

Preserving the Right to Safe, Inclusive and Quality Education for Children in India

**EDITION 4: A COMPENDIUM OF COURT
RULINGS IN 2025**



Acknowledgements

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Disclaimer: This compendium presents a compilation of selected judgements from courts across India relating to school-level education, organised across different themes. The summaries are intended for informational purposes only and do not constitute legal advice. Readers are encouraged to refer to the full text of the judgements and relevant laws for a complete understanding of the issues discussed. The authors are not liable for any errors or omissions.

Preface

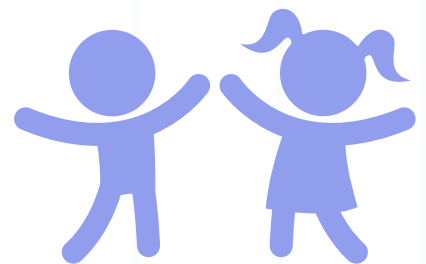
The Right to Education (RTE), recognised under Article 21A of the Constitution, reflects the State's commitment to ensuring that every child has access to free, equitable, and quality education. Complementing this guarantee, the constitutional protections under Articles 29 and 30 safeguard cultural and minority rights in educational institutions. The year 2025 saw significant jurisprudence from the Supreme Court of India and various High Courts addressing key challenges in the education sector. Courts responded to emerging issues such as digital governance, data privacy in educational databases, smartphone usage, and technology-driven attendance systems. They also expanded educational rights to include children in prisons, orphaned children under the RTE quota, and those facing academic stress. A strong emphasis on inclusive and child-centric education frameworks also emerged from these rulings. This compendium brings together 41 significant judgements delivered in 2025, organised across seven key thematic areas that capture the major strands of judicial engagement in the education sector during the year:

- 1. Access, Admission and Academic Progression** – This theme covers judicial protection of the right to education under Article 21A, including fair admissions, RTE quota enforcement, correction of academic records, and eligibility criteria. It also recognises student well-being, extracurricular achievements, and extends safeguards to vulnerable children such as orphans and those living in prisons.
- 2. RTE Financial Framework (25% Quota and State Reimbursement)** – This theme focuses on the State's obligation to reimburse private schools for EWS/DG admissions under the RTE Act, 2009. Courts emphasise that timely reimbursement is essential for sustaining inclusive education and cannot be delayed due to administrative constraints.
- 3. Fee Regulation and Protection from Student Harassment**– This theme addresses regulation of school fees and prevents coercive practices against students. Courts hold that while fee recovery is permissible, students must not face harassment, discrimination, or denial of education due to non-payment.
- 4. Disability and Inclusive Education** – This theme examines enforcement of inclusive education under the Rights of Persons with Disabilities Act, 2016, including access to schools, provision of special educators, reasonable accommodation, and implementation of welfare measures.
- 5. Teacher Governance and Institutional Accountability** – This theme covers judicial oversight of teacher recruitment, promotions, vacancies, service conditions, and qualification standards like TET, ensuring proper staffing and maintenance of educational quality.
- 6. Institutional Regulation, Minority Rights and Structural Reforms** – This theme focuses on regulation of educational institutions, including minority rights, compliance requirements, and accountability. Courts address issues such as recruitment autonomy, misuse of funds, and structural reforms to ensure equitable governance.
- 7. Digital Governance, Technology and Privacy in Education** – This theme explores emerging legal concerns around student data protection, digital systems, smartphone use in schools, and technology-driven administrative processes.

The judgements collectively demonstrate that courts continue to play a crucial role in ensuring that education policies are implemented in a manner consistent with constitutional principles and that every child regardless of socio-economic status or background has meaningful access to quality education.

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Chapter-1

Access, Admission & Academic Progression (Article 21A Core Enforcement)

1. RTE Amendment Upheld Failure in Re-Examination Justifies Holding Back Student

Case Title: Roneet vs. Mata Gujri Public School

Court: High Court of Delhi

Citation: W.P.(C) 6113/2024

Relevant Laws: Article 21A (Fundamental Right to Education); Right of Children to Free and Compulsory Education Act, 2009 (Sections 16(2) and 16(3)); 2019 Amendment to RTE;

Case Summary : This case deals with the legal challenge against automatic promotion under the RTE Act, 2009, specifically whether a student who fails both initial and re-examination in Class V can be held back.

Facts: This case involved a Class V student, Roneet, whose family approached the court claiming that the school was illegally holding him back despite his participation in both the final exams and subsequent re-examination in early 2024. The school contended that Roneet had failed all subjects in the final exams and, despite two re-examination opportunities, did not meet the passing criteria. The school withheld the results from the public notice board to avoid demoralising the student, but explained the situation orally to his parents. During the litigation, a provisional order allowed Roneet to attend Class VI for the entire year, even though he technically had not passed Class V, creating a complex situation where legal and educational considerations had to be balanced.

Court's Decision: On January 31, 2025, the Delhi High Court clarified the interplay between the original provisions of the RTE Act, 2009 and the 2019 Amendment. While the original Act discouraged retention, the 2019 Amendment explicitly allowed regular examinations for Classes V and VIII and authorised schools to hold back students who failed both the initial exam and the mandatory re-examination. The Court held that promoting Roneet to Class VI without mastery of Class V subjects would compromise his foundational learning and long-term educational development. Considering his unique situation of already attending Class VI, the Court directed a compassionate solution: Roneet would be allowed to reappear for the Class V exam in February 2025, and the school must provide special preparatory classes to ensure he acquires the necessary knowledge to progress successfully.

Key Takeaways: *This case highlights that the right to education under Article 21A is not merely a right to automatic promotion but a right to meaningful learning. Upholding the 2019 Amendment to Section 16 of the RTE Act, 2009, the Court confirmed that schools can hold students back when they fail both initial and re-examinations, protecting foundational learning. The judgement emphasises that retention, combined with remedial support, ensures long-term educational development, prioritising learning outcomes over mechanical promotion and fulfilling the constitutional mandate of providing equitable and quality education to all children.*

2. Right to Education Extends to Children in Prison

Case Title: Smt. Rekha vs. State of Uttar Pradesh

Court: High Court of Allahabad

Citation: 2025:AHC:9210

Relevant Laws: Article 21A (Right to Education); Article 21; Article 15(3); Juvenile Justice (Care & Protection of Children) Act, 2015; Right to Education Act, 2009

Case Summary : This case deals with the fundamental right to education and child welfare for minor children residing in prisons with incarcerated parents.

Facts: The applicant, Smt. Rekha, sought bail while her five-year-old son was forced to reside with her in prison after her incarceration. The petition highlighted that children living in such custodial environments face severe developmental challenges, including psychological trauma, exposure to aggression, and lack of access to proper educational and social resources. The petitioner argued that the child's fundamental right to education and development under Articles 21 and 21A was being violated, as prisons lack adequate facilities, schools, and staff trained for child welfare. The case highlighted the broader issue of children living in prisons with parents, often referred to as "caged childhoods," and the State's responsibility to provide a safe and conducive environment for their growth.

Court's Decision: On January 20, 2025, the Allahabad High Court granted bail to Smt. Rekha while issuing mandatory directives for child welfare. The Court held that while deciding bail applications, courts must consider the welfare and rights of minor children who may be forced to live in prison with their incarcerated parents. It emphasised that bail jurisdiction does not limit the constitutional responsibilities of the court and that courts can address issues affecting the fair administration of justice, including the rights of children. Further the Court ruled that children residing in jail are not convicts and are entitled to basic rights, including food, shelter, and education. The Court instructed the Chief Secretary of Uttar Pradesh to establish a multi-departmental committee comprising representatives from Education, Women and Child Development, and Health departments to formulate a comprehensive "Child Care Plan." Key directives included relocating nursery and school facilities outside prison walls, providing specially trained staff to support children, and ensuring no interaction between children and adult prisoners. The Court emphasised that the right to education is inalienable and cannot be suspended due to a parent's incarceration.

Key Takeaway: *The judgement affirms that the right to education under Article 21A is inalienable and must be provided even in prisons. The Court emphasised that a jail environment cannot negate a child's fundamental rights. True education requires a congenial environment, and the State must actively safeguard children in exceptional circumstances.*

3. CBSE Class 12 Records Corrected Despite Administrative Lapses

Case Title: Master Agastya Lakhera & Ors. vs. Union of India & Ors.

Court: High Court of Delhi

Citation: W.P.(C) 1483/2025

Relevant Laws: Article 226, Constitution of India; Article 21A

Case Summary : This case deals with a petition seeking emergency correction of subjects and personal details in CBSE Class 12 examination records due to school-level clerical errors, prioritising students' right to education over procedural delays.

Facts: A group of Class 12 students from Glorious Public School discovered that their registered subjects and personal details, including parental names, contained significant errors just days before their board examinations. The school admitted these were clerical mistakes and had repeatedly written to CBSE since late 2024 requesting correction but received no response. The students approached the Court to safeguard their academic future. CBSE raised concerns about the school's legitimacy, suggesting it might have poor record-keeping practices, and argued that last-minute subject changes could potentially disadvantage the students.

Court's Decision: On February 11, 2025, Justice Dinesh Kumar Sharma emphasised that protecting students' academic careers must take precedence over procedural technicalities or the school's lapses. Exercising equitable writ jurisdiction, the Court directed CBSE to immediately correct subject registrations and personal details, ensuring the students could sit for exams starting February 15. The Court clarified that this emergency intervention did not confer any special legal equity but permitted CBSE to continue investigations into the school's record-keeping and potential disaffiliation proceedings. The judgement underscored that administrative errors should never jeopardise a student's right to education or fair examination opportunities.

Key Takeaway: *The judgement prioritises student welfare over procedural rigidity, highlighting that Article 21A guarantees not just access to education but protection of academic interests. Boards and authorities must act swiftly to rectify administrative failures to ensure that students' educational journeys are not compromised.*

4. Private School Not Bound to Re-Admit Student Posing Safety Risk

Case Title: Anuradha Barkur Baliga vs. Airaa Academy & Anr.

Court: High Court of Karnataka

Citation: MANU/KA/0581/2025

Relevant Laws: Article 21A; Right of Children to Free and Compulsory Education Act, 2009

Case Summary : This case deals with a private school's refusal to re-admit a student whose violent and unmanageable behavior posed a safety risk to other students.

Facts: The petitioner, a mother, challenged Airaa Academy's decision to deny her son re-admission for the next academic year. She argued that her son's behavior was merely typical childhood "naughtiness" and submitted a report from the USA indicating he had ADHD.

The school countered that the child exhibited repeated violent and unmanageable conduct, creating safety concerns for staff and students. Complaints from other parents corroborated the school's assessment. Despite attempts to accommodate him, the child continued to disrupt classroom activities and posed a tangible risk to the learning environment.

