

**WP(PIL) NO: 47 of 2023**

Keethineedi Akhil Sri Guru Teja

...Petitioner

Vs.

The State of Andhra Pradesh and others

...Respondents

Advocate for petitioner : Sri G. Arun Showri

Advocate for respondents : Smt S. Pranathi, learned
Special G.P., Sri S. Lakshminarayana
Reddy.**CORAM : THE CHIEF JUSTICE DHIRAJ SINGH THAKUR
SRI JUSTICE RAVI CHEEMALAPATI****DATE : 16th July 2025****P C :**

The present petition was filed highlighting the inadequacies in various hostels being run by the State Government.

We are informed that there are as many as 1050 hostels along with 190 residential schools which are run by the Department of Social Welfare. The Tribunal Welfare Department also runs 199 hostels whereas the B.C. Welfare Department also operates 747 hostels. These hostels were set up in accordance with the guidelines prescribed by the National Commission for Protection of Child Rights (N.C.P.C.R.). Guidelines have been framed by the said Commission with regard to the minimum facilities which are required to be provided to such children, which include clothing, bedding, toiletries, nutrition etc.

This petition was filed highlighting the gaps between what was otherwise supposed to be provided by the Government in compliance to the

aforementioned guidelines of the N.C.P.C.R. and what was actually available on ground. It was highlighted that most of the children were not provided with bedding, mattresses, pillows, mosquito nets, mosquito repellents and even the basic toilet facilities leave apart nutritious food. The buildings were also stated to be in a dilapidated condition, which would pose threat to the children who reside in such schools. It is not out of place to mention that children from Class I to Class X are entitled to be admitted in these hostels.

For the year 2018-2019, approximately, Rs.20.00 crores was made available by the Government for maintenance of such hostels but in 2019-2020, the same was reduced to Rs.12,12,18,000/-. However, for the year 2024-2025, the budgetary allocation was increased to Rs.143.00 crores for purposes of maintenance and repair works of the aforementioned hostels.

With a view to assess the exact condition of the hostels in regard to their infrastructure as also the facilities which were individually made available to the children regarding bedding, mosquito nets, drinking water, washrooms, toilets etc., a direction was issued by this Court to the Commissioner, Social Welfare Department to provide data in a systematic form with reference to each hostel and the students housed therein with regard to the facilities which were being provided and the facilities which ought to be provided but have not been provided.

It was also directed that the details be furnished as regards funds that were utilized till the date of passing of the order by this Court i.e., 08.01.2025 and the funds which would be required additionally to make up the deficiencies. It was also directed that details be furnished as regards funds utilized till 08.01.2025 and in case any funds remained unutilized, the reasons thereof. The affidavit was also required to state as to what extent funds were further required to run the hostels in compliance with the guidelines prescribed by N.C.P.C.R.

Apart from this, in our order dated 08.01.2025, we had directed the District Legal Services Authorities in all districts to inspect at least 5 such hostels in the first instance and submit reports as regards the facilities provided and the deficiencies in the context of the guidelines prescribed by N.C.P.C.R. The reports have now been furnished in accordance with the directions issued by us, which reflects an appalling state of affairs.

For instance, the report submitted by the District Legal Services Authority, Narsipatnam, it can be seen that there are 228 girl students who reside in the said hostel, which according to the prescribed N.C.P.C.R. guidelines, should have 8 toilets. According to the report, as against 10 lavatories, only one was found to be in working condition and all 228 students were using only one lavatory.

Not only this, as against the required 15 bathrooms, only 9 bathrooms were in existence, however, none of them were found to be in working condition except one. Out of 9 bathrooms, one was in working condition and all 228 students were using only one bathroom.

According to the report, no mattresses, cotton durry, cotton bed sheets, pillow (cotton stuffed), pillow covers, cotton blankets/khee, cotton filled quilt, mosquito nets and cotton towels, which are otherwise the basic facilities to be supplied and made available to the students, were found to be supplied in the inspection conducted by the officers of the District Legal Services Authority. Even uniforms, shoes, bags and kits had not been supplied to the students. Leave aside the washing soap or the washing powder as was otherwise required. The state of the food which was being supplied is reported to be totally unhygienic and the state of the toilets it was reported pose hazard to the students studying therein. No sanitation measures are reported to be in place which according to the report is likely to spread disease. There was no arrangement for disposal of garbage.

In another report with regard to visually handicapped, inspection was conducted by the officers of the D.L.S.A. in a hostel where visually challenged students were housed. The deficiencies, which were found were in regard to the staff which are so necessary for assisting the visually challenged children. It was reported that there was no Ayah, Sweeper, Cook, Attender and Watchman, which posts were lying vacant. There was no library, no R.O. water plant, no C.C. T.V. provision and the building, which was a rented one, was stated to be dilapidated. There was no mesh found on the windows and no beds and mattresses provided to the students.

Another Girls' Hostel was inspected by the officers from D.L.S.A. and found that there are 168 girls, who are otherwise undertaking courses from Intermediate to Graduate Level, but were being housed in rooms which accommodated 18 to 20 girls. The rooms were found to be without ventilation and mesh. The students are stated to be sleeping on the floor and that there was congestion and over crowding.

Reference has been made to the aforementioned reports to only some of the reports but the situation depicted in the other reports is also quite alarming. The entire purpose of bringing in children into these hostels was to enable them to achieve their goals and participate in the progress of the country by becoming good citizens upon getting proper education with the minimal facilities which are otherwise required for the growth of a child in a healthy manner. The situation, however, does not reflect that the present state of affairs would in any manner help the children achieve those goals. On the other hand, they may suffer disease on account of the conditions which prevail as has been reflected in the reports before us.

We, therefore, direct the Chief Secretary to appear through virtual mode on the next date of hearing, which is fixed on 21.07.2025.

The Chief Secretary, in the meantime, should come up with complete proposals as to how the position which is prevailing as on date can be

remedied to alleviate the miseries of the children who are studying and residing in these hostels.

List on 21.07.2025.

DHIRAJ SINGH THAKUR, CJ

RAVI CHEEMALAPATI, J

AMD