



CGHC010242232026



2026:CGHC:27135

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 3372 of 2026**

1 - Abdul Salam Rizvi S/o Late Abdul Hamind Rizvi Aged About 65 Years Ex Chairmen Waqf Board - Designated Cabinet Minister Government of Chhattisgarh R/o House No. 111/K, Gousiya Chowk, Near Dabri School, Nayapara, Raipur Chhattisgarh.

2 - Mahendra Chhabda S/o Mohar Singh Chhabda Aged About 67 Years Ex Chairmen Minority Department - Designated Cabinet Minister Government Of Chhattisgarh R/o House No. 16/322, Near Gajanan Temple, Tatyapara, District - Raipur Chhattisgarh.

3 - Shafique Ahmed S/o Rafiq Ahmed, Aged About 48 Years Bilaspur District President Tahaffuz - E - Namoos - E - Risalat Action Trust R/o Ward No. 15 Fajul Raja Madarsa, Telipara District - Bilaspur Chhattisgarh.
Present Address - Near Guru Ghasidas Mandir Ward No. 29, Tarbahar District - Bilaspur Chhattisgarh .

... Petitioner(s)**versus**

1 - State Of Chhattisgarh Through Its Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Nava Raipur Atal Nagar, Chhattisgarh.

2 - Principal Secretary Ssecretary School Education Department, Government Of Chhattisgarh, Mantralaya, Nava Raipur Atal Nagar.

3 - Deputy Secretary, School Education Department, Government Of Chhattisgarh, Mantralaya, Nava Raipur Atal Nagar.

4 - Director Directorate Of Public Instructions (D P I), Indravati Bhawan, Nava Raipur Atal Nagar, Chhattisgarh.

5 - M. D. State Project Office, Samagra Shiksha, Pension Bada, Raipur, Chhattisgarh.

... Respondent(s)

For Petitioner(s) : Dr. Aamir Khan, Advocate.

For Respondents 1 to : Mr. Anand Dadariya, Dy. AG

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For Respondent No.5 : Mr. Anadi Sharma, Advocate

SB: Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

02/07/2026

1. By way of this petition, the petitioner seeks the following reliefs :

10.1 That, issue a writ of Certiorari quashing the order dated 12.06.2026 bearing No.GENCOR-35010/1981/2026-SCHOOL EDUCATION SECTION.

10.2 That, Declare that compulsory recitation of Saraswati Vandana, Guru Mantra, Gayatri Mantra, Shanti Mantra, Bhojan Mantra and similar religious prayers in State funded schools is unconstitutional.

10.3 That, issue a writ of mandamus restraining the respondents from enforcing the impugned order.

10.4 That, pass an interim order staying operation of the impugned order during pendency of the petition.

10.5 That, pass such other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

2. The petitioners have filed the instant petition being aggrieved by a direction/order dated 12.6.2026 passed/issued by the Additional Secretary, School Education Department, State of Chhattisgarh. According to the petitioners, the said directive mandates that, commencing from the Academic Session 2026-27, students in all schools run by the School Education Department shall be required to recite the National Anthem, National Song, Deep Mantra, Saraswati Vandana, Guru Mantra, Shanti Mantra and accounts of the lives of Great Personalities (Mahapurushas) at the beginning of the school day and Rajya Geet, Gayatri Mantra and Shanti Mantra upon dismissal. It is the case of the petitioners that the impugned direction issued vide order dated 12.6.2026 is violative of Articles 14, 21, 25, 28(1), 29 & 30 of the Constitution of India and as such, cannot be sustained. It is further contended by the petitioners that the impugned direction creates an impermissible situation wherein students from minority communities may feel compelled to participate in and recite religious practices that do not belong to their faith. It is also contended that the impugned direction is contrary to the constitutional mandate of secularism, which guarantees that India is a nation wherein no individual can be directed to follow or practice any specific religious faith. The petitioners assert that the chanting of Saraswati Vandana, Gayatri Mantra, Guru Mantra and Shanti Mantra amounts to imparting religious instructions and promoting a particular religion in