The school advised the parents to seek an alternative institution with the expertise to handle such behavior, rather than forcing continuation in an unsafe environment.

Court's Decision: On February 5, 2025, the Court dismissed the petition and upheld the school's decision. It held that ADHD alone did not constitute a formally recognised disability under Indian law that would override the school's right to maintain safety.

The Court emphasised that private unaided schools are obligated to protect the safety and welfare of the broader student body. Parents were encouraged to pursue an alternative school that could cater to their child's behavioral needs.

Key Takeaway: *Article 21A guarantees the right to education, but it does not override the safety of the student body. Private schools can deny admission or continuation to students whose behavior creates significant safety risks unless a legally recognised disability mandates protection.*

5. SC/DG Quota Is a Minimum: Delhi HC Orders Admission of Child

Case Title: Ravi Kumar vs. VSPK International School & Anr.

Court: High Court of Delhi

Citation: MANU/DE/2423/2025

Relevant Laws: Article 21A; Right of Children to Free and Compulsory Education Act, 2009 (Sections 12, 15, and 16)

Case Summary : This case deals with a private school's refusal to admit a child under the SC/DG category despite a government allotment, clarifying that RTE quotas for disadvantaged children represent a minimum threshold, not a cap.

Facts: The petitioner, Ravi Kumar, sought admission for his son, Master Daksh, who had been allotted a seat under the SC/DG category in May 2024 through a government draw of lots. The school ignored multiple emails from the father and refused admission, claiming that limited general category enrollments meant they were required to admit only 14 EWS/DG students instead of the 23 mandated by the Directorate of Education. The school also argued that admitting additional students would breach the 25% reservation limit and that the academic session was nearly over, making it difficult for the child to catch up. The petitioner contended that the child's constitutional right to education could not be blocked by administrative calculations or timing issues.

Court's Decision: The Delhi High Court rejected the school's arguments, holding that the 25% reservation under Section 12(1)(c) of the RTE Act, 2009 is a minimum requirement, not an upper limit. The Court clarified that the quota must be calculated based on the school's declared capacity, not actual general category admissions, preventing intentional under-enrollment of SC/DG students. The school was directed to immediately admit Master Daksh for the 2024-25 session and automatically promote him to the next class the following year. To compensate for lost academic time, the Court required the school to provide three months of special training and additional support to integrate the child both academically and socially.

Key Takeaway: *The judgement confirms that the Right to Education (Article 21A) guarantees access to education for disadvantaged children and prevents schools from using quota calculations or late admissions to deny rights. Schools must comply with the 25% reservation as a minimum threshold and provide compensatory support for any missed schooling to ensure equitable and meaningful learning.*

6. Parental Beliefs Cannot Override Child's Right to Education

Case Title: Santha Babu vs. State of Kerala

Court: High Court of Kerala

Citation: 2025:KER:20983

Relevant Laws: Article 21A; Right of Children to Free and Compulsory Education Act, 2009; Juvenile Justice (Care and Protection of Children) Act, 2015

Case Summary : This case deals with a grandmother's petition challenging the parents' refusal to provide formal education to their children in favor of an ascetic lifestyle, highlighting the state's duty to protect a child's right to education.

Facts: The petitioner, an 84-year-old grandmother, approached the Court because her son and daughter-in-law refused to provide their children with syllabus-based education. Despite being an MBBS doctor, the father pursued martial arts and ascetic practices, compelling the children to follow the same path and denying them formal schooling. Court-ordered investigations revealed a concerning environment: the children displayed behavioral issues and social awkwardness, and at one point, the father and the minor daughter went missing. The Court also ordered a psychiatric evaluation for the daughter, who struggled to adapt to structured routines and interactions outside her parents.

Court's Decision: Justice N. Nagaresh emphasised the "paramount interest of the child." While the daughter was allowed to return to her mother's custody, strict conditions were imposed to prevent further neglect of her education and mental health. The Court directed registration with the National Institute of Open Schooling (NIOS) to continue her studies through home-schooling once medically fit. The Kerala State Child Rights Commission and the Child Welfare Committee were tasked with monitoring her academic progress and well-being every three months, with violations treated as civil contempt.

Key Takeaway: *The judgement underscores that the Right to Education (Article 21A) is fundamental and cannot be overridden by parental lifestyle or religious choices. While parents may choose the mode of education, they cannot deny education altogether. By mandating NIOS registration and periodic state monitoring, the Court reinforced that a child's academic development is a matter of constitutional concern and must be actively protected.*

7. Pragmatic Interpretation of “Neighborhood School” Norms in School Consolidation

Case Title: Krishna Kumari and Ors. vs. State of U.P. and Ors.

Court: High Court of Allahabad

Citation: 2025:AHC-LKO:38113

Relevant Laws: Article 21A of the Constitution of India; Right of Children to Free and Compulsory Education Act, 2009; U.P. RTE Rules, 2011-Rule 4

Key Takeaways: *The judgement underscores that the Right to Education (Article 21A) is fundamental and cannot be overridden by parental lifestyle or religious choices. While parents may choose the mode of education, they cannot deny education altogether. By mandating NIOS registration and periodic state monitoring, the Court reinforced that a child's academic development is a matter of constitutional concern and must be actively protected.*

Case Summary : The case deals with the validity of the State's decision to merge or consolidate primary schools under a rationalisation policy and examines whether such restructuring violates the “neighborhood school” mandate under the RTE framework.

Facts: The petitioners challenged the State of Uttar Pradesh's decision to merge and consolidate certain primary schools that had low student enrollment as part of a broader rationalisation exercise aimed at optimising educational resources. They relied upon Rule 4(1) of the U.P. RTE Rules, 2011, which mandates the establishment of a primary school within one kilometre of every habitation. According to the petitioners, the closure or merger of schools would compel children to travel beyond the prescribed distance, thereby undermining the concept of a “neighborhood school” and effectively infringing their fundamental right to accessible education under Article 21A.

The State defended its policy by asserting that it was entitled to restructure educational infrastructure in order to ensure better utilisation of teachers and public funds. It contended that the obligation to provide a neighborhood school is subject to practical considerations such as availability of land, infrastructure, and financial resources. The State further submitted that wherever a physical school could not be maintained within the immediate locality, alternative arrangements such as transportation facilities would be provided to ensure continued access to schooling.

Court's Decision: The Allahabad High Court dismissed the writ petitions and upheld the Government Orders. The Court held that the pairing of schools was a policy decision taken to improve educational infrastructure and resource utilisation, and it did not violate Article 21A of the Constitution.

The Court observed that Article 21A guarantees free and compulsory education but does not mandate that a school must exist within a fixed distance such as one kilometre in every case. Therefore, the mere fact that school pairing could increase the distance between a child's residence and the school does not automatically amount to a constitutional violation.

It further held that the impugned orders were issued in furtherance of the National Education Policy, 2020, which seeks consolidation of small schools to ensure better teaching resources, infrastructure, and quality of education. Since the petitioners failed to demonstrate arbitrariness, mala fide intent, or an actual denial of educational access, the Court found no grounds to interfere with the policy decision. Accordingly, the Court dismissed the petitions, while emphasising that the State remains responsible for ensuring that no child is deprived of access to education due to the implementation of the policy.

8. Enforcing Compliance with EWS Allotments under the Act

Case Title: Baby Divisha Bhadana vs. Kulachi Hansraj Model School & Anr. (clubbed petition)

Court: High Court of Delhi

Citation:
MANU/DEOR/64953/2025

Relevant Laws: Article 21A of the Constitution of India; Right of Children to Free and Compulsory Education Act, 2009

Case Summary : The case deals with denial of admission to a child selected under the EWS quota and examines the enforceability of allotment orders issued under the Act.

Facts: The petitioner, a minor child, applied for admission to the entry-level class for the academic session 2025–26 under the Economically Weaker Section (EWS) category.

Through the centralised draw of lots conducted by the Directorate of Education (DoE), she was officially allotted a seat at Kulachi Hansraj Model School. Despite the formal allotment and repeated approaches by her family, the school did not grant her admission.

Aggrieved by the refusal and the absence of any lawful justification for non-compliance with the DoE's allotment order, the petitioner approached the High Court seeking enforcement of her statutory right to admission under the RTE framework.

Court's Decision: On July 1, 2025, Justice Vikas Mahajan issued notice to the school and the Directorate of Education. Further the court directing Kulachi Hansraj Model School to admit petitioner under the EWS/DG/CWSN category

Key Takeaway: *Once a child is allotted a seat under the State-conducted EWS draw of lots, the school is bound to comply with the allotment. Non-action or refusal to admit amounts to a potential violation of the statutory mandate under the RTE Act, 2009 and the constitutional guarantee under Article 21A. Courts are prepared to treat repeated non-compliance by an institution as a systemic issue warranting coordinated judicial scrutiny.*

9. Upholding Student Mental Health as a Fundamental Right under Article 21

Case Title: Sukdeb Saha vs. State of Andhra Pradesh

Court: Supreme Court of India

Citation: MANU/SC/0980/2025

Relevant Law: Article 21 of the Constitution of India

Case Summary : The case deals with the recognition of student mental health as an integral component of the fundamental right to life under Article 21, and the accountability of educational institutions and coaching centres in preventing academic-pressure-related harm.

Facts: The matter arose from a criminal appeal concerning the tragic suicide of a student enrolled in a coaching centre. During the course of proceedings, the Supreme Court expanded the scope of inquiry beyond the individual criminal liability involved in the incident. The Court took note of the increasing instances of student suicides linked to academic pressure, institutional practices, and lack of psychological support systems. The Court examined whether educational institutions and coaching centres were maintaining adequate safeguards to protect students from mental distress, humiliation, and extreme academic pressure. It observed systemic shortcomings, including absence of counselling mechanisms, lack of trained mental health professionals, and practices such as public shaming and performance-based humiliation. The case thus evolved into a broader constitutional examination of whether mental well-being forms part of the right to life guaranteed under Article 21.

Court's Decision: On 25 July 2025, the Supreme Court issued binding nationwide guidelines recognising the right to mental health as an essential facet of the fundamental right to life under Article 21. The Court directed all educational institutions and coaching centres to:

- Formulate and implement a comprehensive mental health policy.
- Appoint trained counsellors and mental health professionals.
- Conduct regular sensitisation and training programmes for staff.
- Prohibit public shaming, rank-based humiliation, and coercive academic practices.
- Establish grievance redressal and support mechanisms for students.

The guidelines were declared mandatory and enforceable across India, placing a clear legal obligation on institutions to ensure psychological safety within academic environments.

