

**SUPREME COURT OF INDIA**

Environmental and Consumer Protect. Found.

Vs.

Delhi Administration

W.P. (C) No. 631 of 2004

(Dalveer Bhandari and Dipak Misra JJ.)

18.10.2011

**ORDER**

1. Mr. Ravindra Bana, Learned Counsel for the Petitioner submits that the directions of this Court for providing drinking water in all the schools have been complied with by all the States and the Union Territories excepting the State of Uttar Pradesh and Jammu & Kashmir.
2. Learned Counsel appearing for the State of Uttar Pradesh submits that except in 300 schools, potable drinking water has been provided in all other schools and he gives assurance to the Court that within one week from today, drinking water would be made available in the remaining 300 schools.
3. Learned Counsel appearing for the State of Jammu & Kashmir submits that by 31st October, 2011, drinking water would be made available in all the schools in the State of Jammu & Kashmir.

**RE: PROVISION FOR TOILETS IN THE SCHOOLS:**

4. We have heard the Learned Counsel for the parties. It is imperative that all the schools must provide toilet facilities. Empirical researches have indicated that wherever toilet facilities are not provided in the schools, parents do not send their children (particularly girls) to schools. It clearly violates the right to free and compulsory education of children guaranteed under Article 21-A of the Constitution.

5. We direct all the States and the Union Territories to ensure that toilet facilities are made available in all the schools on or before 30th November, 2011. In case it is not possible to have permanent construction of toilets, at least temporary toilets be provided in the schools on or before 30th November, 2011 and permanent toilets be made available by 31st December, 2011.

6. We direct the Chief Secretaries/ Administrators of all the States/Union Territories to file their affidavits on or before 30th November, 2011.

7. List this matter for further directions on 5th December, 2011.