Government Schools, which is constitutionally barred. Furthermore, **Article 14** of the Constitution of India guarantees equality before law and equal protections of the laws; therefore, the State cannot be permitted to issue any direction that run contrary to this constitutional mandate. **Article 21** of the Constitution guarantees protection of life and personal liberty,, which inherently includes freedom from State-compelled participation in religious activities. The impugned direction operates to compel the students to either participate in religious prayers contrary to their own faith or face exclusion from their respective schools and consequent social stigmatization. **Article 25** of the Constitution of India guarantees freedom of conscience and free profession, practice and propagation of religion. By compelling students to attend and participate in prayers associated with a specific faith, the State Government directly infringes upon the fundamental right. Likewise, **Article 28(1)** prohibits the imparting of religious instruction in any educational institution wholly maintained out of State funds. Thus, the impugned directions issued vide order dated 12.6.2026 by the State is violative of Article 28(1) of the Constitution of India. Similarly, **Articles 29 and 30** of the Constitution of India protect and safeguard the distinct cultural and educational rights of minority communities. The impugned direction, by mandating religious rituals of a specific faith in all Government Institutions, directly infringes upon the cultural and religious identity of these

minorities and is therefore, violative of Articles 29 and 30 of the Constitution of India.

3. Dr. Aamir Khan, learned counsel for the petitioner submits that the impugned instructions are unconstitutional, being directly violative of Article 14, 21, 25, 28(1) as well as Article 29 and 30 of the Constitution of India. He submits that educational institutions wholly maintained out of State funds cannot issue or enforce directions of this nature, which run counter to the constitutional mandate of secularism. He submits that the issuance of instructions/directions mandating chanting of Deep Mantra, Saraswati Vandana, Guru Mantra, Gayatri Mantra and Shanti Mantra pertains to a particular religion and are not practiced by other faiths. Consequently, the students, who do not belong to that particular faith cannot be compelled to recite the said mantras. Learned counsel submits that the impugned directions leave students with no choice but either to act contrary to their freedom of conscience or abandon their education. He lastly submits that such type of forced actions by the Government cannot be allowed in a democratic country.
4. Per contra, Mr. Anand Dadariya, learned counsel for the State vehemently opposes the submissions advanced by learned counsel for the petitioners, contending that the present petition is a politically motivated exercise by former ministers of a particular party to create an unnecessary hue and cry. He submits that the actual facts are entirely different from what has been projected in

the petition and argued before this Court. He raised a preliminary objection regarding the locus standi of the petitioners, as no individual rights of the petitioners have been infringed. Being filed by the complete strangers to the cause of action, the petition is not maintainable. He further submits that the petitioners' challenge to the order dated 12.6.2026 is premature and lacks a valid cause of action. The challenge is based on speculative apprehensions rather than any concrete injury. The impugned policy involves neither religious instruction nor conversion. He further submits that the impugned direction dated 12.6.2026 is in perfect alignment with the National Education Policy, 2020 (NEP 2020), which mandates the integration of the Indian Knowledge Systems (IKS) to foster cultural awareness. The State Government has merely operationalized these national pedagogical goals within its valid executive domain under Article 162 of the Constitution. Such policy measures cannot be labeled as unconstitutional or communal. He also submits that the order/memo/instruction dated 12.6.2026 has already been fully and successfully implemented in all Government Schools in the State of Chhattisgarh. The current academic session is running smoothly with regular daily assemblies. Significantly, the State Government has not received a single complaint or objection from any student, parent or teacher. This harmonious implementation clearly demonstrates that the policy has been accepted by the School Community which proves that the petitioners' apprehensions are entirely