Key Takeaway: *This judgement establishes that mental well-being is constitutionally protected under Article 21. Educational institutions are no longer merely academic spaces but legally accountable environments where psychological safety is a fundamental requirement.*

10. Rigid Age Norms Cannot Defeat a Gifted Child's Academic Advancement

Case Title: Aarav Singh vs. Union of India and Ors.

Court: High Court of Madhya Pradesh at Jabalpur

Citation: MANU/MP/2413/2025

Relevant Laws: Article 21 of the Constitution of India concerning the right to life and personal liberty; principles underlying the Right to Education; National Education Policy, 2020 guidelines relating to age criteria and academic structuring

Case Summary : This case deals with the denial of Class IX registration to an allegedly underage but exceptionally gifted student under the age norms prescribed in the NEP 2020.

Facts: The petitioner, a minor born in March 2014, had successfully completed Classes I to VIII at a private institution with an outstanding academic record. When he sought registration for Class IX, the authorities denied the same on the ground that he did not meet the minimum age criteria under the National Education Policy, 2020. The family contended that he was an exceptionally gifted child, supported by an independent IQ assessment, and that halting his academic progression after successfully clearing eight grades would be arbitrary and detrimental to his development.

Court's Decision: The High Court set aside the rejection order and directed the respondents to permit the student to register for Class IX for the current academic session. The Court observed that NEP guidelines on age are regulatory in nature and not inflexible mandates, particularly in cases involving exceptionally brilliant students. Since the petitioner had already cleared Classes I to VIII with distinction, compelling him to repeat a year or stall his education would be unjust and contrary to constitutional principles protecting personal development and educational advancement.

Key Takeaway: *Age-based educational guidelines cannot be applied rigidly where they defeat a child's demonstrated academic capability; the right to education includes the right to meaningful academic progression.*

11. Supreme Court Directs Inclusion of Orphan Children Within 25% RTE Quota

Case Title: Poulomi Pavini Shukla vs. Union of India & Ors.

Court: Supreme Court of India

Citation: MANU/MP/2413/2025

Relevant Laws: Article 21A of the Constitution of India; Right of Children to Free and Compulsory Education Act, 2009 concerning reservation of 25% seats in neighborhood schools for disadvantaged groups

Case Summary: This case deals with a Public Interest Litigation seeking inclusion of orphan children within the 25% reservation quota under the RTE Act, 2009.

Facts: The petitioner-in-person filed the writ petition highlighting that orphan children were often excluded from admissions under the 25% RTE quota because they were not formally categorised as a disadvantaged group in several states. While some states had issued notifications including orphans within the quota, many others had not taken similar steps, resulting in inconsistent protection across the country.

Court's Decision: The Supreme Court issued directions to all states and union territories that had not yet done so to consider issuing notifications including orphan children within the 25% quota framework. States were granted four weeks to comply and file affidavits, failing which the concerned Education Secretaries were required to explain non-compliance. The matter was kept for monitoring to ensure uniform implementation.

Key Takeaway: *The constitutional promise of free and compulsory education extends to orphan children, and states must proactively remove administrative barriers to ensure their inclusion within the 25% RTE quota.*

12. 5 KM Residential Rule with Child's Right to RTE Admission

Case Title: Nishanth Jaladi vs. Union of India and Ors.

Court: High Court of Andhra Pradesh at Amaravati

Citation: WP NO: 9052/2025

Relevant Laws: Article 21A of the Constitution of India; Right of Children to Free and Compulsory Education Act, 2009; regulatory norms concerning residential proximity (5 KM radius rule) for school admissions

Case Summary: This case deals with denial of RTE admission in a Kendriya Vidyalaya on the ground that the student's residence fell beyond the prescribed 5 KM radius.

Facts: The petitioner, selected through the RTE lottery for Class I admission at a Kendriya Vidyalaya in Vijayawada, was denied admission because his residence was located beyond the 5 KM radius prescribed by the school. His father, a daily wage painter, argued that the denial was arbitrary, especially when a seat remained vacant and the admission would significantly benefit the child's educational prospects.

Court's Decision: The High Court disposed of the petition by directing that the school may grant admission provided the petitioner's family shifts residence within the 5 KM radius and furnishes proof of the new address. The Court thus balanced adherence to the residential rule with the objective of advancing the child's educational interests.

Key Takeaway: Residential proximity norms under the RTE regime are valid but not insurmountable; courts may craft pragmatic solutions to ensure that technical rules do not frustrate a child's right to education.

13. RTE Admission Cannot Be Rejected on Hyper-Technical Grounds

Case Title: Master Daivik Rangwani vs. State of Rajasthan & Ors.

Court: High Court of Rajasthan

Citation: WP(C) No. 8802/2025

Relevant Laws: Right of Children to Free and Compulsory Education Act, 2009 particularly Section 12(1)(c) concerning 25% quota in private schools; Rajasthan Right of Children to Free and Compulsory Education Rules, 2011; Article 21A of the Constitution of India protecting the fundamental right to education

Case Summary: This case deals with rejection of a child's RTE admission application on technical documentary grounds and enforcement of the constitutional right to education.

Facts: The petitioner, a minor represented through his father, applied for admission in a private school under the 25% RTE quota by submitting an online application. On 21 April 2025, his application was rejected on the ground of submission of incorrect documents, though no formal communication of rejection was served upon him. Subsequently, the State extended the last date for submission and verification of documents until 8 May 2025. The respondents contended that the Aadhaar Card attached with the application did not mention the Ward number of the petitioner's residence. Within the extended deadline, the petitioner submitted a duly attested and valid residence certificate issued by a competent authority. Despite this, the respondents failed to consider his application under the RTE quota. Aggrieved, the petitioner approached the Rajasthan High Court invoking Article 21A and the provisions of the RTE Act, 2009, seeking directions for admission.

Court's Decision: The Court held that once the deadline for submission and verification of documents was extended, the duly attested residence certificate submitted by the petitioner ought to have been considered. It ruled that rejection merely because the Aadhaar Card did not mention the Ward number was arbitrary and hyper-technical. Relying on Section 12 of the RTE Act, 2009 and the Rajasthan RTE Rules, 2011, the Court emphasised that the right to education under Article 21A cannot be defeated on procedural irregularities. It further observed that the concept of a "neighbourhood school" cannot be misused by private schools to arbitrarily deny admission where the statutory 25% quota is not fulfilled. The writ petition was allowed and the respondents were directed to admit the petitioner under the RTE quota within 15 days.

Key Takeaway: *Technical deficiencies in documentation cannot override the statutory mandate of Section 12(1)(c); the fundamental right to education must prevail over procedural objections.*

14. Equal Recognition of Sports Achievements: Roller Skating Included for Grace Marks

Case Title: Deion Paul Naveen vs. State of Kerala & Ors.

Court: High Court of Kerala at Ernakulam

Citation: WP(C) NO. 29970 OF 2025

Relevant Laws: Article 21A of the Constitution of India ensuring equal educational opportunity; regulatory framework governing award of grace marks and sports quota admissions in Kerala schools

Case Summary: This case deals with rejection of a child's RTE admission application on technical documentary grounds and enforcement of the constitutional right to education.

Facts: The petitioners were school students and national-level roller skaters who had participated in championships organised by the Roller Skating Federation of India. They challenged a State notification that excluded Roller Skating from the 43 recognised sports disciplines eligible for grace marks and sports quota admissions in Kerala. The students argued that this exclusion was arbitrary and discriminatory, particularly when Roller Skating was recognised by the School Games Federation of India (SGFI) and the Ministry of Youth Affairs and Sports. They contended that denial of grace marks adversely affected their academic ranking and future educational prospects.

Court's Decision: The High Court ruled in favor of the petitioners and directed the State to include Roller Skating in the list of recognised sports for awarding grace marks. The Court observed that once a sport is recognised by national bodies, the State cannot arbitrarily exclude it without rational justification. Denial of benefits to roller skaters while extending them to participants of other sports amounted to hostile discrimination. The authorities were directed to extend grace mark benefits to the petitioners for the relevant academic year.

Key Takeaway: *Equal opportunity in education includes fair recognition of extracurricular achievements; exclusion of a nationally recognised sport without rational basis amounts to discrimination.*

Chapter-2

RTE Financial Framework (25% Quota & State Reimbursement Obligations)

1. Reimbursement of Fees for Students Admitted Under 25% RTE Quota

Case Title: Mukul Madhav Foundation vs. State of Maharashtra

Court: High Court of Bombay

Citation: 2025:BHC-AS:17453-DB

Relevant Laws: Right to Education Act, 2009 (Section 12)

Case Summary: This case deals with the failure of the State of Maharashtra to reimburse private schools for students admitted under the mandatory 25% quota for weaker sections under the RTE Act, 2009. It addresses the financial strain caused to schools due to delayed disbursement of funds despite Central grants being released. The Court imposed a strict timeline for verification and payment of dues.

Facts: Mukul Madhav Foundation, along with other educational societies, approached the court because the State of Maharashtra had failed to reimburse them for students admitted under the mandatory 25% quota for weaker and disadvantaged groups. The schools argued that while they were fulfilling their legal obligation under Section 12 of the RTE Act, 2009 to provide free elementary education, the lack of timely state funding was severely affecting their day-to-day operations. They alleged that despite the Central Government releasing the necessary grants to the State, the money was not being passed on to the actual service providers.

Court's Decision: On April 17, 2025, the Court issued a strict timeline for the government to settle these accounts. The Bench granted the State of Maharashtra eight weeks to complete scrutiny of eligibility and calculate the exact reimbursement amounts for each school. Once this determination was complete, the State was directed to release admissible funds within two weeks. If the State denied any part of the claim, it must issue a formal order, allowing schools to challenge the denial in court. The judgement reinforced that the Right to Education is a shared financial responsibility between the State and private institutions and that free education cannot become a financial burden on schools. It ensures that the 25% quota remains a sustainable tool for social inclusion and protects the stability of the educational ecosystem for millions of students.

Key Takeaway: *The State must timely reimburse schools for students admitted under the 25% RTE quota; free education cannot impose a financial burden on schools, ensuring the quota remains a sustainable mechanism for social inclusion.*

2. Fee Reimbursement for RTE Students in Maharashtra

Case: Warana Shikshan Sanstha vs. State of Maharashtra

Court: High Court of Judicature at Bombay (Civil Appellate Jurisdiction)

Citation: 2025:BHC-AS:17453-DB

Relevant Laws: Right of Children to Free and Compulsory Education Act, 2009 (Section 12); Article 21A

Case Summary: This case deals with private schools seeking reimbursement from the State for educating students under the mandatory 25% quota for weaker and disadvantaged sections under Section 12 of the RTE Act, 2009.

