



PMO Public Grievance Redress And Monitoring System (CPGRAMS)

GRIEVANCE REGISTRATION NO. : DOSEL/E/2023/0006940

10 December 2023

To,

Shri Dharmendra Pradhan

Minister of Education of India

The Department of School Education

Subject: Clarification on the Purpose of Schools and Medical Interventions

Dear Sir

1. This is to bring to your notice that schools are only for education. We ask that the GoI, MoHFW & the Education Department stop the use of schools to collect children's health & personal data & to administer vaccines or give drugs/ medication as this will be a risk & a misuse. Health care is a parents' prerogative and so is the choice of health practices. It cannot be either of schools or government offices. Advisories can be made but coercion & mandates are a violation.
2. There are a catena of judgements which have ruled that
 - a. No one can ask the parents their reason for refusing consent for administering vaccines to their children



- b. Authorities and doctors administering the vaccines are duty bound to take informed consent from parents as well advertise widely about the contents and adverse events of the vaccines.

2.1. In **Master Haridaan Kumar Vs. Union of India 2019 SCC**

OnLine Del 11929, it is ruled as under;

“14. The contention that indication of the side effects and contraindications in the advertisement would discourage parents or guardians from consenting to the MR campaign and, therefore, the same should be avoided, is unmerited. The entire object of issuing advertisements is to ensure that necessary information is available to all parents/guardians in order that they can take an informed decision. The respondents are not only required to indicate the benefits of the MR vaccine but also indicate the side effects or contraindications so that the parents/guardians can take an informed decision whether the vaccine is to be administered to their wards/children.

15. In view of the above, it is directed as under:

(4) MR vaccines will not be administered to those students whose parents/guardians have declined to give their consent. The said vaccination will be administered only to those students whose parents have given their consent either by returning the consent forms or by conforming the same directly to the class teacher/nodal teacher and also to students whose parents/guardians cannot be contacted despite best efforts by the class teacher/nodal teacher and who have otherwise not indicated to the contrary.

(1) Directorate of Family Welfare shall issue quarter page advisements in various newspapers as indicated by the respondents, namely, The Hindustan Times, TheTimes of India, The Hindu, The Pioneer, The Indian Express, Delhi Tribune, Mail Today, The Asian



Age, Navbharat Times, Dainik Jagran, Punjab Kesari, Hindustan, Amar Ujala, Navodaya Times, Hamara Samaj, Pratap, Daur-e-Jadeed, Jathedar, Jan Ekta. The advertisements shall also indicate that the vaccination shall be administered with Auto Disable Syringes to the eligible children by Auxiliary Nurse Midwifery. The advertisement shall also clearly indicate the side effects and contraindications as may be finalised by the Department of Preventive Medicine, All India Institute of Medical Sciences.”

- 2.2. That the provisions of **Universal Declaration on Bioethics and Human Rights, 2005** also mandate for informed consent. Relevant Articles reads thus;

Article 6 – Consent.

1. Any preventive, diagnostic and therapeutic medical intervention is only to be carried out with the prior, free and informed consent of the person concerned, based on adequate information. The consent should, where appropriate, be express and may be withdrawn by the person concerned at any time and for any reason without disadvantage or prejudice.

- 2.3. That, Supreme Court in **Common Cause Vs. Union of India(2018) 5 SCC 1**, it is ruled as under;

“517. The entitlement of each individual to a dignified existence necessitates constitutional recognition of the principle that an individual possessed of a free and competent mental state is entitled to decide whether or not to accept medical treatment. The right of such an individual to refuse medical treatment is unconditional. Neither the law nor the Constitution compel an individual who is competent and able to take decisions, to disclose the reasons for



refusing medical treatment nor is such a refusal subject to the supervisory control of an outside entity;

*202.9. Right to life and liberty as envisaged under Article 21 of the Constitution is meaningless unless it encompasses within its sphere individual dignity. With the passage of time, **this Court has expanded the spectrum of Article 21 to include within it the right to live with dignity as component of right to life and liberty.***

*306. In addition to personal autonomy, other facets of human dignity, namely, “self-expression” and “right to determine” also support the argument **that it is the choice of the patient to receive or not to receive treatment.**”*

- 2.4. In the case of **Jacob Puliyel Vs. Union of India 2022 SCC Online SC 533** the Supreme Court propounding that no one can be forced to vaccinated ruled as under;

*“(iii) **With respect to the infringement of bodily integrity and personal autonomy of an individual considered in the light of vaccines and other public health measures introduced to deal with the COVID-19 pandemic, we are of the opinion that bodily integrity is protected under Article 21 of the Constitution and no individual can be forced to be vaccinated. Further, personal autonomy of an individual, which is a recognised facet of the protections guaranteed under Article 21, encompasses the right to refuse to undergo any medical treatment in the sphere of individual health.** However, in the interest of protection of communitarian health, the Government is entitled to regulate issues of public health concern by imposing certain limitations on individual rights, which are open to scrutiny by constitutional courts to assess whether such invasion into an individual's right to personal autonomy and right to access means of livelihood meets the threefold requirement as laid down in K.S.*



Puttaswamy (supra), i.e.,

(i) legality, which presupposes the existence of law;

(ii) need, defined in terms of a legitimate State aim; and

(iii) proportionality, which ensures a rational nexus between the objects and the means adopted to achieve them.”

3. In accordance with the Right of Children to Free and Compulsory Education (RTE) Act, 2009, Section 2(n) defines a “School” as an institution primarily established for imparting elementary education. Nowhere in this act does it mention that schools are intended to serve any purpose other than education. (RTI - Regd. No. DOSEL/R/T/23/00809 dated 06.09.2023 is attached as reference)

4. Schools are currently being used for medical interventions & vaccines, many times without informed consent of parents. Parents are not told they can say ‘NO’. Children are coerced without parental permissions.

This is a violation of basic bodily & parental rights. Many parents are unaware of theirs & children's rights to refuse these.

5. This is dangerous. Schools & principals will be liable. Because we at AIM bring to your attention that vaccines are neither fully safe nor effective & they do have side-effects, creating injuries & even death.
6. As per our responsibility as citizens, Awaken India Movement raises concerns here. AIM has issued a white paper that reveals the safety concerns against HPV and Measles vaccination.
 - 6.1. The document in the link below, provides an overview of HPV virus and it’s spread and outcome, HPV Vaccine Safety, side effects of the HPV Vaccine, concerns raised about the HPV vaccine, pharma irregularities and vaccine



compensations.)

<https://awakenindiamovement.com/aim-white-paper-hpv/>

- 6.2. The document in the link below provides an overview of measles, its prevalence, and mortality rate. It also covers aspects of vaccine safety, side effects, and vaccine effectiveness. The document also gives an insight to alternatives to vaccination and traditional medicines. Media reports of vaccine injuries including lawsuits are also covered in this document.)

<https://awakenindiamovement.com/aim-white-paper-measles/>

7. Kindly look into this matter urgently & ask that
- a. The directives be stopped for **school vaccination** & drug programs as side effects are real, not rare.
 - b. The collection of **health data** of children **should be stopped**, since data can be misused, like it is happening with Aadhar.
 - c. Matters of Health have to be **voluntary and as per parents' discretion** since they carry the responsibility for their children and these medical products are not entirely safe.
 - d. It is an unnecessary **risk & responsibility on principals & school systems** to carry any of the liabilities.

Best regards,

Ambar Koiri

Awaken India Movement



