

GOVERNMENT OF NCT OF DELHI
DIRECTORATE OF EDUCATION
OLD SECRETARIAT, DELHI-110054

No. F.DE.15 (186)/ACT-I/2016/ 9182-9187

Dated: 27/5/2016

ORDER

Whereas a complaint against the Management of Lovely Public International School (Unrecognized), F-Block, Krishna Nagar, Delhi-31 has been received from a group of parents of students studying in that school, alleging the exorbitant fee charged by said school, which is being run by the Dr. Inder Malik s/o Dr. R. P. Malik;

And Whereas it is further alleged in the complaint that the school is charging Rs.6,000/- per student for books and notebooks and has implemented new course curriculum of XEEDS. The school is unrecognized and being run on a private land as alleged by the parents;

And Whereas the Director of Education, Delhi is empowered to regulate the education in all the schools, whether recognized or unrecognized, in Delhi in terms of the provisions of section 3 of Delhi School Education Act, 1973. Section 2 (u) of Delhi School Education Act, 1973 provides the definition of school which includes a Pre-primary, Primary, Middle and Higher Secondary School and also includes any other institution which imparts education or training below the degree level. Further, in accordance with Rule 44 of Delhi School Education Rules, 1973, every individual, association of individuals, society or trust, desiring to establish a new school, not being a minority school, shall, before establishing such new school give intimation in writing to the administrator of his or their intention to establish such school;

And Whereas the provisions of Section 18 of Right to Education Act, 2009 provides that no school shall run without obtaining the certificate of recognition from the appropriate authority and failure to do so attract fine of rupees one lac and in case of continuing contraventions, a fine of ten thousand rupees for each day during such contravention continues;

And Whereas the Hon'ble High Court of Delhi from time to time and Hon'ble High Court vide its order dated 08.02.2008 in WPC 43/06 titled Social Jurist Vs GNCTD & Ors. observed that the provisions of Delhi School Education Act and Rules, 1973 shall apply to the unrecognized schools and the Government may take necessary action for closure of the school which does not fulfill the mandatory requirements;

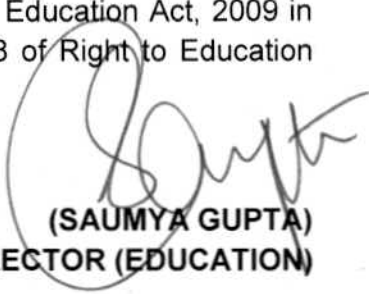
And Whereas rule 177 of Delhi School Education Rules, 1973 provides that the fee / fund collected by way of fee and other charges shall be utilized in the manner as prescribed there under. Further, as per the guidelines contained the order dated 11.02.2009 and 16.04.2010 the tuition fee shall be so determined as to cover the standard cost of establishment including provisions for DA, bonus etc, and all terminal benefits as also the expenditure or revenue nature concerning the curricular activities. All fees charged in excess of the amount so determined shall be refunded to the parents/students. The Annual Charges shall be levied by the school to cover all revenue expenditure, not included in the tuition fee and overheads and expensed on play grounds, sport equipment, cultural and other co-curricular activities as distinct from the curricular activities of the school. Further, rule 50 (iv) of Delhi School Education Rules provides that no school shall run for profiteering which upheld by the Apex Court;

Now, therefore, in exercise of the powers conferred by section 3 of the Delhi School Education Act, 1973, Management of Lovely Public International School (**Unrecognized**), F-Block, Krishna Nagar, Delhi-110031 is directed as under, namely:-

1. To furnish the basis on which, the school raised the fee during the current session, and whether it is in accordance with DSEAR, 1973 / RTE Act, 2009,
2. To provide a copy of audited balance sheet/financial records, on the basis of which the school was compelled to raise the fee during the current session.
3. Not to compel students / parents to purchase books and notebooks from the school or any specified vendor and to inform the parents in advance regarding the introduction of new books and the names of publishers;
4. Apply immediately for grant of recognition under Rule 44 of Delhi School Education Rules, 1973;
5. To furnish instruments of ownership of the plot of land in possession of the school;
6. To furnish the certificate of registration and rules and regulations of the society running the school and the audited financial accounts along with income tax return filed by the school / society from the date of establishment of school till date;
7. To furnish the details of enrolment of students and fee structure, class wise and year wise, for last three academic years;
8. To furnish the details of establishment, teachers and other staff appointed for last three academic years along with their pay structure.



The Management of the Lovely Public International School (**Unrecognized**), F-Block, Krishna Nagar, Delhi-31 shall submit the compliance report within 15 days on receipt of this order, failing which, action for closure of the Lovely Public International School (**Unrecognized**) shall be initiated by this Directorate under the provisions of Delhi School Education Act, 1973 and Right to Education Act, 2009 in addition to process for recovery of penalty under section 18 of Right to Education Act, 2009.


(SAUMYA GUPTA)
DIRECTOR (EDUCATION)

Management,

Lovely Public International School,
F-Block, Krishna Nagar, Delhi-110031.

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Copy for information to:-

1. Principal Secretary to Hon'ble Chief Minister.
2. Secretary to Hon'ble Deputy Chief Minister/Minister (Education), Delhi.
3. OSD to Chief Secretary, Govt. of NCT of Delhi.
4. P.S. to Secretary (Education), Directorate of Education, Govt. of NCT of Delhi.
5. DDE (East), Directorate of Education, Govt. of NCT of Delhi.
6. DDE of concerned Zone.


(V.K. Gaur) 28.05.16
Dy. Education Officer (Act-I)