Facts: The petitioners, representing educational societies in Maharashtra, approached the High Court because the State government had failed to reimburse them for the costs of educating students under the mandatory 25% quota. Under Section 12 of the RTE Act, 2009, schools are required to provide free elementary education to children from weaker sections and disadvantaged groups, with the understanding that the government will refund the admissible expenses. The schools alleged that although the Central Government had already released the necessary grants to the State, the funds were not being passed on to institutions, severely hindering their operations and educational standards.

Court's Decision: On April 17, 2025, the Division Bench ruled in favor of the schools and issued a strict timeline for the State to settle its dues. The Court granted the State eight weeks to scrutinise claims, determine eligibility, and calculate the exact reimbursement quantum for each school. Once this determination is complete, the State is legally mandated to release the admissible funds within a further two-week window. If the government decides a school is not entitled to a certain amount, it must pass a formal order explaining why, allowing the institution to legally challenge the specific denial. The judgement reinforces the financial backbone of the Right to Education by clarifying that the State's duty to provide free education is a binding partnership with private institutions. The Court emphasised that government failure to reimburse schools could jeopardise the very educational access the law seeks to protect, ensuring that the 25% quota remains effective and sustainable.

Key Takeaway: *Prompt state reimbursement is critical to ensure the sustainability of inclusive education; schools cannot be left financially strained while fulfilling their legal obligations under the 25% RTE quota.*

3. State's Independent Financial Obligation under the RTE Act, 2009

Case: V. Eswaran vs. Government of Tamil Nadu

Court: High Court of Madras

Citation: MANU/TN/2282/2025

Relevant Laws: Article 21A of the Constitution of India; Right of Children to Free and Compulsory Education Act, 2009

Case Summary: This case deals with timely implementation of admissions under the 25% RTE quota and the State's independent obligation to reimburse private unaided schools irrespective of receipt of central funds.

Facts: A Public Interest Litigation was filed seeking directions to ensure that admissions under Section 12(1)(c) of the RTE Act, 2009 (25% quota for disadvantaged and weaker sections) commenced on time in Tamil Nadu.

The petitioner highlighted that several private unaided schools had not been reimbursed for admitting students under the RTE quota. The State Government cited non-receipt of funds from the Central Government under the Samagra Shiksha Scheme as the reason for the delay. It was argued that delays in reimbursement were discouraging schools from cooperating fully with the statutory mandate and were indirectly affecting the smooth implementation of free and compulsory education.

Court's Decision: The Madras High Court held that the State Government bears a primary and independent obligation under the RTE Act, 2009 to reimburse private schools for admissions made under the 25% quota. The Court clarified that this statutory responsibility cannot be made contingent upon the receipt of central funds. The State cannot defer compliance with its legal obligations by attributing delays to funding constraints from the Union Government.

The Court further directed that the issue of de-linking the RTE component from the Samagra Shiksha Scheme be considered to ensure timely disbursement and uninterrupted implementation.

Key Takeaway: State must ensure timely RTE admissions and reimburse private schools without delay, and cannot cite non-receipt of Central funds as a reason for non-compliance.

4. State's Absolute Duty to Reimburse Schools under the RTE Act, 2009

Case: Mohandoss vs. The Secretary to Government

Court: High Court of Madras

Citation: 2025 Supreme(Online)(Mad) 44624

Relevant Laws: Right of Children to Free and Compulsory Education Act, 2009

Case Summary: The case deals with the State Government's independent and non-contingent obligation to reimburse private unaided schools for admissions under the 25% quota mandated by the RTE Act, 2009.

Facts: Private unaided schools in Tamil Nadu approached the Madras High Court seeking reimbursement of amounts due for admitting students belonging to economically weaker sections under the 25% quota mandated by the RTE Act, 2009.

The State Government delayed payment, citing non-receipt of corresponding funds from the Central Government as the reason for the backlog. The petitioners contended that such delay severely impacted the financial functioning of schools and undermined the statutory framework of the RTE Act, 2009.

Court's Decision: The Madras High Court held that the State Government cannot rely on non-receipt of central funds to justify non-compliance with its statutory obligations. The Court ruled that the State's responsibility to reimburse private schools is absolute under the RTE Act, 2009 and cannot be made contingent upon financial assistance from the Union Government.

The Court directed the State to clear pending dues and ensure timely future disbursement.

Key Takeaway: *The financial responsibility to implement the RTE Act, 2009 lies squarely with the State Government. Constitutional and statutory obligations cannot be deferred or diluted due to inter-governmental funding arrangement*

5. Reimbursement Claims Under Section 12(2) of the RTE Act, 2009

Case: Shree Laxmi Shikshan Prasarak Mandal & Anr. vs. State of Maharashtra & Ors.

Court: High Court of Bombay

Citation: 2025:BHC-KOL:4414-DB

Relevant Laws: Constitution of India (Article 21A); Right of Children to Free and Compulsory Education Act, 2009, Section 12(2)

Case Summary: This case deals with delayed reimbursement to a private school for students admitted under the 25% EWS quota mandated by the RTE Act, 2009.

Facts: The petitioners, managing an educational institution, sought reimbursement for expenses incurred in educating students admitted under the 25% reservation for Economically Weaker Sections and disadvantaged groups. Under Section 12(2) of the RTE Act, 2009, the State is obligated to reimburse schools at the prescribed per-child expenditure or the actual fees charged, whichever is lower. Despite submission of claims, the Education Officer had failed to take a decision, resulting in financial strain on the institution and uncertainty regarding recovery of dues.

Court's Decision: The Division Bench disposed of the petition by imposing a strict administrative timeline. The Court directed the petitioners to approach the Education Officer with all supporting documents within two weeks and ordered the Education Officer to decide the reimbursement proposal on merits within six weeks of receipt. Although the Court did not adjudicate on the precise entitlement or quantum, it ensured that administrative inaction was remedied through a time-bound direction.

Key Takeaway: *The State's obligation under Section 12(2) of the RTE Act, 2009 includes timely reimbursement; prolonged administrative delay undermines the financial sustainability of institutions implementing the 25% EWS mandate.*

Chapter-3

Fee Regulation & Protection from Student Harassment

1. Reimbursement Claims Under Section 12(2) of the RTE Act, 2009

Case: Welham Boys' School Society & Others vs. State of Uttarakhand & Anr.

Court: High Court of Uttarakhand

Citation: MANU/UC/0001/2025

Relevant Laws: Article 162 of the Constitution (Executive power of the State); Article 246(2) (Legislative competence under the Concurrent List); Article 19(1)(g) (Right to carry on occupation); Entry 25, List III (Education); Right of Children to Free and Compulsory Education Act, 2009; Disaster Management Act, 2005; Epidemic Diseases Act, 1897

Case Summary: The case deals with a challenge to Government Orders issued during the Covid-19 pandemic regulating fees charged by private unaided residential schools. The Court examined whether the State could lawfully intervene in school fee structures to prevent financial burden on parents during the lockdown.

Facts: The petitioners, private unaided residential schools, challenged two Government Orders dated 15 January 2021 and 22 March 2021 issued during the Covid-19 pandemic. The Government Order dated 15 January 2021 permitted schools to collect full fees from students of Classes 10 and 12 only from the date physical classes resumed, while restricting collection to tuition fees during the lockdown. For other classes where teaching was conducted online, only tuition fees could be charged. The Government Order dated 22 March 2021 extended similar provisions to Classes 6 to 11, allowing full fees only from 8 February 2021, when physical classes resumed, and limiting schools to tuition fees during the online learning period. The petitioners argued that the State had no authority under the Disaster Management Act, 2005, the Epidemic Diseases Act, 1897, or any other law to regulate fees of private unaided schools. They contended that fee collection was a contractual matter between schools and parents.

The State submitted that as a welfare State, it was required to intervene during the economic hardship caused by the pandemic. It relied on its executive power under Article 162, stating that education falls within the Concurrent List. The State also pointed out that schools were charging for facilities such as hostel, mess, laundry, swimming, and other services that were not provided during the lockdown.

Court's Decision: The High Court dismissed the petitions and upheld the validity of both Government Orders.

The Court held that the State validly exercised its executive power under Article 162. Since education falls within the Concurrent List, the State is competent to issue policy directions in matters relating to education. The Court observed that education is not a purely commercial activity and that the State has a duty to prevent exploitation, particularly in extraordinary circumstances such as a pandemic. Schools cannot charge fees for facilities that were not provided during the lockdown. Reasonable regulation in public interest does not violate the rights of private unaided institutions.

Key Takeaway: *The judgement affirms that the State has the authority and responsibility to regulate school fees during emergencies. Private educational institutions cannot charge for services not rendered, and regulatory intervention in public interest is constitutionally valid.*

2. Prohibition of Student Harassment Over Fee Disputes

Case: Delhi Public School Dwarka vs. National Commission for Protection of Child Rights and Ors.

Court: High Court of Delhi

Citation: 2025 SCC Online Del 2415

Relevant Laws: Delhi School Education Act, 1973, and Rules; Section 24(3) of DSEAR, 1973; Rule 56 of DSEAR, 1973

Case Summary: This case deals with harassment, discrimination, and segregation of students by a school over alleged non-payment of unauthorised fee hikes, holding that schools cannot take coercive or discriminatory action against students to recover disputed fees.

Facts: Parents raised complaints regarding unauthorised fee hikes and harassment of students for non-payment. On April 4, 2025, a committee led by the District Magistrate (South-West) inspected the school. Students reported being confined to the library since March 20, 2025, denied access to classes, canteen, and friends, and even escorted to washrooms. The Vice Principal and Librarian refused to provide written statements, while the Principal denied discrimination but declined to record this in writing. The inspection confirmed that students were denied regular classes due to the fee dispute. The Court described these findings as “very disturbing,” emphasising that young students suffered “considerable indignity and harassment.” A Show Cause Notice had been issued to the school on April 8, 2025, giving one week to respond.

Court’s Decision: The Court held that the school’s conduct was impermissible and clarified that fee disputes must be resolved strictly under law, not by harassing students. The Directorate of Education (DOE) was directed to adjudicate the SCN expeditiously. Interim orders restrained the school from confining students to the library, denying access to classes, interactions, or amenities, and imposing segregation or any form of discrimination due to fee non-payment. The school was ordered to assign sections to all promoted students, and the DOE and District Magistrate were tasked with conducting regular inspections to ensure compliance.

Key Takeaway: *The judgement reinforces that schools cannot weaponise fee disputes against students. Harassment, confinement, or denial of amenities violates children’s dignity. Fee recovery must follow statutory procedures under the Delhi School Education Act and Rules, with authorities actively monitoring compliance to safeguard students’ rights.*

3. Students Cannot Be Barred from Exams for Non-Payment of Fees

Case: Master Devansh Manchal and Another vs. Nirvan Roopam Modern Senior Secondary School and Ors.