speculative and imaginary. He further submits that the terms “compulsory” and “ensure” in the Government Order dated 12.6.2026 relate strictly to internal school administration and discipline and do not entail any form of religious coercion. The morning routine is designed solely to foster unity and focus among students. The order prescribes no negative consequences, punishment or disciplinary action against any student who chooses not to recite these verses. Therefore, the petitioners’ arguments that this policy forces students to act against their faith is incorrect and factually baseless. The traditional verses like the Shanti Mantras and Bhojan Mantras are ancient Indian philosophies that promote universal well-being, ecological balance and gratitude. They are open universally to all students in Government schools across the State, and no student is required to change or abandon their own religious faith to participate in these assembly routines. The impugned Government Order dated 12.06.2026 is fully supported by the constitutional mandate of Article 51A of the Constitution of India, which prescribes the Fundamental Duties of every citizen. Specifically, Article 51A(1) states that it shall be the duty of every citizen of India to value and preserve the rich heritage of our composite culture. The traditional moral verses introduced in the school such as the Shanti Mantra and Bhojan Mantra, are not based on religious scriptures, but rather timeless expressions of India's civilizational values, environmental awareness, and universal humanism. By

introducing these verses to school children, the State Government is actively performing its constitutional role to help citizens fulfill their fundamental duty to cherish and understand our shared cultural roots. A policy that cultivates respect for ancient secular values and national heritage cannot be termed unconstitutional. He submits that in order to establish the non-sectarian, value based and secular character of the daily routine, the verbatim text, literal Hindi translation and pedagogical significance of all the seven invocations prescribed by the School Education Department vide the impugned Circular dated 12.6.2026 are detailed as follows :

[I] MORNING ASSEMBLY SESSION

(प्रातःकालीनसभसत्र)

A. THE DEEP MANTRA (Invocation to Enlightenment Positivity)

"शुभं करोति कल्याणं आरोग्यं धनसम्पदा ।
शत्रुबुद्धिविनाशाय दीपज्योतिर्नमोऽस्तुते ॥"

Literal Hindi Meaning:

शुभ और कल्याण करने वाली, आरोग्य और धन-सम्पदा देने वाली तथा (अज्ञानरूपी) शत्रु-बुद्धि का विनाश करने वाली दीपक की लौ (प्रकाश) को मैं नमस्कार करता हूँ।

Pedagogical Significance:

By this verse, the State actively targets the mental readiness the State and cognitive conditioning of

students at the very threshold of the school day. Through this invocation, the State symbolically reinforces the triumph intellectual inertia, helping young minds eliminate negative distractions and transition into a state of optimal focus, clarity, and positive psychological alignment required for academic learning.

B. THE SARASWATI VANDANA (Pursuit of Academic Excellence & Arts)

Verbatim Sanskrit Text

"याकुन्देन्दुतुषारहारधवलायाशुभवस्त्रावृता,
यावीणावरदण्डमण्डितकरायाश्वेतपद्मासना। याब्रह्माच्युतशङ्करप्रभृतिशिर्देवैः
सदा वन्दिता, सामांपातुसरस्वतीभगवतीनिःशेषजाड्यापहा ॥"

Literal Hindi Meaning

जो विद्या और बुद्धि की देवी कुन्द के फूल, चंद्रमा और बर्फ के हार के समान श्वेत हैं, जो शुभ वस्त्र धारण करती हैं, जिनके हाथों में वीणा सुशोभित है, जो श्वेत कमल पर विराजमान हैं और जिनकी वंदना स्वयं सभी विद्वान व श्रेष्ठ पुरुष करते हैं, वे हमारी अज्ञानता और मानसिक जड़ता को पूरी तरह दूर करें।

Pedagogical Significance:

By this verse, the State utilizes a historically and constitutionally recognized, this invocation uses classical metaphors to personify education, arts, and fine wisdom. It inspires students to overcome mental lethargy (Jadya), focus intellectual growth, and respect the institution of learning.

