

**GOVT. OF NCT OF DELHI  
DIRECTORATE OF EDUCATION (ACT BRANCH)  
OLD SECRETARIAT, DELHI – 110054.**

No. 1978

Dated: 16/4/2010

**CIRCULAR**

**Subject:- Guidelines regarding fee hike in Recognized Unaided Schools.**

Every recognized private school in Delhi has to abide by sec 17 (3) of DSEAR 73 which provides that –

*“The manager of every recognized school shall, before the commencement of each academic session, file with the Director a full statement of the fees to be levied by such school during the ensuing academic session, and except with prior approval of the Director, no such school shall charge, during that academic session, any fee in excess of the fee specified by its manager in the said statement”*

In compliance of this section many private schools have submitted their proposed fee structure for the ensuing session 2010-11. Simultaneously a number of complaints are being received regarding unreasonable and excessive fee hike by some schools.

The Hon'ble Apex Court in Civil Appeal No. 2699 of 2001 titled “Modern School V/s Union of India” held that –

*“the Director is authorized to regulate the fees and other charges to prevent commercialization of education. Under Section 17 (3), the school has to furnish a full statement of fee in advance before the commencement of the academic session. Reading Section 17(3) with Section 18(3) & (4) of the Act and the Rules quoted above, it is clear that the Director has the authority to regulate the fees under Section 17(3) of the Act”.*

Keeping in view the directions of Hon'ble Court, Directorate of Education has been issuing instructions to regulate fee hike from time to time; the latest order dated 11/02/09 was to regulate fee-hike, in order to meet the financial implications of VI Pay Commission.

In continuation to the previous directions, all recognized private schools are directed to abide by the following guidelines/directions, while considering fee structures from the academic year 2010-11 onwards, to prevent commercialization of education.

1. It is reiterated that annual fee-hike is not mandatory.
2. All schools must, first of all, explore and exhaust the possibility of utilizing the existing funds/ reserves to meet any shortfall in payment of salary and allowances, as a consequence of increase in the salary and allowances of the employees.
3. The school should not consider the increase in fee to be the only source of augmenting their revenue. They should also venture upon other permissible measures for increasing revenue receipts.

4. Interest on deposits made as a condition precedent to the recognition of the school and pledged in favour of the Govt., should also be utilized.
5. A part of reserve fund which has not been utilized for years together may also be used to meet the short fall before proposing a fee hike.
6. If after exhausting the above – mentioned possibilities, a school still finds it necessary to hike the tuition-fee; it shall first take the major stake holders in the school system i.e. parents into confidence. Since parents have to bear the financial burden of a fee hike, it is imperative that the school presents its case of fee hike, with detailed financial statement to the committee of the duly elected Parents Teacher Association and obtain their concurrence to the proposed hike before the same is approved by the Managing Committee.
7. Instructions have been issued for constitution of Parent Teacher Association for Recognized Private Schools vide circular No. 1913 dated 12/04/2010 and these must be complied with.
8. 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 of revenue nature concerning curricular activities. No fees shall be charged in excess of the amount so determined.
9. School shall not introduce any new head of account or collect any fee thereof other than those permitted. Fee/funds collected from the parents/students shall be utilized strictly in accordance with rules 176 and 177 of the Delhi School Education Rules, 1973.
10. If any school has collected fee in excess of that determined as per procedure prescribed here-above, the school shall refund/adjust the same against subsequent installments of fee payable by students.
11. The DE nominees on the Managing Committee will ensure compliance of the instructions issued herein, by the Managing Committee of each school, while approving the fee structure.

  
(P.KRISHNAMURTHY)  
DIRECTOR OF EDUCATION

No. 1978

Dated: 16/04/2010

**Copy forwarded for information and appropriate action to:-**

1. P.S. to the Hon'ble Chief Minister, Govt. of Delhi.
2. P.S. to the Hon'ble Minister of Education, Govt. of Delhi.
3. P.S. to the Principal Secretary, Directorate of Education.
4. Director (Education)-MCD, Nigam Bhawan, Kashmiri Gate, Delhi,

5. Director (Education)-NDMC, Palika Bhawan, Cannaught Place, New Delhi.
6. Chief Executive Officer, Office of the Delhi Cantonment Board, Delhi Cantt. Delhi-10.
7. All Addl. Directors, Directorate of Education.
8. All Regional Directors, Directorate of Education.
9. All District Deputy Directors, Directorate of Education, Delhi with the direction to ensure that a copy is served to all unaided recognized schools under their jurisdiction against proper acknowledgement.
10. All Education Directors, Directorate of Education.
11. Incharge, Computer Cell to upload the order on the website of the Department.
12. Guard File.



**(MARCEL EKKA)**  
**ASSTT. DIRECTOR OF EDUCATION (ACT)**