Court: High Court of Delhi

Citation:
MANU/DEOR/58319/2025

Relevant Laws: Article 21A (Right to Education); Article 21 (Right to Life)

Case Summary: This case deals with students being barred from final examinations due to non-payment of school fees.

Facts: Two brothers, studying in Class III and Class IX respectively, were prevented from taking their final examinations because their father was unable to pay full school fees due to severe financial constraints. Although the family had made occasional partial payments, the school remained firm in its decision to withhold the students from their exams for the 2023–2024 session onwards. The petitioners approached the High Court seeking a writ of mandamus to force the school to either re-conduct their final exams and promote them or, at the very least, provide them with a School Leaving Certificate so they could continue their education elsewhere.

Court's Decision: On April 28, 2025, Justice Vikas Mahajan issued a formal notice to the school and impleaded the Directorate of Education as a necessary party. While the case was still in its early stages with a return date of May 13, 2025, the Court took a strong initial stance by citing precedent that a child cannot be made to suffer in the middle of an academic session due to a parent's financial inability to pay fees. The Court emphasised that education is the very foundation of a child's future, and barring a student from exams over a fee dispute is a serious infringement of their constitutional rights.

Key Takeaway: *This case reinforces that the Right to Education (Article 21A) is inseparably linked to the Right to Life (Article 21), meaning that schools cannot use a child's academic future as leverage in a financial dispute. Education is an "important right" encompassed under the right to life, and the state is obliged to ensure children aged 6 to 14 receive free and compulsory education without institutional hurdles, protecting students from being penalised for their parents' economic hardships.*

4. Prohibition on Withholding Transfer Certificates for Non-Payment of School Fees

Case: Pratham Jangid and Jainesh Jangid (Minors) vs. The Directorate of Education & Anr.

Court: High Court of Delhi

Citation:
MANU/DEOR/100945/2025

Relevant Laws: Article 21A; Delhi School Education Act, 1973 and Rules; Rule 167

Case Summary: This case deals with students being barred from final examinations due to non-payment of school fees.

Facts: The petitioners, two minor brothers represented by their father, approached the Court because their school refused to issue their Transfer Certificates (TCs). The school asserted that the certificates were withheld due to non-payment of fees for the period April to September 2025. The father argued that withholding the TCs violated the Delhi School Education Rules and prevented the children from enrolling in another institution, thereby interrupting their education and infringing Article 21A. The refusal effectively stalled the children's academic mobility.

Court's Decision: Justice Vikas Mahajan disposed of the petition after the school's counsel agreed to issue the TCs within three days. The Court clarified that although Rule 167 permits striking off a student's name for non-payment of fees, it does not authorise withholding a Transfer Certificate. The Court recorded the undertaking as binding and directed issuance of the certificates forthwith.

Key Takeaway: *A school's right to recover fees cannot be used to block a child's educational continuity. Withholding a Transfer Certificate for fee arrears is impermissible and contrary to the constitutional mandate of uninterrupted access to education.*

Chapter-4

Disability & Inclusive Education

1. Kerala High Court Orders Strict Scholarship Disbursal for Students with Disabilities

Case: Martin Paul vs. State of Kerala and Ors.

Court: High Court of Kerala

Citation: 2025 SCC OnLine Ker 1836

Relevant Laws: State Policy for persons with disabilities (22 September 2015); Government Order (3 April 2017) with LSGI guidelines 13th & 14th Five-Year Plans (Clause 10 – disability grants)

Key Takeaway: A school's right to recover fees cannot be used to block a child's educational continuity. Withholding a Transfer Certificate for fee arrears is impermissible and contrary to the constitutional mandate of uninterrupted access to education.

Case Summary: The judgement addresses systemic failures in disbursing scholarships to students with disabilities, highlighting administrative apathy and mandating strict compliance by Local Self Government Institutions (LSGIs) and State authorities.

Facts: Kerala's State Policy for Persons with Disabilities (2015) envisaged an integrated management system, with a dedicated Department of Disability Affairs tasked with overseeing welfare schemes. Following this, a 2017 Government Order directed LSGIs to implement schemes under the 13th Five-Year Plan, maintaining up-to-date databases of students with disabilities. Circulars issued in 2018 and 2019 emphasised uninterrupted and timely monthly scholarship disbursal, while subsequent guidelines in 2020 and 2022 reiterated that funds must be reserved and disbursed promptly. Students were not required to apply individually; instead, ICDS Supervisors and Women & Child Development officials were tasked with preparing and updating beneficiary lists annually. Funding was to be shared by Grama, Block, and District Panchayats in a 60:30:10 ratio, with Urban Local Bodies allocating the full amount.

The petitioner highlighted persistent non-disbursal of scholarships to eligible students and sought enforcement of the relevant policies and uninterrupted payment from April 2019 onward. During proceedings, the State displayed administrative apathy: in October 2024, an Under Secretary filed an affidavit claiming eligible students had been identified and directions issued, but the Principal Secretary later admitted no data was available, indicating systemic failures in oversight and database maintenance. Interim directions issued on 11 December 2024 required the Additional Chief Secretary to maintain proper scholarship records, enforce circulars, and ensure compliance under both the 13th and 14th Plan. The State subsequently confirmed continuation of the scheme during the 14th Plan and issued a 19 January 2025 Circular mandating full, uninterrupted disbursal, updating beneficiary lists, maintaining a centralised database through the "Sulekha" software, and acknowledging that many LSGIs had failed to implement the scheme properly.

Court's Decision: The High Court disposed of the writ petition with comprehensive and binding directions. It mandated that all LSGIs fully implement the 19 January 2025 Circular, ensuring monthly scholarships to all eligible students without exception. The Court directed the State to take deterrent action against defaulting officers, including LSGI Secretaries. At the state level, the Principal Secretary of LSGD was to appoint a senior nodal officer to oversee compliance and recommend punitive measures where necessary, while Deputy Directors of LSGD were designated as district nodal officers to monitor local implementation and address failures. The Court further instructed that grievance redressal mechanisms be strengthened: district officers must handle complaints of non-receipt of scholarships or escalate them to the state nodal officer, and students must be made aware of their rights through public notices. All scholarship records must be maintained in the Sulekha software, with technical support provided by the Information Kerala Mission. The Court also emphasised transparency, directing publication of beneficiary lists and fund details online and presentation at Grama Sabha/Ward Sabha meetings.

2. Supreme Court Orders Immediate Recruitment of Special Educators for Children with Disabilities

Case: Rajneesh Kumar Pandey & Ors. vs. Union of India & Ors.

Court: Supreme Court of India

Citation: WP(C) No. 132 of 2016;

Relevant Laws: Rights of Persons with Disabilities Act, 2016—Section 79

Case Summary: This case deals with non-compliance by States and Union Territories (UTs) in appointing Special Teachers for children with disabilities. The Court examined failures to identify and fill sanctioned posts, ensure appointments of RCI-qualified teachers, and regularise or appropriately remunerate long-serving ad hoc or contractual teachers, measures crucial for upholding the educational rights of children with special needs.

Facts: Many States and UTs had not completed appointments to sanctioned Special Teacher posts, and several had not even identified the required posts, despite having detailed child-wise data—for instance, Uttar Pradesh reported 301,718 children and Tamil Nadu 100,460 children requiring special education. Recruitment often relied on ad hoc or contractual teachers, some serving nearly 20 years without proper pay or regularisation. Certain North-Eastern States cited difficulties in appointing teachers with the required Rehabilitation Council of India (RCI) qualifications. The number of sanctioned posts was to be calculated based on the Central Government's prescribed teacher-pupil ratios: 1:10 for primary and 1:15 for middle/secondary levels.

Court's Decision: The Supreme Court directed all States and UTs to notify sanctioned posts within three weeks and advertise them in major newspapers and on official websites. Only RCI-certified candidates were eligible for appointment. Three-member Screening Committees were to be constituted immediately to review and regularise existing ad hoc, contractual, or daily-wage teachers. Eligible teachers were to be placed on the special teacher pay scale prospectively, with prior experience considered, and age relaxations allowed where appropriate. The entire process, including identification of posts, had to be completed within twelve weeks, with recruitment commencing immediately. Compliance was scheduled to be monitored on 15.07.2025.

Key Takeaway: *The Supreme Court imposed strict timelines and procedures to enforce the educational rights of children with disabilities. By mandating recruitment of RCI-certified teachers and regularising long-serving ad hoc staff, the judgement ensures accountability and strengthens special education across all States and UTs.*

3. Upholding the Right to Inclusive Education for Children with Disabilities under the RPwD Act, 2016

Case: Aadriti Pathak vs. GD Goenka Public School

Court: High Court of Delhi

Citation: MANU/DE/4745/2025

Relevant Law: Rights of Persons with Disabilities Act, 2016

Case Summary: The case deals with the enforceability of the right to inclusive education for children with disabilities and the obligation of private schools to comply with the Rights of Persons with Disabilities Act.

Facts: The petition was filed by the parents of Aadriti Pathak, a child diagnosed with mild autism, challenging the actions of GD Goenka Public School which allegedly resulted in the discontinuation of her education. The school declined her re-admission on the grounds of “no vacancy.”

The parents contended that the refusal was arbitrary and effectively excluded the child from mainstream education despite statutory protections under the Rights of Persons with Disabilities Act (RPwD Act), 2016. They argued that the school’s conduct defeated the legislative mandate of inclusive education and amounted to discrimination against a child with disability.

The dispute therefore centered on whether administrative or infrastructural justifications could override the statutory right of a child with disability to access inclusive schooling.

Court’s Decision: The High Court of Delhi directed the school to readmit Aadriti forthwith. The Court held that the right to inclusive education under the RPwD Act, 2016 is a legally enforceable right and forms part of the broader constitutional guarantee of equality and dignity.

It observed that administrative reasons such as lack of vacancy cannot be used to defeat a child’s statutory entitlement. The Court emphasised that educational institutions are under a legal obligation to accommodate children with disabilities and cannot create conditions that indirectly force them out.

Key Takeaway: *Inclusive education is a binding legal mandate under the RPwD Act, 2016. Schools cannot deny admission or create exclusionary barriers for children with disabilities on administrative grounds.*

4. Right to Inclusive Education: Re-Admission of Child with Autism with Reasonable Accommodation

Case: G.D. Goenka Public Schools vs. Aadriti Pathak & Anr.