C. THE GURU MANTRA (Reverence for Teachers & Educators)

Verbatim Sanskrit Text:

गुरुर्ब्रह्मागुरुविष्णुः गुरुर्देवो महेश्वरः। गुरुः साक्षात्परंब्रह्मतस्मै श्रीगुरुवेनमः ॥

Literal Hindi Meaning:

"गुरु ही ब्रह्मा हैं, गुरु ही विष्णु हैं और गुरु ही भगवान शंकर हैं। गुरु ही साक्षात् परमब्रह्म (सर्वोच्च ज्ञान के साक्षात् रूप) हैं, ऐसे महान शिक्षक को मैं आदर पूर्वक प्रणाम करता हूँ। "

Pedagogical Significance:

By this verse, the State aims to establish absolute institutional discipline and structural decorum within government schools. This text institutionalizes the core moral obligation of a student towards their teacher (Guru-Shishya Parampara). By elevating the status of educators to the highest guiding forces of the universe, it instills baseline institutional discipline, obedience, and structural respect within schools.

[II] MID-DAY MEAL PRACTICE (मध्याह्न भोजनसत्र)

D. THE BHOJAN MANTRA / SHIKSHA MANTRA (Gratitude Teamwork)

Verbatim Sanskrit Text

ॐ सहनाववतु। सहनौभुनक्तु। सहवीर्यं करवाव है।

तेजस्विनावधीतमस्तुमाविद्विषाव है ॥ ॐ शान्तिः शान्तिःशान्तिः।

Literal Hindi Meaning:

हे परमेश्वर। हम (शिक्षक और छात्र) दोनों की साथ-साथ रक्षा करें, हम दोनों का साथ-साथ पोषण करें, हम दोनों साथ मिलकर महान व पराक्रम के कार्य करें, हमारी शिक्षा तेजस्वी और फलदायी हो, और हम कभी एक-दूसरे से द्वेष या ईर्ष्या न करें।

Pedagogical Significance:

By this verse, the State institutionalizes a vital tool for social cohesion, empathy, and classroom unity during the Mid-day Meal session This mantra fosters social harmony, empathy, and collective unity among students from diverse backgrounds. Recited before sharing meals, it eliminates competitive peer jealousy, promotes collective nourishment, and cultivates deep emotional intelligence and gratitude.

[III] CLOSING SESSION AT THE END OF THE DAY

(सायंकालीनसमापनसत्र)

E. THE GAYATRI MANTRA (Invocation for Sharp Intellect & Wisdom)

Verbatim Sanskrit Text

ॐ भूर्भुवः स्वः तत्सवितुर्वरेण्यं भर्गो देवस्य धीमहि धियो यो नः प्रचोदयात् ॥

Literal Hindi Meaning:

हम उरा प्राण स्वरूप, दुःखनाशक, सुखस्वरूप, श्रेष्ठ, तेजस्वी, पापनाशक, देव

स्वरूप परमात्मा (सूर्य देव की प्रथर ऊर्जा) का ध्यान करें, जो हमारी बुद्धियों को सन्मार्ग (सही रास्ते पर चलने के लिए प्रेरित करे

Pedagogical Significance:

By this verse, the State provides a scientifically and pedagogically backed cognitive exercise focused entirely on the sharpening of the student's intellect (Dhi). Scientific and pedagogical studies show that the rhythmic recitation of this mantra directly enhances a child's **mental concentration (एकाग्रता), memory retention (याददाश्त), and overall cognitive development (मानसिकविकास).**

By incorporating this into the closing session, the State aims to calm the student's mind, improve their learning capacity, and ensure they carry home a focused, disciplined, and balanced intellect after a rigorous school day.

