

**COMMISSION FOR AIR QUALITY MANAGEMENT
IN NATIONAL CAPITAL REGION AND ADJOINING AREAS
17th Floor, Jawahar Vyapar Bhawan (STC Building)
Tolstoy Marg, New Delhi-110001**

F.No. A-110018/01/2021-CAQM / 5133-52

Dated: 17.12.2021

Subject: Directions under Section 12 of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021 – Review of restrictions imposed on schools, colleges and educational institutions vide Direction No. 46 dated 02/12/2021.

Whereas, the Commission, in exercise of its powers conferred upon it under Section 12 (2) (xi) of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act 2021, had issued Directions No. 44 dated 16/11/2021 which *inter-alia* directed that “***all public and private schools colleges and educational institutions shall remain closed until further orders allowing only online mode of education***”;

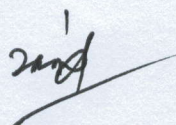
2. Whereas, the Commission vide Direction No. 45 dated 25/11/2021 had decided that “**the NCR States and GNCT of Delhi may take appropriate decisions for resumption of physical classes in schools, colleges and educational institutions in the NCR. However, wherever the State Governments / GNCTD opt to continue with online mode of education, such schools / colleges / educational institutions shall be permitted to open for the purpose of conduct of examination and practical etc**”;
3. Whereas, subsequently vide Direction No. 46 dated 02/12/2021, the Commission had *inter-alia* directed that “**All Schools, Colleges and Educational Institutions in the NCR shall remain closed, allowing only online mode of education, except for the purpose of conduct of examinations and laboratory practical etc.**”.

and

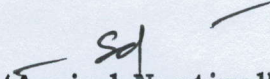
4. Whereas, the Direction of the Commission mentioned in Para 3 above is currently in operation;
5. Whereas, at the time of passing of the Direction No. 46 Dated 02/12/2021, the Air Quality Index (AQI) of Delhi was under the "Severe" Category;
6. Whereas, the Hon'ble Supreme Court in Writ Petition (C) No. 1135/2020 'Aditya Dubey (Minor) & Anr. V/s Union of India & Ors.' vide Order dated 10/12/2021 has *inter-alia* passed the following direction:-
"We direct the Commission to examine requests of various industries and organizations about relaxation of condition imposed by virtue of our previous orders or otherwise as per the Commission's circulars".....
"We expect that the Commission will look into this and take appropriate action in a week's time".
7. Whereas, large number of representations have been received arguing the compelling necessity to open the schools and educational institutions with immediate effect;
8. Whereas, representatives of Haryana Progressive Schools' Conference were heard in a virtual meeting on 14/12/2021 regarding opening of schools to conduct classes in physical mode;
9. Whereas, the main arguments made for opening schools include: -
 - (i) Children are out of school for about two years leading to frustration among children with serious adverse effect on their studies;
 - (ii) Large number of students are not able to get the facility of online education because of connectivity issues;

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- (iii) As per the academic programme schools are required to impart education to children for about 220 days annually;
 - (iv) Not opening schools are hampering physical and mental health as well as emotional growth of children;
 - (v) Learning is far beyond books and child's holistic development can happen only by physical schooling;
 - (vi) Most students and parents have been approaching school authorities to reopen schools;
10. Whereas, the Government of Delhi vide its letter dated 15/12/2021 has also taken up with the Commission to review Direction No. 46 regarding closure of schools, colleges and educational intuitions and requested for phased reopening of all public and private schools and colleges and educational intuitions in Delhi;
11. Whereas, the Delhi Commission for Protection of Child Rights (DCPCR) vide letter dated 13/12/2021 have informed that hundreds of parents have written to DCPCR advocating for immediate opening of schools because the DCPCR believes that *"policy of continued school closure is harming the students and therefore is a bad policy not supported by any evidence or fact"*;
12. Whereas, the Commission vide its Affidavit dated 15/12/2021 before the Hon'ble Supreme Court in Writ Petition No. 1135/2020, "ADITYA DUBEY & ANR. V/S UNION OF INDIA & ORS" has submitted that a decision on opening of schools would be taken on or before 17/12/2021;
13. Whereas, the Air Quality Index of Delhi has since improved from 'severe' category and is currently under "Very Poor" Category;
14. NOW, THEREFORE, in view of the position given above and considering the facts and circumstances, the Commission, in furtherance of Direction No. 46 dated 02.12.2021 directs the following, till further orders:



- (i) A phased re-opening approach shall be followed in respect of schools, colleges and educational institutions in NCR;
- (ii) State Governments of NCR and GNCTD may consider and take immediate decision for resumption of physical classes in schools (standard VI onwards), colleges, educational institutions, skill development & training institutes, other training institutes and libraries;
- (iii) State Governments of NCR and GNCTD may take decision for resumption of physical classes, for students up to V standard, only w.e.f. 27th December, 2021, duly considering the Air Quality Index (AQI) and the winter vacation schedule.

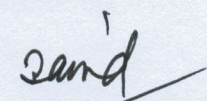

(Arvind Nautiyal)
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To

1. The Secretary, M/o Education, New Delhi.
2. The Chief Secretary, Government of Haryana.
3. The Chief Secretary, Government of Rajasthan.
4. The Chief Secretary, Government of Uttar Pradesh.
5. The Chief Secretary, Government of NCT of Delhi.
6. Haryana Progressive Schools' Conference, Gurugram.

Copy to:

The Chairperson and all Members, CAQM.


(Arvind Nautiyal)
Member Secretary