Court: High Court of Delhi

Citation: MANU/DE/7246/2025

Relevant Laws: Article 21A of the Constitution of India; Right of Children to Free and Compulsory Education Act, 2009; Rights of Persons with Disabilities Act, 2016 particularly Sections 3 and 16 mandating non-discrimination and inclusive education

Case Summary: This case deals with re-admission of a child diagnosed with autism and the obligation of schools to provide reasonable accommodation including a shadow teacher.

Facts: The respondent child was admitted in 2021 but was later diagnosed with mild autism. After offline classes resumed post-pandemic, the school raised concerns regarding alleged disruptive behavior, while the parents requested support through a shadow teacher or special educator. Due to lack of institutional support and alleged pressure, her education was discontinued in early 2023. The school claimed non-disclosure of disability at admission and argued it had attempted accommodation. After a legal notice went unheeded, the matter reached the High Court.

Court's Decision: The Division Bench dismissed the school's appeal and upheld the Single Judge's order directing re-admission forthwith into an age-appropriate class. The Court allowed the child to attend school with a parent-appointed shadow teacher and directed the Directorate of Education to monitor her reintegration to ensure compliance with inclusive education mandates under the RPwD Act, 2016. The school was given two weeks to comply and required to file an affidavit detailing steps taken.

Key Takeaway: *The right to education includes the right to inclusive education; schools are statutorily obligated to provide reasonable accommodation and cannot exclude a child on the basis of disability-related behavior.*

Chapter-5

Teacher Governance & Institutional Accountability

1. Promotion Cannot Be Denied Due to Administrative Delay

Case: Hriday Narayan Bharti & Ors. vs. State of Bihar

Court: High Court of Patna

Citation: 2025 (3) PLJR 222

Relevant Laws: Article 21A (Right to Education); Articles 14, 16 and 21 of the Constitution of India; Right of Children to Free and Compulsory Education Act, 2009; Bihar Panchayat Elementary School Service Rules, 2020;

Case Summary: The case deals with the denial of promotion of Graduate Grade Teachers to the post of Headmaster in Middle Schools under the Bihar Panchayat Elementary School Service Rules. The Court examined whether the State could withhold promotion on the ground of non-preparation of seniority lists and the introduction of new competency requirements.

Facts: The petitioners were Graduate Grade Teachers appointed under rules framed in 2006 and 2012. They became eligible for promotion to the post of Headmaster after completing five years of satisfactory service, as per the applicable rules of 2012 and 2020. However, their promotion was not considered. The State introduced revised rules aimed at maintaining a high standard of education, including competency tests and restructuring of cadres. As a result, promotional avenues were effectively stalled. The petitioners contended that despite being eligible, their promotions were denied due to administrative inaction, particularly the failure of the authorities to prepare seniority lists. They argued that such denial violated their constitutional rights under Articles 14 and 16. The State maintained that policy changes were introduced to improve educational standards and that restructuring was necessary to ensure quality education.

Court's Decision: The High Court held that promotion opportunities cannot be denied due to administrative inaction, including the non-preparation of seniority lists. While recognising the State's authority to frame policies to ensure quality education, the Court clarified that existing statutory rules remain binding unless struck down. The State cannot ignore valid legislative norms in the name of reform. The Court further held that denial of reasonable promotional prospects after several years of service violates Articles 14, 16 and 21 of the Constitution. Administrative lapses cannot deprive employees of their legitimate rights.

Key Takeaway: *The judgement affirms that administrative delay cannot be used to block lawful promotion. It also recognises that teacher welfare and career progression are directly connected to the constitutional mandate under Article 21A to provide quality education. Ensuring fair promotion of teachers strengthens the education system and upholds constitutional guarantees*

2. Failure to fill Teacher Vacancies Violate Article 21A

Case: C/M Krishi Audyogik Vidyalaya Aau and Anr. vs. State of Uttar Pradesh and Anr.

Court: High Court of Allahabad

Citation: Writ A No. 7825 of 2024

Relevant Laws: Article 21A (Right to Education); Fundamental Rights; Teacher Recruitment; State Accountability; Judicial Oversight; Quality of Education; Principal and Assistant Teacher Vacancies

Case Summary: This case deals with the state's failure to fill vacant teaching and administrative positions in schools, raising questions about the violation of Article 21A and the fundamental right to education due to administrative inaction.

Facts: The management of Krishi Audyogik Vidyalaya approached the Court because their school could not function effectively due to the absence of a Principal and sufficient Assistant Teachers. Despite repeated requests, state authorities failed to fill these vacancies. The Court noted that this was not an isolated incident but part of a widespread crisis across Uttar Pradesh, where many schools were paralysed due to unprocessed appointments. The matter highlighted bureaucratic delays, ambiguous responses from authorities, and a lack of clear timelines for resolving staffing shortages, severely impacting educational delivery and students' rights to quality education.

Court's Decision: The Court expressed strong dissatisfaction with the State's "unsatisfactory" and "ambiguous" progress reports. Justice Prakash Padia emphasised that failing to provide necessary teachers amounted to a direct violation of the constitutional guarantee of the right to education under Article 21A. The Court directed the Director General of School Education to file a personal affidavit within ten days explaining the delay and kept the matter active to ensure the government remained accountable for the "compromised quality of education" resulting from the vacancies.

Key Takeaway: *This case underscores that the Right to Education under Article 21A is an active obligation of the State, not merely a policy promise. The judgement clarifies that building school infrastructure alone is insufficient; schools must also be adequately staffed with qualified teachers and administrators to ensure meaningful learning. Administrative delays and inaction in appointments are now recognised as a direct violation of students' fundamental right to quality education.*

3. Teachers Cannot Be Overloaded with Election Duties

Case: Surya Pratap Singh vs. State of Uttar Pradesh & Ors.

Court: High Court of Judicature at Allahabad

Citation: 2025:AHC:19804

Relevant Laws: Article 21A; Right of Children to Free and Compulsory Education Act, 2009 (Section 27)

Case Summary: This case deals with the challenge against continuous deployment of teachers for non-educational election duties, asserting that their primary responsibility to teach cannot be compromised.

Facts: The petitioner, an Assistant Teacher in a primary school, was assigned in August 2024 as a Booth Level Officer (BLO) for the revision of electoral rolls. Unlike typical temporary assignments, these duties required prolonged involvement that extended across working hours and disrupted his teaching schedule.

The teacher argued that being continually deployed for administrative tasks left him insufficient time to prepare lessons, teach effectively, and supervise students, which undermined the quality of education promised under Article 21A. He contended that this routine assignment turned teachers into “ministerial staff” rather than educators, violating their statutory and constitutional duties.

The petitioner highlighted that other staff categories, such as clerical personnel, health workers, or Anganwadi staff, could perform such election-related duties without compromising children’s classroom learning.

Court’s Decision: : In February 2025, the Court ruled that while Section 27 of the RTE Act, 2009 allows teachers to participate in election duties, this cannot compromise their core teaching responsibilities. Teachers may only be assigned such duties after all other staff categories are considered, and assignments should occur during non-teaching hours or holidays.

The Court directed the State to reassess teacher deployments within three months to prevent any disruption in classroom education. It emphasised that overloading teachers with continuous non-educational work constitutes a violation of the students’ right to quality education.

Key Takeaway: *Teachers’ primary duty is to educate. Article 21A protects students’ classroom time from administrative overload. The ruling establishes that election duties must be a last resort and must not compromise the quality of teaching.*

4. Mandatory TET Qualification and Reconsideration of RTE Exemption for Minority Institutions

Case: Anjuman Ishaat E Taleem Trust vs. State of Maharashtra

Court: High Court of Judicature at Allahabad

Citation: 2025 INSC 1063

Relevant Laws: Right of Children to Free and Compulsory Education Act, 2009 (Section 23); Article 21A; Article 30(1); Article 29(2); Teacher Eligibility Test (TET); NCTE Notifications

Case Summary: This case deals with the mandatory requirement of Teacher Eligibility Test (TET) qualification for appointment and promotion of teachers and the extent to which minority institutions are exempt from the RTE Act, 2009.

Facts: Anjuman Ishaat-e-Taleem Trust, a recognised minority educational society, along with other minority institutions, challenged the refusal of authorities to permit recruitment of teachers who had not qualified the TET. The appellants relied on the Constitution Bench decision in *Pramati Educational and Cultural Trust vs. Union of India*, which held that the RTE Act, 2009 does not apply to aided or unaided minority institutions. The Bombay High Court had upheld a Maharashtra Government Resolution dated August 23, 2013, making TET a mandatory pre-condition for appointment of primary school teachers, holding that minority rights were not curtailed by requiring TET qualification. Additionally, certain teachers appointed prior to the RTE Act, 2009 challenged the imposition of TET qualification as a requirement for promotion.

Court's Decision: The Supreme Court held that TET qualification is mandatory for both appointment and promotion of teachers in schools governed by the RTE Act, 2009. The Court expressed serious reservations about the correctness of the blanket exemption granted to minority institutions in the *Pramati* judgement, describing it as legally suspect and disproportionate. The matter was referred to a larger Bench for reconsideration of whether minority institutions should be exempt from the RTE Act, 2009 in its entirety.

Key Takeaway: *TET is mandatory for teacher appointment and promotion. The Court initiated a significant constitutional reconsideration of the balance between minority rights under Article 30(1) and the child's right to quality education under Article 21A*

Chapter-6

Institutional Regulation, Minority Rights & Structural Reforms

1. Recruitment process in minority institutions

Case: Mount Carmel High School & Anr. vs. State of Gujarat & Ors.

Court: High Court of Gujarat at Ahmedabad

Citation: 2025:GUJHC:6596-DB

Relevant Laws: Article 30(1) (Right of Minorities to Establish and Administer Educational Institutions); Article 21A (Right to Education); Gujarat Secondary and Higher Secondary Education Act, 1972

Case Summary: This case deals with the constitutional challenge by minority educational institutions against state-mandated centralised teacher recruitment processes and the protection of their right to manage staff under Article 30(1).

Facts: The petitioners, representing minority-run schools, challenged amendments by the State of Gujarat that required all appointments of teachers and principals in minority schools to be made through a centralised state committee. Under these new regulations, the schools were effectively reduced to a ceremonial role in recruitment, with little control over final selection. The petitioners argued that this interfered with their fundamental right under Article 30(1) to administer their own institutions, including selecting staff aligned with the schools' religious and cultural ethos. The schools maintained that autonomy in staffing was essential to preserve the unique character and pedagogical approach of minority institutions, and that centralised recruitment would undermine these objectives.

