

JDA wants to destroy a school for the poor to favour establishment of a private university

The Government of Rajasthan claims to be encouraging girls education. It has also often declared that schools for the marginalized sections are eligible for allotment of land on preferential terms and concessional rates. In effect though, all this seems to be nothing more than just public posturing.



Assembly in Bandhyali School

JDA wants to close down a school that is functioning since 1993 on that land. Presently providing very good quality education to more than three hundred children, a majority of them girls from poor families. All because it wants to facilitate the opening of a private for-profit university. Consider the facts below:

Digantar's Bandhyali School:

1. The school was opened in 1992 with MHRD support under its scheme for innovative education, initially under some trees and later to the current land.



Children playing in front of the school

2. It is a nationally known school for innovative and quality education.
3. Presently educating more than three hundred children free of cost, books and stationary supplied by the school for free.
4. The place was chosen by the community on the basis of suitability for children of surrounding dhanees.
5. Two applications were given to JDA before 2000 to consider allotment of land for the school. Every time by the community and on community initiative. There was no response to these. The applications are also untraceable.
6. Finally JDA responded to our application given in 2003, by asking for more documents and a fee. These were submitted in the allocated time. **There was no response after that, till we moved the High Court.**

Contrast this with treatment to Mahima Shiksha Samiti's proposed university:

1. Applied to JDA much after Digantar.
2. Want to open a private university.
3. JDA promptly reserved the land on which Bandhyali school is running.

On learning that the Bandhayali school land is reserved for Mahima Shiksha Samiti, ignoring Digantar's application without responding to it, Digantar approached the High Court. The High Court directed JDA to first consider Digantar's application, as the school is already running there for past 13 years, application is older than Mahima Shiksha Samiti's, Digantar is also prepared to pay for the land at a reasonable rate as per the Government of Rajasthan stipulations.



Inside the classroom

JDA now has sent a notice to Digantar asking to vacate the land. There is no mention of the application, no mention of any reasons. Clearly girls' education is no match to privatization of education and lucrative business which can

make money for all involved. Clearly public interest and benefit to community is no match to benefiting a favoured individual. Clearly socially concerned action and empowerment of girls has no meaning for the powers that be in JDA. Presently the school is running because of a Stay Order from the High Court.



Carpentry class

Our Position: Ethical point of view

JDA claims that it is acting as per the law in asking Digantar to remove the school and vacate the land.

We think otherwise:

- (i) JDA never acted 'as per the law' on our application, we have been applying since 1997 itself to JDA.
- (ii) Our intentions were never to grab the land. In 1993, before the school building was constructed we applied to the Collector, Jaipur (at that time, it was under the Collector's jurisdiction) and informed that on advice of the community the school was being started in the vacant land.

- (iii) We have been time and again informing JDA that the school is running at this place and applying for allotment. JDA never asked us to move the school or respond to our application.
- (iv) We have put a board next to the school building stating clearly that the land does not belong to Digantar and we have no interest in the land. But we do want to continue the school and consider it the government's responsibility provide land for the school.
- (v) The land is not being used for profit making or any private purpose.
- (vi) Now JDA is using the fig leaf of 'acting as per law' to give possession of this land to a private party. An already functioning education institution for the poor is being destroyed for private gain.
- (vii) If the community and Digantar had continued to wait for the government sanctions is 1993 to begin this free school for educationally deprived children, it would have never begun.
- (viii) Today destruction of the school would be a violent disruption of the children's fundamental right to education and blatant insensitivity to the community's considered opinion on the use of land in its midst.



Drama in assembly

Looking at all this we feel we are ethically correct in fighting for continuation of the school.

Our position: Legal point of view

- (i) Digantar is in possession of the land since 1993, i.e. for over 12 years.
- (ii) The land is being used for public benefit, not for private interest.
- (iii) The application for allotment is pending with JDA since May 2000.
- (iv) This is violation of Digantar's right to equal treatment to ignore its application and allot the land to a private party. It is blatant favouritism. JDA has to give convincing legitimate reasons to prefer the later applicant to the earlier one, especially if the earlier one is in possession of the land and it is being used for public interest.

Digantar
Todi Ramjanipura, Jagatpura
Jaipur-302025
 Ph. 0141 2750230, 2750310
digantar@datainfosys.net