

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
DIRECTORATE OF EDUCATION
Old Secretariat, Delhi-110054

No. F.DE/ACT-I/Comp./KMWS-VP/2016/8135-8141

Dated: 25/04/16

ORDER

Whereas, the Parents of K.R. Mangalam World School, Vika Puri, New Delhi has filed detailed complaints in the Office of Hon'ble Chief Minister Delhi, alleging various irregularities and violation of directions of Hon'ble Court and Govt. of Delhi, the copy of which was also submitted to this Directorate on 25/04/2016.

AND Whereas, in the aforesaid complaint, 228 parents have also signed the application against the fee hike. The parents have made the following allegations against the school authority:-

- 1 The school has been enhancing fee every year, since its establishment and did not provide adequate facilities despite charging hiked fee and other charges.
- 2 For the session 2016-17 the school has hiked 10% school fee despite directions by the Hon'ble Court and Government of Delhi.
- 3 Despite request to the School Principal and Chairman, the school has still not rolled back the fee hike.
- 4 The does not have proper air conditioning working, water facility, wash room hygiene, Special Educator for special children (SLD/Dyslexia), adequate salary to teachers, hiked transportation fee every year, shuffling of students from K.G. level, proper dispersal of students in the afternoon, payment of 1700 per annum as Art and Craft Fee, books and uniforms to be purchase from the school only, irrelevant work books even for student of higher classes, inadequate teachers to teach and many such other issues.
- 5 The school authorities are threatening to strike off the names of students, who have not paid the hiked fee and are individual targeting them.
- 6 On request of parents to conduct PTA election and permission from PTA a must for fee hike but the school has intentionally ignored this request.

AND Whereas, the parents have requested to take appropriate action against the school authorities and direct them not to harass the student. Also it has been requested to direct the school to accept fee as per previous rate on monthly basis and issue receipt providing description of bifurcated amount of fee hike. Further it has been requested that the school must not ask for hike fee till there is permission from Directorate of Education and amount already taken as hiked fee be immediately refunded.

Ashim Jain
25/04/2016

AND Whereas, the parents of the school have also provided the copy of several fee receipts of different quarters for the period from 2006-07 to 2016-17.

AND Whereas, as far as enhancement of school fee is concerned, the Directorate vide order dated 19.02.2016 has already issued directions in compliance of order of Hon'ble High Court dated 19.01.2016, delivered in W.P.(C) No.4109/2013, titled as Justice for All Vs Govt. of NCT of Delhi. The operative part of the said letter dated 19.02.2016 is re-produced as under:-

“Therefore, in pursuance to the directions delivered in the judgment as referred above, all the private unaided recognized schools running on the land allotted by DDA/other Govt. agencies on concessional rates or otherwise shall not increase the rates of tuition fee without the prior sanction of Directorate of Education. Accordingly, Point no.6 of this Directorate’s circular dated 16.04.2010 is modified to the extent that the Managing Committee of such schools is not competent to increase the fee to be charged from the students, provided that the allotment letter of the land of such schools/society must contain the condition of seeking prior approval of Director (Education) before increasing the rates of tuition fees”.

The comparative chart of the fee charged by the school authority for the academic session 2015-16 & 2016-17 is as under:-

Fee Heads	Fee in the session 2015-16(4 th Quarter)	Fee in the session 2016-17 (1st Quarter)	Remarks
Fees	30,000/-	33,000/-	10% (enhanced)

Therefore, the enhancement of school fee without prior approval of this Directorate is contravention of the above said order as well as order of Hon'ble High Court.

AND Whereas, as far as appointment of Special Educator for Special Children is concerned, the Directorate vide order dated 19.02.2013 has already issued directions in compliance of order of Hon'ble High Court dated 05.12.2012, delivered in W.P.(C) No. 4618/2011, titled as Social Jurist, a Civil Rights Groups Vs Govt. of NCT of Delhi. The operative part of the said letter dated 19.02.2013 is re-produced as under:-

“We accordingly allow this petition and direct all the recognized aided and unaided private schools in Delhi to appoint Special Educators and to make their buildings/school premises barrier free so as to provide free movement/access to children with disabilities. We further direct the DoE, Govt. of NCT of Delhi to ensure compliance of the directions issued by this Court and to take action for de-recognition against the erring school. We however, grant time up to to 31st March, 2013 to the said schools to, if not have already done, make their school premises barrier free/access free. We have granted the said time having regard to the fact

*Delhi/Min
27/04/2016*

that Section 19 of the RTE Act has given time of three years from 1st April, 2010. We further grant time of two years to appoint Special Educators. However, schools where children with special needs are already admitted or will be admitted hereafter shall immediately make provision for Special Educators and further ordain that no school shall refuse admission to children with disability for the reason of not employing Special Educators or not providing barrier free access in the school premises”.

Therefore, not appointing Special Educators in the school is violations of the order of this Directorate as well as Hon'ble High Court of Delhi.

AND Whereas, as regard the conduct of election of Parents Teachers Association is concerned, the guidelines for constitution of Parents Teachers Association in Aided/Unaided schools has already been issued by this Directorate vide order dated 12.04.2010 and same has to be complied with.

AND Whereas, as far as the water facility and wash room hygiene is concerned, the school authority is required to comply with the rule 50 (sub-rule xii and xiii) of Delhi School Education Rules, 1973.

AND Whereas, as far as insufficient infrastructure/basic facilities in the school is concerned, it is clear cut violation of Rule 50 (sub-rule vii & viii) of DSER, 1973.

AND Whereas, on going through the said complaints, it reveals that the allegations levelled against the school authority by the parents seems to be prima-facie true and required further clarification from the school authority.

NOW Therefore, in view of the aforesaid violations of various provisions of the Delhi School Education Act, 1973 and rules made there under and non compliance of the order of the Directorate as mentioned above, the Managing Committee/Manager of the K. R. Mangalam World School, Vikas Puri, Delhi is hereby directed to:-

- 1 Refund the alleged enhanced fee to the parents, so collected by the school authority for the academic session 2016-17.
- 2 Not to enhance any type of school fee from the academic session 2016-17 onwards without approval of this Directorate and not to strike off the name of the student from the school on the basis of non-payment of enhanced fee .
- 3 To appoint Special Educators in the school in pursuance of order of this Directorate dated 19.02.2013.
- 4 The school authority cannot compel to the students/parents of the school to purchase the books & stationery from the school's shop/counter.
- 5 Create sufficient infrastructure/basic facilities in the school.

Ashim Jain
23/04/2016

The Managing Committee/Manager of the said K. R. Mangalam World School, Vikas Puri, Delhi is further directed to submit the compliance report within 07 days on receipt of this order, failing which appropriate action under relevant provisions of Delhi School Education Act & Rules, 1973 may be taken.

This issues with the prior approval of the Competent Authority.

Ashima Jain
25/04/2016
(DR. ASHIMA JAIN, IAS)
Addl. Director of Education (Act-I)

**Managing Committee/Manager
K. R. Mangalam World School,
Vikas Puri, Delhi**

No. F.DE/ACT-I/Comp./ KMWS-VP/2016/ 8135 -8141

Dated: 25/04/16

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, Delhi
4. Secretary (Education)
5. DDE (West-B)
6. DDE of concerned Zone

P. Lata Tara
25/04/2016
(P. LATA TARA)
Deputy Director of Education (Act - I)