



**HIGH COURT OF JUDICATURE AT ALLAHABAD  
LUCKNOW**

**WRIT - C No. - 8265 of 2025**

Sushant Chandra Jaiswal

.....Petitioner(s)

Versus

Union Of India Thru. Secy. Of Ministry Of  
Telecommunication New Delhi And 2 Others

.....Respondent(s)

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Counsel for Petitioner(s)	:	Rajan Singh
Counsel for Respondent(s)	:	A.S.G.I., C.S.C.

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**Court No. - 6**

**HON'BLE PANKAJ BHATIA, J.**

1. Application for impleadment dated 08.09.2025 filed on behalf of the petitioner is taken on record.
  
2. The present petition raises a very important question with regard to the availability of a proper telecom network in the Chakujot area of District Bahraich and in the neighbouring areas.
  
3. The submission of learned counsel for the petitioner is that the petitioner is the Director of a post-graduate college situated in Village Chakujot, District Bahraich. The college also includes a residential facility where many students reside, however, on account of non-availability of a proper network, the students' education is seriously affected. Consequently, it is prayed that the respondents be directed to ensure that a proper telecom network is made available, failing which, there is an apprehension that the college may be forced to shut down. It is a matter of common knowledge that in the districts bordering Nepal, the network provided by the Nepalese Government is often in use and is a better network than the one provided by the Indian Government in the neighbouring areas. The issue of non-accessibility to the internet is a very serious one and is, in fact, a violation of the right to education, as was also observed by the Kerala High Court in the case of **Faheema Shirin R.K. Vs. State of Kerala and Others; 2019 SCC OnLine Ker 2976**. In addition to this, it also causes a security threat, as the residents in the bordering areas commonly use the Nepalese network for communication more than

the network available on the Indian side. A report has been submitted by the learned counsel appearing on behalf of the opposite party no.2, which indicates that the details of the availability of mobile services at District Bahraich show a download speed of 8.55 mbps and an upload speed of 1.37 mbps.

4. It has also been stated in the report's conclusion, under paragraph 6, as follows:

*"6.1 The mobile coverage at Chakujot District-Bahraich is available as stated in para 3 and 3.1 above.*

*6.2 All TSPs (BAL, RJIL & VIL) that all TSPs (BAL, RJIL & VIL) have completed minimum roll-out obligation for 2G, 4G mobile services in UP East License Service Area (LSA) that includes District-Bahraich.*

*6.3 After completing minimum roll-out obligation, expansion of mobile services beyond these obligations depends on the techno-commercial consideration of the TSPs."*

5. The said report, itself indicates that the network is extremely slow. The contention of the learned counsel for the petitioner that the entire educational system is failing due to the slow network appears to have merit. The report submitted by the learned counsel for respondent no. 2 cannot be deemed satisfactory.

6. In view of above, the respondents no.1 and 2 are directed to file a comprehensive affidavit indicating as to what steps are being taken to improve the telecom network in the bordering areas, including District Bahraich. The affidavit shall be filed by an officer of the level of Secretary, Department of Telecommunications, by the next date of listing. In the said affidavit, it shall be specifically indicated as to what research has been carried out regarding the proper functioning of the network in the bordering areas and as to what corrective measures are proposed for improving connectivity. The said affidavit shall be filed positively within three weeks from today.

7. List this matter as fresh on 08.10.2025, showing the name of Shri Anand Dwivedi, Advocate as counsel for the opposite party in the cause list.

8. It is made clear that no further time shall be granted. In view of the concerns highlighted above, a request is made by this Court to Shri Syed Mohd. Haider Rizv, Advocate to act and assist as amicus curiae. On the next date of listing, his name shall also be printed in the cause list.

**September 8, 2025**

Haseen U.

**(Pankaj Bhatia,J.)**