

**IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR**

WP(C) PIL No.8/2022

Young Lawyers Forum

...Petitioner(s)/Appellants.

Through: Mr. Huzaif Ashraf, Advocate.

Vs.

Union Territory of J&K and another.

....Respondent(s)

Through: Ms. Maha Majeed, Assisting Counsel, vice
Mr. Mohsin S. Qadiri, Sr. AAG.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE

ORDER

11.09.2025

01. Petitioner (Young Lawyers Forum) had approached this Court in public interest, praying for the following substantive relief:

“1. Writ of Mandamus commanding the Respondents to implement the provisions of the Right of Children to Free and Compulsory Education Act 2009 in general, and Sections 12(1)9b), 12(1)(c) & Section 13 in particulars.

2. Writ of Mandamus commanding the respondents to expeditiously notify the rules under the Right of Children to Free and Compulsory Education Act 2009.

3. Writ of Mandamus commanding the respondents to file a status report disclosing a list of aided and un-aided private schools in the Union Territory of J&K, the form and amount of aid provided to the aided private schools, year-wise details of proportion of children provided free education in the said schools since the enforcement of the RTE Act in the U.T.of J&K.”

02. The matter is pending since 2020 and in the interregnum numerous orders have been passed by this Court from time to time. And pursuant to our order dated May 22, 2025, learned counsel for the respondent authorities has shared with us a copy of the communication dated September 10, 2025, vide which she has been conveyed by the Additional Secretary (Law), School Education Department, that the matter as regards formulation of the Draft Right to Education Rules, was examined by the School Education Department. And upon detailed deliberations by the reconstituted committee, a comprehensive Draft of the Right to Education Rules has since been prepared. Which aims to embody the mandate and spirit of the Right to Education Act. While adapting its provisions to the specific educational needs and infrastructural realities of the Union Territory. A meeting of the reconstituted committee was held on August 5, 2025, and it was resolved to place the Draft Rules in public domain to invite objections/ suggestions from all the stakeholders. And, vide public notice dated August 20, 2025, the Draft Rules have been placed in public domain and have also been uploaded on the official website of the School Education Department. Further, a copy thereof is also forwarded to the Director, Information, for publishing the notice in two dailies having wide circulation in the area.

03. Learned counsel for the respondents submits for a month's time was granted to submit objections/ suggestions, immediately on expiry of the said period, the competent authority shall proceed to carry out the remaining formalities. And, in any case, she submits that the rules shall be finalised within a month from today. Copy of the communication retained and marked "X".

04. In the wake of the above, learned counsel for the petitioner, as always, fairly submits that the present petition be disposed of in terms of the communication dated September 10, 2025 and the statement made by the learned counsel for the respondents. However, liberty be granted to the petitioner that in the event of any inaction/ indecision in finalising the draft rules or any fresh cause of action, to file a fresh petition, if so advised.

05. For the reasons recorded above, the proceedings in the present petition are closed. The petition is, accordingly, disposed of with liberty prayed for.

(RAJNESH OSWAL)
JUDGE

(ARUN PALLI)
CHIEF JUSTICE

Srinagar
11.09.2025
Abdul Qayoom, Secy.

