

Social Jurist, A Civil Rights Group vs Government Of Nct Of Delhi on 6 July, 2022

Author: Satish Chandra Sharma

Bench: Chief Justice, Subramonium Prasad

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IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P.(C) 7947/2022

SOCIAL JURIST, A CIVIL RIGHTS GROUP

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Through: Mr. Ashok Agarwal, Mr. Kumar
Utkarsh, Mr. Manoj Ku
Advocates

versus

GOVERNMENT OF NCT OF DELHI

Through:

Mr. Santosh Kumar Tripathi
Standing Counsel (Civil)
with Mr. Arun Panwar, Mr.
Krishna Dwivedi, Mr. A
Jadhav, Mr. Pradyumn R
Sachdeva, Ms. Sav
Advocates

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% 06.07.2022

1. The present writ petition has been filed by Social Jurist, a Civil Rights Group, showing concern in respect of non-distribution of sanitary napkins under Kishori Yojana Scheme to girl students in the Delhi Government Schools.

2. It has been stated that the Directorate of Education has formulated a scheme, namely, Kishori Yojana Scheme, whereby girl students studying in schools run by the Delhi Government were to be provided with sanitary napkins to maintain their personal hygiene and general health. However, since January 2021, the distribution of sanitary napkins stopped, placing the girl students in a position of discomfort, and in those circumstances, the following prayers have been made before this Court:-

"i) Issue any appropriate writ, order or direction directing the respondent Directorate of Education, Government of NCT of Delhi to forthwith restore Sanitary Napkins facility to girl students in all Delhi Government Schools;

ii) Pass any other, order or direction or such further orders or directions as this Hon'ble Court may deem fit and proper in the interest of justice; and

iii) Allow the present PIL with cost, in favour of the petitioner"

3. Keeping in mind the importance of menstrual hygiene to ensure that girl students do not discontinue their studies, this Court had passed various interim orders from time to time in the present writ petition and, finally, a detailed and exhaustive reply was filed by the Respondent. Paragraph 4 and 5 of the said reply reads as under:-

"4. That, at the outset, it is most humbly submitted that the Answering Respondent/Directorate of Education, GNCT of Delhi had floated an e-tender (ID-2022_DE_222763_1) for supply of sanitary napkins to its Govt. Schools and Govt. Aided Schools. That e- tender is at advance stage as technical bids have been opened. Total seven bidders have participated and evaluation of technical bids of all bidder is underway. The financial bids will be opened immediately after evaluation of technical bids.

5. That, however, in compliance of Order of Hon'ble High Court, all concerned Head of Schools, Dy. Director of Education (Zones), Dy. Director of Education (Districts) and Regional Directors of Education have been sensitized with the matter and necessary order & guidelines have been issued to them for procurement of Sanitary Napkins from Government e-Marketplace (GeM) and to ensure the distribution to each girl students enrolled in Class 6th to 12th from the month of July, 2022 positively. (Annexure-R-1)"

4. It is stated that e-tender for supply of sanitary napkins to Government and Government-aided schools has been floated, and efforts are being made to finalize the same. It is further stated that an interim arrangement has also been made in order to ensure that the supply of sanitary napkins is not discontinued. All Heads of schools have given sufficient funds to procure sanitary napkins from Government e-Marketplace (GeM) for distribution to each girl student.

5. Learned counsel for the Petitioner very fairly states that the distribution of sanitary napkins to girl students is being duly done in their schools.

6. In light of the above, no further orders are required to be passed in the present writ petition. However, the Delhi Government must ensure uninterrupted supply of sanitary napkins to girl students in furtherance of their Kishori Yojana Scheme.

7. The writ petition is disposed of with the above observations. Pending applications, if any, stand disposed of.

SATISH CHANDRA SHARMA , CJ SUBRAMONIUM PRASAD, J JULY 06, 2022 hsk