



*Asha for Education*TM

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Smt. Vasundhara Raje
Chief Minister
Rajasthan
India

December 11th, 2005

Dear Smt. Vasundhara Raje:

I write to bring to your notice a matter of grave concern and request your prompt and immediate action. I learnt to my shocking disappointment that on Dec 2 2005, Jaipur Development Authority (JDA) sent an eviction notice to the Bandhyali School (run by Digantar Shiksha Evam Khelkud Samiti, Jaipur, Rajasthan) to vacate the land in three days. The school is located in Bandhyali village, near Jaipur, Rajasthan. Digantar filed a writ petition in the civil court and the High Court ordered JDA to maintain a status quo till JDA has considered Digantar's application. JDA has now moved to hear the petition on the Dec 13th without reviewing Digantar's application thoroughly.

The Bandhyali School is a common school, providing free elementary education for all children of local community. The school has been running for the last 12 years and has a large proportion of girls studying here. This was set-up in community land with the support of the Ministry of Human Resource Development and the Ministry of Human Resource and Development financially supported it from 1988 to 2001. Asha for Education has invested in supporting Digantar's work since 1999. The school has been a national example of what education can be, and it most directly reflects the ideals of India's Education Policy.

The land belongs to the local community and the Government. The community and Digantar have applied to get legal rights to the land five times since 1993 and have not received any response from JDA. It has been willing to buy the land at the price set by the JDA for schools in that area. Instead, in an arbitrary, non-transparent and extremely irresponsible manner, the JDA has reserved this land for a private university, ignoring Digantar's old and social claim. The Bandhyali school is a social effort for the common good and not a private effort for the benefit of a few. The Supreme Court judgement of 04/02/1993 in the case of Unnikrishnana and others accorded the status of fundamental right to education of children up to 14 years. The state cannot take away or violate this fundamental right. This decision of JDA to remove the school comes in directly contravention with the children's fundamental right to education.

JDA's insistence on removal of the school would not only be a violent disruption of children's right to education but also the destruction of a very good quality school for the marginalized. Moreover it is a blatant discrimination against Digantar who legally has the first claim to the allotment of the land. Reserving this land for a private university without responding to Digantar's applications seems to be a clear case of discrimination against Digantar over private profits.

I urge you to intervene to ensure that a) JDA allocates this land legally to Digantar and b) JDA eviction and demolition notice is no longer effective.

We will be closely following this case and hope you will intervene and do what is right for the community and Digantar.

Regards,

Netika Raval
President, Asha for Education