

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE THE CHIEF JUSTICE MR. NITIN JAMDAR
&
THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

Thursday, the 5th day of June 2025 / 15th Jyaishta, 1947
WP(C) NO. 32493 OF 2019(S)

PETITIONER:

KULATHOOR JAISINGH, AGED 42 YEARS S/O LATE DEVANESAN,
THUNDUVILA HOUSE, KULATHOOR, UCHAKKADA P.O.,
THIRUVANANTHAPURAM -695 506.

RESPONDENTS:

*1. STATE OF KERALA, (DELETED),
REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.

RESPONDENT NO.1 IS DELETED FROM THE PARTY ARRAY AS PER
ORDER DATED 29/11/2019 IN WPC.

1. THE HEALTH SECRETARY, HEALTH DEPARTMENT,
GOVERNMENT OF KERALA, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.

ADDL. R2 & R3 IMPEADED

2. THE DIRECTOR, RAJIV GANDHI CENTRE FOR BIOTECHNOLOGY,
THIRUVANANTHAPURAM-695 014.

3. THE DIRECTOR, NATIONAL INSTITUTE OF VIROLOGY,
KERALA UNIT, ALAPPUZHA-688 005.

ARE IMPEADED AS ADDL. R2 AND R3 AS PER ORDER
DATED 21/10/2021 IN IA.3/2021 IN WPC.

P.T.O.

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 1st respondent to issue circular for exhibiting stock of emergency medicine in front of the pharmacy of the hospital, till the disposal of the Writ Petition (Civil).

This petition again coming on for orders upon perusing the petition and the affidavit filed in support of WP(C), this Court's order dated 01/04/2025 and upon hearing the arguments of SRI.R.GOPAN, Advocate for the petitioner, SRI.K.R.RANJITH, GOVERNMENT PLEADER for the respondents, SRI.G.BIJU, AMICUS CURIAE and of SRI.SANTHOSH MATHEW, SENIOR ADVOCATE for KERALA STATE LEGAL SERVICES AUTHORITY, the court passed the following:

P.T.0



NITIN JAMDAR, C.J.

&

SHOBA ANNAMMA EAPEN, J.

W.P.(C) No. 32493 of 2019

&

W.P.(C) No. 34037 of 2019

Dated this the 5th day of June, 2025.

ORDER

Nitin Jamdar, C.J.

In 2019, an unfortunate incident involving a young student, who succumbed to a snake bite, led this Court to take *suo motu* cognizance due to the lack of basic medical facilities to treat victims of snake bites. Orders have been passed from time to time in *suo motu* W.P.(C) No. 34037 of 2019 and W.P.(C) No.32493 of 2019.

2. We have heard Mr. R. Gopan, the learned counsel for the Petitioner in W.P.(C) No. 32493 of 2019, Mr. K. R. Ranjith, the learned Government Pleader for the Respondent – State, and Mr. G. Biju, the learned *Amicus Curiae*.

3. The learned *Amicus Curiae* has prepared a note in the form of a petition, annexing guidelines on School Safety and Security issued by the Ministry of Education, Department of School Education and Literacy, Government of India. On 26 March 2025, having taken note of the fact that the circular issued by the Director of General Education did not deal with the larger issue of providing basic medical care, the petitions were

adjourned and on 10 April 2025, the petitions were ultimately adjourned to today, 30 May 2025.

4. At present, we restrict the scope of inquiry in these petitions to the issue of basic health care in relation to snake bites, and confine the same to the Wayanad district.

5. Today, the learned Government Pleader has placed before us the Circular issued by the Additional Director of General Education dated 30 May 2025. We note that the Department of Education has placed the burden of medical care, training, and related responsibilities upon the school authorities. However, the methodology laid down in the Circular necessitates the involvement of Local Self Government Department, Health Department, and the Forest Department of the State. The issue of snake bites, as well as the rescue and release of snakes, is the concern of the Forest Department as well.

6. The Circular states that each school is required to undertake thorough safety audit of the entire infrastructure. The learned *Amicus Curiae* points out that under the Kerala Education Rules, 1959, the Assistant Engineer of the Local Self Government Department is entrusted with the task of supervising and carrying out inspection of the schools as regards the infrastructure and safety.

7. Then the Circular mandates that each school has to maintain a first-aid kit and ensure that at least two staff members are trained in basic

first aid, including CPR. This obligation is already placed on the school under clause 5.10(b) of the guidelines on School Safety and Security issued by the Government of India.

8. As regards the question of snake bites, the Circular states that, each school has to prepare and display a Child Emergency Medical Response Plan outlining the steps to be taken in case of sudden medical emergencies; the schools have to proactively co-ordinate with the nearest Primary Health Centre or Taluk Hospital to ensure availability of anti-venom and paediatric medical care in critical situations; the schools should maintain updated lists of hospitals with anti-venom facilities; and also the schools should co-ordinate with the Forest Department to identify and engage authorised snake catchers/handlers for emergency snake removal operations.

9. The schools are required to display the Child Emergency Medical Response Plan, however, it is incumbent upon the State to prepare at least a model plan laying out the minimum requirements, and it cannot be left only to individual school to devise their own plans. There has to be a designated Nodal Officer for each district who is aware of the current stock position of anti-venom and the helpline number of such officer has to be provided to every school. If this information is not supplied, crucial time would be lost in travelling to a hospital, only to find out that it does not have anti-venom in stock.

10. The schools have been directed to co-ordinate with the Forest Department to identify and engage authorised snake catchers. There is no corresponding obligation on the Forest Department because the Circular is issued by the Education Department. The school authorities cannot be directed to co-ordinate with hospitals to ensure the availability of anti-venom and paediatric medical care. Moreover, the training in first-aid for snake bites is a specialised one, and school authorities will require appropriate guidance and support to undertake such training. The school authorities have been directed to maintain updated list of hospitals with anti-venom facility, but it is the Health Department who must inform and keep the schools updated about the availability of anti-venom in the area.

11. This Circular issued by the Additional Director of General Education mainly places responsibility on the school, but it does not provide sufficient guidance to the school in respect of the subject of snake bites. Therefore, we are of the opinion that the matter needs to be placed before the Chief Secretary to look into the issue and to consider how, for the effective implementation of the methodology under the Circular, the Local Self Government Department, the Health Department, and the Forest Department can be involved.

12. Accordingly, we direct that the Circular dated 30 May 2025, issued by the Additional Director of General Education, be placed before the Chief Secretary, Government of Kerala, to look into the same and issue

necessary directions for seeking inputs from the Local Self Government Department, the Health Department, and the Forest Department, so that a robust plan in respect of the above subject matter can be prepared, with the active involvement of all the three departments.

Later on

13. The learned Government Pleader has brought to our notice a further circular dated 5 June 2025 issued by the Director of General Education to the Health Services Department, Forest Department and Local Self Government Department seeking their co-operation. We have no doubt that the Chief Secretary will also look into the circular issued on 5 June 2025. It is also pointed out to us that the Director of Health Services has proposed notifying snake bite envenomation as a notifiable disease under the Kerala Public Health Act, 2023, and the proposal is currently under consideration by the State Government.

14. Post on 10 July 2025. Show the name of Mr. Santhosh Mathew, learned Senior Advocate for the Kerala State Legal Services Authority in the cause list.

Sd/-
Nitin Jamdar,
Chief Justice

Sd/-
Shoba Annamma Eapen,
Judge

krj/-

//TRUE COPY// P.A. TO C.J.