F. THE SHANTI MANTRA (Universal Peace & Ecological Well-being)

Verbatim Sanskrit Text

ॐदयौः शान्तिरन्तरिक्षंशान्तिः, पृथ्वीशान्तिरापःशान्तिरोषधयः शान्तिः ।
वनस्पतयः शान्तिर्विश्वेदेवाः शान्तिर्ब्रह्म शान्तिः, सर्वशान्तिः
शान्तिरेवशान्तिः, सामाशान्तिरेधि ॥ ॐ शान्तिः शान्तिः शान्तिः ॥

Literal Hindi Meaning

आकाश में शांति हो, अंतरिक्ष में शांति हो, पृथ्वी पर शांति हो, जल में शांति हो, औषधियों में शांति हो, वनस्पतियों में शांति हो, संपूर्ण विश्व में

शांति हो और सब ओर केवल शांति ही शांति हो। वह वास्तविक शांति मुझे भी प्राप्त हो।

Pedagogical Significance:

By this verse, the State seamlessly integrates ecological ethics and environmental consciousness

into the daily routine of future citizens. This is a purely secular ecological prayer. It teaches children to revere the environment, trees, water bodies, and skies, aligning smoothly with modern educational mandates on climate awareness and global peace.

G. THE KALYAN MANTRA (Universal Well-being & Altruism)

Verbatim Sanskrit Text

सर्वेभवन्तुसुखिनःसर्वेसन्तुनिरामयाः।

सर्वेभद्राणिपश्यन्तुमाकश्चिदुःखभागभवेत्॥ ॐशान्तिः शान्तिः शान्तिः ॥

Literal Hindi Meaning:

सभी लोग सुखी हों, सभी लोग रोगमुक्त (स्वस्थ) रहें, सभी का कल्याण हो

और इस संसार में कोई भी व्यक्ति दुख का भागी न बने।

Pedagogical Significance:

By this verse, the State instills the highest constitutional ideals of fraternity, human dignity, and universal altruism. Through this invocation, the State actively cultivates deep social responsibility and empathy in children, teaching them to genuinely

wish for the health, prosperity, and happiness of every human being, completely transcending all boundaries of caste, gender, community, or creed.

5. Learned counsel for the State submits that a cumulative reading of all the aforementioned seven verses safely and conclusively demonstrates that none of these invocations contain any religious dogma, denominational propaganda or sectarian rituals. These traditional texts though composed in the ancient and classical Sanskrit language, represent the shared civilizational heritage, universal moral values and ecological wisdom of India. He lastly submits that the sole intent of the State Government behind introducing this routine is to promote baseline institutional discipline, mental concentration, environmental ethics and universal brotherhood among school children and teachers. Hence, these moral exercises cannot be categorized as “religious instructions” under Article 28(1) of the Constitution of India. Thus, the present Petition deserves to be dismissed.
6. I have heard learned counsel for the parties and have also perused the documents annexed with the petition with utmost circumspection.
7. A careful perusal of the impugned order dated 12.6.2026 reveals that it does not contain any mandatory or coercive direction compelling students to act in a manner contrary to their respective religious beliefs, conscience or faith. The contents of the

impugned order, read as a whole, do not disclose any express requirement obligating students to participate in any activity that would interfere with their constitutionally protected freedom of religion or freedom of conscience. Furthermore, the petitioners have completely failed to place any relevant material on record to show violation of any fundamental rights as no individual or direct injury has been shown.

8. Furthermore, the expression “religious instruction” used in Article 28(1) has a restricted meaning. It signifies that the teaching of religious customs, rituals, practices and modes of worship is strictly prohibited in educational institutions wholly maintained out of State funds. However, a plain reading of clause (1) of Article 28 makes it clear that the provision does not ban moral instruction, disassociated from any denominational doctrines, which remains an essential part of training in citizenship, maintenance of law and order in the State and growth of social cohesion.
9. In light of the foregoing, this Court is of the opinion that the petition is entirely premature, based on mere apprehension rather than any actual grievance. Thus, at this stage, the reliefs sought by the petitioners cannot be granted.
10. Accordingly, the writ petition is **dismissed** as being premature. However, liberty is reserved in favour of the

petitioners to approach this Court afresh by way of an appropriate petition, supported by cogent and relevant material, if any exigency arises in the future.

Sd/-

(Amitendra Kishore Prasad)
Judge

Shyna Ajay