

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.**

**Tuesday, the 2nd day of July 2024 / 11th Ashadha, 1946
WP(C) NO. 29565 OF 2023 (U)**

PETITIONERS:

- 1. KERALA PRADESH SCHOOL TEACHERS' ASSOCIATION, AGED 52 YEARS,
K.P.S.T.A. BHAVAN, CHINMAYA SCHOOL LANE, KUNNAMPURAM,
THIRUVANANTHAPURAM (REPRESENTED BY ITS GENERAL SECRETARY), PIN -
695001**

AND OTHERS.

RESPONDENTS:

- 1. STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM, PIN -
695001**

AND ANOTHER.

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to direct the respondents not to insist the Head Masters of the schools to carry out the noon - meal scheme, unless the respondents pay to the Head Masters concerned, the cost of the scheme every month in advance, pending disposal of the Writ Petition.

This petition again coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and this Court's order dated 09.04.2024 and upon hearing the arguments of M/S.TONY GEORGE KANNANTHANAM & THOMAS GEORGE Advocates for the petitioners, and of SRI.T.B. HOOD, SPECIAL GOVERNMENT PLEADER (By Order) and of SRI. T.C. KRISHNA, DEPUTY SOLICITOR GENERAL OF INDIA (By Order), the Court passed the following:

ZIYAD RAHMAN A.A., J.

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W.P(C) No.29565 of 2023, W.P(C) No.37394 of 2018

W.P(C) No.37497 of 2018, W.P(C) No.39392 of 2022

W.P(C) No.2460 of 2023 & W.P(C) No.41917 of 2023

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Dated this the 2nd day of July, 2024

ORDER

Today when the matter came up for consideration, the learned Senior Government Pleader upon instructions submitted that the State Government has already allocated an amount of Rs.2,32,00,00,000/- (Two hundred and thirty two crores only) in the State Budget for the purpose of meeting the expenses for supplementary nutrition as part of the mid-day meals in the schools for the year 2024-25. The learned Government Pleader further submits that he will get specific instructions with respect to the methodology adopted by them for calculating the said amount and also as to the manner in which they are proposing to distribute the said amount as well as the timeline within which they are proposing to disburse the said amount.

2. The learned Senior Counsel appearing for the petitioners and the other learned counsels have specifically brought the attention of this Court to the scheme formulated by the Central

Government in implementation of Mid-day Meal Rules. On going through the same, it can be seen that it envisages a system of Committees at five levels i.e., National, State, District, Village and School levels. It provides, in detail, the modalities in which the said Committees in different levels are to be formed, and the functions of each Committee are also specifically contemplated. On going through the scheme of the said Committees, it can be seen that, the role of the Headmaster and the Teachers in the School are very limited. To be precise, their role is only to oversee the implementation of the mid-day meal scheme through the various Committees as contemplated therein. The funds are also to be provided by the Central Government and the State Government jointly. However, as of now, there is nothing on record before this Court to show that, any steps have been taken by the State Government or the Central Government in implementation of the said Scheme. Therefore, the learned DSGI, as well as the learned Government Pleader, are directed to get instructions as to the steps they have already taken in pursuance to guidelines for providing Noon-meals under the Pradhan Mantri Poshan Shakti Nirman. The

learned DSGI as well as the learned Government Pleader, are directed to file statement showing the steps they have taken in this regard.

3. As far as the statement to be submitted by the learned Government Pleader is concerned, the same should include the details of the proposal for distribution of the funds allocated in the State Budget as well.

Show the name of Sri.T.C. Krishna, the learned DSGI in the cause list.

Post on 10.07.2024 at 1.45 p.m.



Sd/-
ZIYAD RAHMAN A.A.
JUDGE

SCS