

Office of The Deputy Director Higher Education, District Shimla, Shimla-1
Website: ddheshimla.com | Tel (Fax) -0177-2804710 | E- Mail: ddheshimla@rediffmail.com
No. Shiksha-Shimla-5-8 (Miscellaneous)/2016- Dated: 16 NOV 2017

To,

The All Principals/Headmasters,
GSSS/GHS/Pvt. Schools,
District Shimla,HP

Sub: Writ petition (Civil) No. 483/2004 Titled Avinash Mehrotra Vs Union of India & Ors.

Memo,

In compliance to the Director of Higher Education office letter No. EDN-HE(21)E(5)18/206 -V--Court Case. Dated 31-10-2017, on the subject cited as above.

In this context, please also refer to this office earlier letter No Even dated 22-09-2017 and find enclosed herewith a photocopy of Order dated 23-08-2017 passed by Hon'ble Supreme Court of India in the Writ petition (Civil) No. 483/2004 Titled Avinash MehrotraVs Union of India &Ors..

Therefore, you are hereby directed take further necessary action within stipulated time, under intimation to this office as per **National Disaster Management Guidelines- School Safety Policy-2016** and send action taken report to this office as soon as possible. Any laxity in the matter will be viewed seriously and action as warranted under Rules will be initiated against the defaulters.

This may be given Personal attention and Top Priority being a Hon'ble Supreme court matter.

Encls: Hon'ble Supreme Court of India Order, Vide D No. 2437/2004/SC/PIL. (Writ) dated 23-08-2017

Sd/-
Deputy Director of Higher Education,
District Shimla, US Club, Shimla-1.

Endorsement No, Even, Dated: Shimla, the, _____
Copy to the following for information & necessary action:-

1. The Director of Higher Education ,HP, Shimla -1, for information, please
2. The Nodal officer IT of this office with the directions to upload this letter along with guidelines- School Safety Policy-2016 on office website.

[Signature]
Deputy Director of Higher Education,
District Shimla, US Club, Shimla-1.

न, भा.प्र.से. (सेवाविज्ञान)

A. JAIN, IAS (Retd.)
Member



भारत सरकार
गृह मंत्रालय
राष्ट्रीय आपदा प्रबंधन प्राधिकरण
Government of India
Ministry of Home Affairs
National Disaster Management Authority

F.No:05/83/2016/NDMA/CBT

Dated 24th August 2017

51086667
1/9/17

54092545

719117

31.8.17
ACSC (Rev-DMC)
ACSC (Edul) Dear Vidya.

9/9
ACSC (DMC)
Asst
19
hall
DMS
SP (17)

The safety environment in the schools for children is one of the most important priority area for the Central Government as well as for National Disaster Management Authority. Incidents of death / injury of school children in a natural disaster, fires and other disasters highlight the need to focus on making schools absolutely safe by taking all measures which are required to be taken.

The Disaster Management Act, 2005 is a Statute specifically enacted by Parliament for prevention and mitigating effects of disasters and for undertaking a holistic, coordinated and prompt response in a disaster situation. The National Disaster Management Authority is constituted under the same Act and is exercising the statutory powers vested upon it under the said Act.

3. The National Disaster Management Authority (NDMA) formulated the National Disaster Management Guidelines on School Safety Policy in 2016 with a vision of safety of school children. This is a mandatory statutory requirement to be implemented in each of the schools in the country. These guidelines clearly spell out the roles and responsibilities of different stakeholders for preparing plans, developing capacity, incorporating risk reduction in the syllabus, and improving coordination and synergy at all levels. Section 39 (a) of the DM Act 2005 mandates the Departments of State Governments to take measures necessary for prevention of disasters, mitigation, preparedness and capacity building in accordance with the guidelines laid down by the National Authority and the State Authority.

4. The Guidelines on School Safety Policy, 2016 prepared by the National Disaster Management Authority are statutory in nature and are statutorily required to be complied with scrupulously without any deviation. Special attention should be paid to fire safety. All the requirements to ensure safety of children in schools mentioned in the said Policy of 2016 are statutory in nature and everyone involved in the process of ensuring safety of children are statutorily bound by the same.

5. NDMA circulated the copy of the guidelines on 9th January 2017 to Secretaries of Department of Revenue and Disaster Management, State Governments /UTs Administration, Vice Chairpersons of SDMA and Director of Department of School Education and Literacy, Ministry of Human Resource Development (MHRD) for further dissemination and implementation at appropriate levels in the State. A copy of the letter was also marked to all Chief Secretaries of the States/UTs.

cont'd.....2/-

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12. Under the circumstances, it is directed that the District Education Officer of each District shall be declared to be a "Nodal officer" with responsibility, liability and obligation as well as powers and functions to ensure strict compliance with the National Disaster Management Guidelines [School Safety Policy], 2016 within the district of his jurisdiction.

The District Disaster Management Authority as constituted under Section 25 of the Act shall periodically monitor his functioning and ensure that the District Education Officer as a Nodal Officer discharges his duty for strict adherence and compliance with the directives / guidelines contained in the said Policy of 2016. The Chief Secretary of each State will satisfy himself about the due discharge of functions by the District Disaster Management Authority as well as District Education Officer as a Nodal Officer and would send a report containing compilation of quarterly reports received by him from the District level authorities / nodal officer to the Department of School Education & Literacy, Ministry of HRD as well as NDMA.

13. The Department of School Education & Literacy, Ministry of HRD and NDMA will jointly monitor the implementation of the said guidelines at the national level through periodical meetings for each State and periodical reviews. The joint monitoring of the implementation of such safety guidelines shall be done by Joint Committee consisting of representatives of both Department of School Education & Literacy, Ministry of HRD and NDMA to be constituted by NDMA.

With regards

Yours sincerely,

(R. K Jain)

Shri. V. C. Pharka
Chief Secretary
Govt. of Himachal Pradesh
Secretariat Room No. E-201B,
Shimla- 171002

Copy to:

1. Shri. Anil Swarup, Secretary, Department of School Education & Literacy, Ministry of Human Resource Development (MHRD), GOI, 124-C, Shastri Bhawan, New Delhi -110001
2. Dr. A. J. V. Prasad, Addl. Chief Secretary, Dept. of School Education, Govt. of Himachal Pradesh, Education Secretariat, Shimla-171002

(R. K Jain)

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With regards

Yours sincerely,

(R. K Jain)

Shri. V. C. Pharka
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(R. K Jain)