Court's Decision: On January 23, 2025, the Division Bench of the Gujarat High Court held that the state cannot completely usurp the recruitment process in minority institutions. While the Court recognised that the state may prescribe minimum qualification criteria and academic standards to ensure quality education, it emphasised that the final selection of staff must remain with the minority institution's management. The Court found that the impugned regulations went beyond reasonable regulation and amounted to unconstitutional interference in the management of minority schools, thereby violating Article 30(1). The judgement reaffirmed that the right to manage includes the power to appoint and retain staff who uphold the institution's cultural and educational ethos.

Key Takeaway: *The judgement reinforces that minority institutions retain autonomy in staff appointments while the state ensures quality standards. The decision clarifies that meaningful quality education under Article 21A requires respecting diverse pedagogical approaches rather than imposing centralised administrative control.*

2. Judicial Review of Jharkhand RTE Amendments on School Recognition

Case: Jharkhand Private School Association vs. State of Jharkhand

Court: High Court of Jharkhand at Ranchi

Citation: MANU/JH/0546/2025

Relevant Laws: Article 21A of the Constitution of India; Right of Children to Free and Compulsory Education Act, 2009; Jharkhand Right of Children to Free and Compulsory Education Rules, 2011 (as amended in 2019)

Case Summary: This case deals with a constitutional challenge to the 2019 amendments to the Jharkhand Right of Children to Free and Compulsory Education Rules, 2011, particularly concerning recognition requirements and financial conditions imposed on private schools.

Facts: The Jharkhand Private School Association filed multiple petitions challenging amendments introduced in 2019 to the Jharkhand RTE Rules, 2011. The amendments imposed additional financial and procedural requirements on private schools seeking recognition or renewal of recognition. Among the most contested provisions was a mandatory permanent security deposit of ₹1,00,000, along with new inspection and application fees. The petitioners argued that these requirements were financially burdensome and disproportionately affected smaller, low-cost private schools catering to economically weaker families.

The association contended that the cumulative effect of these financial conditions would force many schools to shut down, thereby restricting access to affordable education. While acknowledging the State's regulatory authority, the petitioners argued that such authority must be exercised within the framework of the parent RTE Act, 2009 and cannot introduce onerous financial barriers not contemplated by the statute. The State defended the amendments as measures aimed at ensuring accountability, infrastructure standards, and quality control in private educational institutions.

Court's Decision: The High Court partially allowed the petitions. It struck down the mandatory ₹1,00,000 security deposit and the newly introduced inspection fees, holding that these financial impositions were excessive and lacked support in the parent RTE Act, 2009.

At the same time, the Court upheld other regulatory norms relating to infrastructure and governance, recognising the State's power to prescribe reasonable standards to ensure quality education.

To prevent disruption to students currently enrolled, the Court granted existing schools a six-month grace period to comply with the remaining valid provisions. The Court emphasised that withdrawal of recognition during an ongoing academic session would adversely affect students and must be avoided.

Key Takeaway: *The judgement affirms that while the State may regulate private schools to uphold educational standards, it cannot impose financial conditions that effectively obstruct the functioning of institutions. Regulatory measures under the RTE framework must facilitate, not hinder, access to education.*

3. Judicial Scrutiny of “Ghost Colleges” and Protection of Public Educational Funds

Case: Suo Motu Public Interest Litigation (Court on its own motion) vs. The State of Maharashtra & Ors.

Court: High Court of Judicature at Bombay, Nagpur Bench

Citation: Suo Motu PIL No. 03/2025

Relevant Laws: Right of Children to Free and Compulsory Education Act, 2009; Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1981

Case Summary: The case deals with judicial intervention into the functioning of non-operational junior colleges receiving public salary grants and examines the State’s accountability in ensuring proper utilisation of educational funds.

Facts: The Bombay High Court initiated suo motu proceedings after a news report dated July 12, 2025, revealed that approximately 300 junior colleges in Maharashtra were receiving state salary grants despite having zero student enrollment. The report suggested that these institutions were effectively “ghost colleges,” drawing substantial public funds for staff salaries without imparting education to any students. The Court took note of the seriousness of the allegations and the apparent admission by State authorities regarding the existence of such institutions.

The situation indicated systemic administrative failure in monitoring grant-in-aid institutions and raised concerns regarding misuse of public funds meant for advancing the constitutional mandate of education.

Court’s Decision: On July 15, 2025, Justices Nitin W. Sambre and Sachin S. Deshmukh expressed deep concern over the revelations and appointed an Amicus Curiae to frame a structured petition addressing the issue.

The Court directed the State Government and its counsel to place on record complete details of the 300 institutions, including the funds disbursed and the steps taken to address the irregularities. The matter was scheduled for further hearing on August 4, 2025, to consider remedial measures and ensure compliance with applicable service regulations and educational statutes.

The Court emphasised that public funds allocated for education must serve their intended purpose and that non-functional institutions cannot continue to draw grants without scrutiny.

Key Takeaway: *The Right to Education encompasses not only access to schooling but also responsible and efficient administration of public educational funds. Courts may intervene to prevent wastage of resources and ensure that institutions receiving state grants are genuinely functioning and serving students.*

4. Discrimination Against a Transgender Teacher and State Failure to Implement Transgender Rights Protections

Case: Jane Kaushik vs. Union of India & Ors.

Court: Supreme Court of India

Citation: MANU/SC/1447/2025

Relevant Laws: Transgender Persons (Protection of Rights) Act, 2019; Transgender Persons (Protection of Rights) Rules, 2020; Articles 14, 15, 17, 19 and 21; Transgender Employment Rights

Case Summary: This case deals with discrimination against a transgender teacher in employment and the State's failure to effectively implement statutory protections under the Transgender Persons Act.

Facts: Jane Kaushik, a qualified transgender teacher, was terminated from two private schools solely on account of her gender identity. In November 2022, at a school in Uttar Pradesh, she faced harassment and body-shaming and was forced to resign after disclosing her transgender identity to a student, with the school citing poor performance. In July 2023, after being offered a position at a school in Gujarat, she was denied employment and entry upon disclosure of her transgender identity while travelling to join duty. She approached statutory bodies including the National Commission for Women, the National Council for Transgender Persons, and the National Human Rights Commission, but received no effective relief.

Court's Decision: The Supreme Court held that discrimination against transgender persons in employment violates the constitutional guarantees of equality, dignity, and non-discrimination. Reaffirming the principles laid down in *National Legal Services Authority vs. Union of India*, the Court observed that transgender persons continue to face systemic discrimination and exclusion despite legal protections. It noted that the Transgender Persons (Protection of Rights) Act, 2019 imposes positive obligations on the State to prevent discrimination and ensure equal opportunities, but its implementation and grievance-redressal mechanisms were inadequate. The Court also recognised that fundamental rights such as equality and dignity may apply horizontally, requiring even private institutions to respect constitutional values, and emphasised the need for substantive equality and reasonable accommodation. Exercising its powers under Article 32, the Court awarded compensation of ₹50,000 each from certain respondents, constituted a high-level Advisory Committee to formulate an Equal Opportunity Policy for transgender persons, directed the Union of India to deposit ₹10 lakh for the Committee's initial functioning, and ordered the preparation and implementation of the policy within specified

Key Takeaway: *Failure to implement statutory protections constitutes ommissive discrimination. The judgement affirms horizontal application of fundamental rights in cases of employment discrimination involving transgender persons*

5. Removal of Caste Names from Educational Institutions

Case: M/s.South Indian Senguntha Mahajana Sangam vs.The State of Tamil Nadu

Court: High Court of Madras

Citation: MANU/TN/1605/2025

Relevant Laws: Tamil Nadu Societies Registration Act, 1975 (Sections 3, 5, 9, 38); Constitution of India (Articles 14, 15, 16, 17, 21, 226)

Case Summary: This case deals with removal of caste-based names and identities from all schools, colleges, and hostels in Tamil Nadu to curb caste discrimination among students.

Facts: Several private and government educational institutions in Tamil Nadu were found to operate under caste names. The Court noted disturbing trends: students wearing colored armbands, forming caste-based groups, and engaging in violence. The State itself acknowledged this crisis in G.O.Ms.No.152 (23.08.2023), appointing Justice K. Chandru (Retd.) to recommend measures to eradicate caste feelings among students. Justice Chandru's report recommended eliminating caste appellations from school names, which the Court fully adopted. The Court criticised the hypocrisy of schools teaching anti-caste ideals while carrying caste names, calling it "opposed to public policy."

Court's Decision: The Court held that caste names in schools are unconstitutional, stigmatic, and opposed to public policy. Justice Chandru's recommendation to remove caste names must be implemented immediately. The Court directed educational institutions, whether private, aided, or trust-run, to remove all caste names, prefixes, or suffixes from boards, signages, records, and documents, and to issue notices within four weeks. Names must be changed within the same period, failing which the de-recognition process should begin and students transferred to recognised schools by academic year 2025–26 or, at the latest, 2026–27. Government schools and hostels must remove caste prefixes/suffixes and rename institutions as "Government School/Hostel – [Location]," keeping donor names only if caste-free. The judgement emphasises that systemic reform is required to eliminate caste stigmas in education and uphold constitutional values of equality, fraternity, and social justice.

Key Takeaway: *Caste-based names in educational institutions have been held unconstitutional and must be removed within the prescribed timeline. Failure to comply may result in de-recognition, underscoring the need to eliminate caste-based stigma and uphold constitutional values.*

Chapter-7

Digital Governance, Technology & Privacy in Education

1. Court Mandates Opt-Out Option in APAAR ID Scheme to Safeguard Students' Right to Privacy

Case: Rohit Anand Das & Anr. vs. State of Odisha & Ors.

Court: High Court of Orissa

Citation: W.P.(C) No. 8285 of 2025

Relevant Laws: Constitution of India (Articles 21 and 21A); K.S. Puttaswamy (Right to Privacy) judgement

Case Summary: This case deals with the alleged mandatory collection of student data under the APAAR ID scheme without providing an effective opt-out mechanism.

Facts: The petitioners, a minor student and her father, challenged the implementation of the APAAR (Automated Permanent Academic Account Registry) scheme, which envisages a "one nation, one student ID" framework. They contended that the model consent form did not provide a genuine option to refuse participation, thereby rendering the scheme effectively mandatory. It was argued that compelling disclosure of personal data without meaningful consent violated the fundamental right to privacy as recognised in K.S. Puttaswamy.

Court's Decision: The High Court allowed the writ petition and held that privacy is an intrinsic component of Article 21. It observed that if a scheme is declared voluntary, administrative forms must reflect a real choice. The Court directed the State authorities to amend the consent form to include a clear opt-out or refusal option, ensuring that educational access would not be prejudiced by non-participation in the digital registry.

Key Takeaway: *Educational access cannot be conditioned upon mandatory digital data submission; voluntary schemes must provide genuine consent and opt-out mechanisms to protect the right to privacy.*

2. Guiding Principles on Smartphone Use in Schools

Case: Y V vs. Kendriya Vidyalaya & Ors.

