

**GOVERNMENT OF NATIONAL TERRITORY OF DELHI DIRECTORATE OF EDUCATION  
(ACT BRANCH)  
OLD SECTT., DELHI – 54**

NO. DE. 15/Act/DUGGAL.COM/ 203 / 99 / 23039-23988

Dated: 15.12.1999

**ORDER**

Whereas by the judgment dated 30<sup>th</sup> October, 1988, in C.W.P. No.3723 of 1997 (Delhi Abhibhavak Maha Sangh Vs. Union of India and Others), the Hon'ble High Court of Delhi had considered the order No. DE . 15 /Act / Spl.Insp / 150 / 97 / \-2093 dated 10<sup>th</sup> Sept., 1997 and had issued certain directions.

And whereas pursuance of aforesaid orders of the Hon'ble High Court of Delhi, a committee was constituted by the Govt. of NCT of Delhi vide notification No.323 dated 7<sup>th</sup> Dec., 1998 with (Ms.) Justice (Retd.) Santosn Duggal as 'Chairperson to decide the claims in fee hike and other charges levied by individual recognized unaided schools for the period covered by the order referred to above and the report submitted by the Committee has been considered by the Government of NCT of Delhi ;

And whereas the report submitted by the Committee, after going through the accounts submitted by the schools. cites a number of irregularities and malpractices, relating to collection and utilization of funds, indulged in by the schools.

Now, therefore, I, S.C. Poddar, Director of Education, Govt. of NCT of Delhi hereby direct the managing committees/managers of recognized unaided schools in the NCT of Delhi under subsections 18 of the Delhi school Education Act.1973 read with rules 50, 51, 177 and 180 of Delhi School Education Rules.1973 and all other powers enabling me in this behalf as follows:

1. No registration fee of more than twenty five rupees per student prior to admission shall be charged.
2. No admission fee of more than two hundred rupees per student, at the time of admission shall be charged. Admission fee shall not be charged again from any student who is once given admission as long as he remains on the rolls of the school. The admission fee charged from any student exceeding two hundred rupees in the academic year 1999-2000 shall be refunded to the parents/student within fifteen days of the date of the issue of this order.
3. No caution money/security deposit of more than five hundred rupees per student shall be charged. The caution money, thus, collected shall be kept deposited in a Scheduled bank in the name of the concerned school and shall be returned to the student at the time of his/her leaving the school

along with the bank interest thereon irrespective of whether or not he/she requests for a refund. The caution money/security deposit collected in the session 1999-2000 exceeding five hundred rupees shall be refunded to the parents/students within fifteen days of the date of the issue of this order.

4. The tuition fee shall be reviewed in the light of the judgment of the Hon'ble High Court dated 30.10.1998 and shall not be raised beyond the amount ,that prevailed on 31<sup>st</sup> March, 1999, for the remaining part of the current academic session and shall not be increased unless it is found by the managing committee of the school that the accumulated funds are not sufficient to bear the liabilities, if any, in discharge of its responsibilities provided for under the Act and the Rules. The tuition fee shall be so determined as to cover the standard cost of establishment including provisions for D.A., bonus etc. and terminal benefits as also the expenditure of revenue nature concerning the curricular activities. All fees charged in excess of the amount so determined or determinable shall be refunded to the students/parents within fifteen days of the issue of this order.

5. No annual charges shall be levied unless they are determined by the managing committee to be sufficient to cover all 'revenue expenditure , not include in the tuition fee and 'overheads' and expenses on play-grounds, sports equipment , cultural and other co-curricular activities as distinct from the curricular activities of the school.

6. Earmarked levies shall be charged from the user student only. Earmarked levies for the services rendered shall be recovered in respect of facilities involving expenditure beyond the expenditure on earmarked levies already being charged for the purpose. They will be calculated and collected on no profit no loss basis and spent only for the purpose for which they are being charged. All transactions relating to the earmarked levies shall be an integral part of the school accounts.

7. Development fee, not exceeding ten percent of the total annual tuition fee may be charged supplementing the resources for purchase, up gradation and replacement of furniture, fixtures and equipment. Development fee, if required to be charged, shall be treated as capital receipt and shall be collected only if the school is maintaining a Depreciation reserve Fund, equivalent to the depreciation charged in the revenue accounts and the collection under this head along with any income generated from the investment made out of this fund, will be kept in a separately maintained Development Fund Account.

8. Fees/funds collected from the parents/students shall be utilized strictly in accordance with rules 176 and 177 of the Delhi School Education Rules, 1973, No amount whatsoever shall be transferred from the recognized unaided school fund of a school to the Society or the trust or any other institution.

9. No fee, fund or any other charge by whatever name called, shall be levied or realised unless it is determined by the managing committee in accordance with the directions contained in this order and unless the representatives of the Parent Teacher Association and the nominees of the undersigned are associated with these decisions. The directions contained in the above paras shall be operative for current academic year, i.e. , 1999-2000 , for academic year 2000-2001 and thereafter in accordance with said judgment dated 30.10.98 of the Hon'ble High Court of Delhi.

10. In the event of any parent approaching the undersigned or the Deputy Directors of Education with a complaint of violation of these directions, it shall be referred to the "Fee Anomaly Committee". The notification constituting the Fee Anomaly Committee district-wise is being issued separately. The documents of the recognize and examine private school and the accounts of utilization of funds, if any, done in violation of sub-sections (4) of section 18 of the Delhi School Education. Act, 1973 read with rules 50, 51 and 176 and 177 of the Delhi School Education Rules, 1973.

11. The findings of the Fee Committee shall be considered the undersigned and appropriate directions issued thereafter. These directions shall be binding for strict compliance on the managing committee /manager of the concerned recognized unaided school and the complainant and fees charges, if any, collected by the school if excess of the amount so determined shall be refunded to the students/parents within thirty days of issue of these directions.

(S.C.PODDAR)  
DIRECTOR OF EDUCATION

To

The Managing Committee,

Through The Manager of the School,

All unaided recognised schools in N.C.T. of Delhi.