as to whether deficiency has been removed or not in terms of Affiliation Bye-Laws 2018.

10. Learned counsel for the petitioner submits that he has no objection if the present petition is disposed of by giving directions to the respondent-CBSE.

11. In view of the consensus arrived at between the parties, this Court deems it appropriate to dispose of the present petition with the direction to the respondent-CBSE to carry out a fresh inspection of the petitioner-school, after petitioner completes all the formalities for rendering his application valid including deposit of prescribed fee. We are assured that guidelines laid down in the Affiliation Bye-laws are adhered to in letter and spirit.

12. If the entire formalities qua the application are completed within 07 days from today, then the CBSE would complete the inspection and submit the report and pass appropriate orders thereupon within a period of 30 days from the date of submission of complete and valid application by the petitioner.

13. With the aforesaid directions, the present petition stands disposed of. Pending application(s), if any, shall also stand disposed of.

**(SHEEL NAGU)**  
**CHIEF JUSTICE**

**May 05, 2025**  
*Naveen*

**(SUMEET GOEL)**  
**JUDGE**

Whether speaking/reasoned : Yes/No  
Whether Reportable : Yes/No