Court: High Court of Delhi

Citation: 2025 SCC OnLine Del 128

Relevant Laws: CBSE (2009) guidelines, KVS circulars, the Directorate of Education advisory under Rule 43 of the Delhi School Education Rules, 1973

Key Takeaway: The Delhi High Court shifted the approach from blanket bans to a balanced, regulated framework. By recognising both the benefits and risks of smartphone use, the Court promoted responsible behaviour, stakeholder consultation, school-level flexibility, and proportionate enforcement. The judgement encourages educational authorities to modernise policies while maintaining a safe and disciplined learning environment.

Case Summary: This case deals with the regulation of smartphone use by students in schools following incidents of misuse, balancing the educational benefits of technology with student safety, discipline, and mental well-being.

Facts: The petition arose after a minor student was caught using a smartphone within school premises. During hearings, KVS and other parties requested the court to provide broader guidelines to prevent similar incidents in future. The Court invited submissions from various respondents such as the National Commission for Protection of Child Rights, Delhi Commission for Protection of Child Rights and KVS. Existing rules and advisories from CBSE (2009), KVS (2009), and DoE were reviewed. The Court found that the older 2009 guidelines had not achieved their intended outcomes and that the 2023 DoE advisory contained only broad instructions lacking specificity. It noted that earlier directives relied largely on complete bans, which were impractical and counterproductive given smartphones' legitimate role in student safety, parent coordination, and emergencies. The Court recognised the dual nature of smartphones: while they present risks like cyber-bullying, distraction, and excessive screen-time, they are also valuable tools for communication and safety.

Court's Decision: The petition was dismissed, but the Court framed nine guiding principles to regulate smartphone use without imposing a total ban:

- Students should not be prohibited from carrying smartphones, but their use must be actively regulated and monitored.
- Where feasible, schools may arrange safekeeping of devices (deposit on entry, retrieval on exit).
- Classroom use and recording in common areas or school vehicles must be prohibited to avoid disruption of teaching and discipline.
- Schools must educate students on responsible online behaviour, digital etiquette, risks of cyber-bullying, anxiety, diminished attention span, and excessive screen-time.
- Smartphones may be used for safety and coordination purposes but not for entertainment or recreational use during school hours.
- Policies should be developed in consultation with parents, teachers, and experts to ensure balance and inclusivity.
- Schools may tailor rules to their specific context, allowing limited use in certain areas or stricter restrictions during exams, events, or sensitive periods.
- Consequences for violations must be clear, fair, proportionate, and consistently applied (e.g., temporary confiscation, short-term bans) without undue harshness.
- Policies should be reviewed and updated regularly to keep pace with technological and educational developments.

The Court emphasised that these principles were guidelines for regulators, boards, and schools, not immediately binding rules. It directed the Registry to send the order to the Chairman, CBSE; Director, Directorate of Education, GNCTD; and Commissioner, KVS. The Court also anonymised the petitioner's identity.

3. WhatsApp-based Attendance and Privacy Concerns

Case: Mahesh Kumar Koli and Another vs. State of Madhya Pradesh and Ors.

Court: High Court of Madhya Pradesh, Bench at Gwalior

Citation: WRIT APPEAL NO. 353/2025

Relevant Laws: Section 2(1), Madhya Pradesh Uchcha Nyayalaya (Khand Nyayapeeth Ko Appeal) Adhinyam, 2005; Article 21-A, Constitution of India

Key Takeaway: The High Court reinforced the State's authority to employ technology to monitor teacher attendance while upholding Article 21-A's guarantee of quality education. The judgement balances accountability and privacy, ensures genuine teacher presence, protects vulnerable groups, and mandates corrective action against proxy teaching.

Case Summary: This case deals with a writ appeal challenging a circular requiring primary school teachers to mark attendance by sending a "JIO Tap Photo" on WhatsApp. The petitioners contended that the circular conflicted with existing policy and posed privacy risks, while the State maintained it was essential to curb absenteeism and proxy teaching, thereby protecting the constitutional Right to Education.

Facts: The appellants were Primary School Teachers in District Vidisha who challenged a Circular dated 28.11.2024 issued by the CEO, Zila Panchayat, Vidisha. The circular required all teachers to mark attendance at 10:00 a.m., remain in school until 4:00 p.m., and upload a live photograph (JIO Tap Photo) on WhatsApp to the Control Room as proof of their presence. The teachers contended that the circular was contrary to the School Education Department's policy dated 15.11.2019, which had constituted a School Academy Committee to monitor attendance and school functioning. They also raised privacy concerns, particularly for female teachers and girl students, arguing that regular uploading of photographs could lead to misuse. The writ petition challenging the circular was dismissed by the Single Judge, leading to the present writ appeal.

Court's Decision: The Court upheld the circular, finding no arbitrariness or illegality in measures to ensure teacher presence. It clarified that the 28.11.2024 circular and the 15.11.2019 policy were complementary rather than conflicting, as the School Academy Committees were non-statutory. The Court emphasised Article 21-A (Right to Education), noting that absenteeism and proxy teaching undermine the constitutional mandate and constitute a "mockery of education." On privacy concerns, the Court acknowledged legitimate risks for female teachers and girl students and directed the Department of Information & Technology (MAP-IT) to develop or modify an APP to verify attendance without compromising privacy. As an interim solution, female teachers may submit photographs of the campus or Principal's office, with Control Rooms verifying presence via META-DATA. Male teachers were not required to follow this interim measure. The Court also mandated immediate cessation of proxy teaching and directed civil, service, and criminal proceedings against offenders. The appeal was dismissed with costs of ₹2,500 each, payable to the High Court Legal Services Authority within one month. The Principal Registrar was instructed to circulate the order to relevant authorities.

4. Aadhaar Not Mandatory for Access to Post-Matric Scholarships for SC/ST Students

Case: Greneth M. Sangma vs. Union of India & Ors.

Court: High Court of Meghalaya at Shillong

Citation:
MANU/MG/0432/2025

Relevant Laws: Article 21A; principles from K.S. Puttaswamy vs. Union of India; Post-Matric Scholarship Scheme; Aadhaar framework; privacy and access to educational benefits

Case Summary: This case deals with the legality of making Aadhaar mandatory for SC/ST students to access post-matric scholarships and whether such a requirement can deny educational financial assistance.

Facts: The petitioner filed a Public Interest Litigation challenging a notification issued by the Ministry of Electronics and Information Technology and the State of Meghalaya, which mandated production of an Aadhaar card to avail post-matric scholarships. It was argued that many students in tribal and remote regions of Meghalaya faced technical and administrative difficulties in obtaining Aadhaar cards. The petitioner contended that making Aadhaar compulsory effectively denied financial assistance to eligible SC/ST students, defeating the very objective of the scholarship scheme aimed at socio-economic advancement. The challenge emphasised that procedural digitisation requirements should not override substantive access to educational support.

Court's Decision: Chief Justice Soumen Sen and Justice W. Diengdoh disposed of the PIL in favour of the students. Relying on the Supreme Court's ruling in K.S. Puttaswamy (Aadhaar-5J), the Court held that if a student is unable to produce an Aadhaar number for valid reasons, scholarship benefits cannot be denied. For SC/ST students in Meghalaya up to the post-matriculation level (under 18 years), Aadhaar was held not mandatory, and alternative reliable identity documents such as birth certificates could be used to process scholarship claims.

Key Takeaway: *Administrative digital requirements cannot become barriers to educational financial access. The right to education includes access to state-supported scholarship schemes, and absence of Aadhaar cannot defeat substantive entitlements where identity can be otherwise established.*

5. Procedural Lapses in Online Allotment Cannot Defeat Right to School Admission

Case: Master Ujjwal Kumar Bhandari vs. Directorate of Education and Anr.

Court: High Court of Delhi

Citation: W.P.(C) 5859/2025

Relevant Laws: Article 21A of the Constitution of India; Right of Children to Free and Compulsory Education Act, 2009

Case Summary: This case deals with denial of school admission under the Non-Plan category due to alleged procedural deficiencies in the Directorate of Education's allotment process.

Facts: The petitioner, Master Ujjwal Kumar Bhandari, through his father, applied for admission to Class VIII for the academic session 2025–26 under the "Non-Plan Admission" category. During the online registration process, a preferred school was selected as per the prescribed procedure.

Upon checking the allotment status on the official portal, the family discovered that no school had been allotted. Instead, the portal displayed a message instructing them to contact the Zonal Deputy Director of Education to rectify a "deficiency."

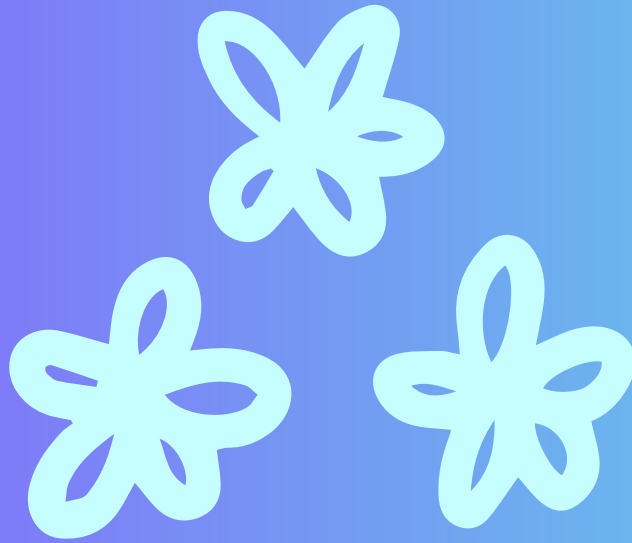
The petitioner's father visited the concerned Zonal Office and submitted a written representation to the Directorate of Education seeking clarification and rectification of the alleged deficiency. However, no clear explanation or corrective action was provided, and the child remained without confirmed admission.

Faced with uncertainty and the risk of losing the academic year, the petitioner approached the High Court seeking a writ of mandamus directing the authorities to ensure enrollment.

Court's Decision: On May 5, 2025, Justice Vikas Mahajan issued notice to the Directorate of Education and the concerned school. The Court recorded the petitioner's submission that denial of admission in such circumstances would defeat the mandate of the RTE Act, 2009.

The respondents accepted notice and were directed to file a short affidavit clarifying the status of the alleged deficiency before the next date of hearing, May 19, 2025. The matter was kept pending for further consideration.


Key Takeaway: *The case illustrates that administrative or technical deficiencies in online admission systems cannot operate to deprive a child of schooling. Judicial oversight ensures that procedural lapses do not undermine the right to education.*



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