

**GOVERNMENT OF NATIONAL CAPITAL OF TERRITORY
DIRECTORATE OF EDUCATION
OLD SECRETARIAT, CIVIL LINES, DELHI-110054.
(PRIVATE SCHOOL BRANCH)**

No. F.DE-15(1658)/PSB/2023 | 4046-4051

DATED: 23/07/24

ORDER

I am directed to convey the approval of Competent Authority to withdraw the fee hike order no. F.DE.15(1658)/PSB/2023/9992-96 dated 08.12.2023 in r/o **Darbari Lal DAV Model School (School ID – 1309175), BN Block, Shalimar Bagh, New Delhi- 110058** due to non-compliance of suggestions/directions mentioned in fee hike order dated 08.12.2023.

Whereas, every school is required to file a full statement of fees every year before the ensuing academic session before the ensuing academic session under Section 17(3) of the Delhi School Education Act, 1973 with the Director. Such statement will indicate estimated income of the school derived from fees, estimated current operational expenses towards salaries and allowances payable to employees etc. in terms of Rule 177(1) of the Delhi School Education Rules, 1973.

Whereas, as per section 18(5) of the Act read with section 17(3), 24(1) of the Act and Rule 180(3) of the DSEAR, 1973, responsibility has been conferred upon the Director (Education) to examine the audited financial, account and other records maintained by the school at least once in each financial year.

And whereas, the Director (Education) has the authority to examine the full statement of fees filed under Section 17(3) and returns and documents submitted under Section 18(5) of DSEAR, 1973 read with rule 180(1) of DSEAR, 1973.

And whereas, besides the above, the Director (Education) is also required to examine and evaluate the fee hike proposal submitted by the private unaided recognized schools which have been allotted land by the DDA/other land-owning agencies with the condition in their allotment to seek prior approval from Director (Education) before any increase in fee.

And whereas, besides the above, the Hon'ble Supreme Court in the judgment dated 27.04.2004 passed in Civil Appeal No. 2699/2001 titled Modern School Vs Union of India and others has conclusively decided that under Section 17(3), 18(4) read along with rule 172,173,175 and 177 of the Rules, Directorate of Education has the authority to regulate the fee and other charges to prevent the profiteering and commercialization of Education.

And whereas, the Hon'ble High Court of Delhi vide its judgment dated 19.01.2016 in writ petition No. 4109/2013 in the matter of Justice for All versus Govt. of NCT of Delhi and others has reiterated the aforesaid directions of the Hon'ble Supreme Court and has directed the Director of Education to ensure the compliance of term, if any, in the letter of allotment regarding the increase of fee by the recognized unaided schools which are allotted land by DDA/land owning agencies.

And whereas, accordingly, the DoE vide Order No. DE. -15 (40)/PSB/2023/1964-1972 dated 01.03.2023, directed all private unaided recognized schools, running on the land allotted by DDA/other land owning agencies at concessional rates or otherwise, with the condition to seek prior approval of DoE for increase in fee, to submit their proposals, if any, for prior sanction, for increase in fee for the academic session 2023-24.


23/07/2024

And whereas, in pursuance to Order dated 01.03.2023 of DoE, **Darbari Lal DAV Model School (School ID – 1309175), BN Block, Shalimar Bagh, New Delhi- 110058** submitted its proposal for enhancement of fee for the academic session 2023-24.

And whereas, in order to ensure that the proposals submitted by the Schools for fee increase are justified or not, this Directorate has constituted team of Fee Evaluation Committee comprising of AAO, AOs, Sr AO and resource person who have evaluated the fee increase proposals of the School very carefully in accordance with the provisions of DSEAR, 1973 and other orders/circulars issued from time to time.

And whereas, on the receipt of clarification as well as documents uploaded on the web portal for the fee hike post personal hearing, the fee proposal was evaluated by the Fee Evaluation Committee and Darbari Lal DAV Model School (School ID – 1309175), BN Block, Shalimar Bagh, New Delhi- 110058 submitted was given fee hike by 09% vide order no. F.DE.15(1658)/PSB/2023/9992-96 dated 08.12.2023 with certain directions/suggestions for compliance within 30 days from the date of issue of the Order.

And whereas, it was clearly mentioned in the fee hike order that non-compliance of the order or any direction herein shall be viewed seriously and will be dealt with in accordance with the provisions of section 24(4) of Delhi School Education Act, 1973 and Delhi School Education Rules, 1973.

And whereas, **Darbari Lal DAV Model School (School ID – 1309175), BN Block, Shalimar Bagh, New Delhi- 110058** submitted explanation and compliance report in r/o fee hike on 26.12.2023 which was received in Private School Branch (HQ) on 03.01.2024. The representation given by the school has been examined and hereby disposed off.

And whereas, it has been observed that school has not complied with the directions/suggestions mentioned in the fee hike order dated 08.12.2023.

Therefore, in view of non-compliance of directions/suggestions mentioned in fee hike order no. F.DE.15(1658)/PSB/2023/9992-96 dated 08.12.2023 is hereby withdrawn with immediate effect with the direction to refund or readjust the excess amount taken from students.

This issues with the prior approval of Competent Authority.


23/07/2024
(Davendra Mohan)

Dy Director of Education (PSB)

To

The Manager/HoS

Darbari Lal DAV Model School

(School ID – 1309175), B

N Block, Shalimar Bagh, New Delhi- 110058

No. F.DE-15(1658)/PSB/2023/ 4046-4051

DATED: 23/07/24

Copy to:-

1. P.S. to Secretary (Education), Directorate of Education, GNCTD
2. P.S. to Director (Education), Directorate of Education, GNCTD
3. P.A. to Addl. Director of Education (PSB), Directorate of Education, GNCTD
4. Incharge (IT) with request to upload on website of DoE.
5. DDE (North West-A) to ensure compliance of this order.
6. Guard File.


23/07/2024
(Davendra Mohan)

Dy Director of Education (PSB)