

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI  
DIRECTORATE OF EDUCATION  
OFFICE OF THE CHAIRPERSON REVIEW COMMITTEE OF  
DSEAR'73,  
ROOM NO. 10, SCERT, VARUN MARG, DEFENCE COLONY  
NEW DELHI-110024

F.No.1/CH/RC/2011/10

Dated: 12.07.11

**Minutes**

A meeting was held at 2.30 P.M. on 12.07.11 with the representatives of minority schools in which the following persons were present:-

- a) Ms. Shailaja Chandra, IAS (Retd.), Chairperson, Review Committee
- b) Ms. Abha Joshi, Member Secretary
- c) Sh. Manish Gaur, ALA, Member
- d) Sh. Marcel Ekka, ADE (Act)
- e) Sh. Pushparaj Deshpande, (Intern consultant)
- f) Dr. V.K. Williams, Principal Mount Carmel School, Delhi
- h) Dr. Michael Williams, Dean Mount Carmel School, Delhi
- i) Br. L. D. Lobo, Principal, St. Columbus School, Delhi
- j) Mr. M. Kannan, Principal, Faith Academy, New Delhi
- k) Sister Nirmalini, Principal, Carmel Convent Chanakyapuri, N. Delhi
- l) Sh. S. Robert, Faith Academy, New Delhi
- m) Fr. Binny Issac, Principal, Don Bosco School, Delhi

The Chairperson welcomed the representatives of private unaided minority schools and requested them to state their case. The views expressed by different representatives included the following :-

- That private schools have helped in maintaining the standard of education and they are fulfilling their social responsibility with utmost sincerity. However, they were opposed to the imposition of 25% admission under freship category under RTE because it would put tremendous pressure on their finances which will impact adversely on the over all quality of education imparted by them.
- That already private unaided schools have approached the Hon'ble Supreme Court against this provision and a decision is likely to come by mid August.
- That DOE officials do not understand the special character of the minority /mission schools and often try to impose the same rules as are applicable on non-minority schools. It is therefore necessary that some sort of training is imparted to them.

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- That the autonomy of the minority schools must be retained at least to the extent it is provided in DSEAR.
- That while revamping DSEAR the bottom line of the whole exercise should be to maintain the autonomy of minority schools.

1. The Chairperson, after listening their views, clarified that the aim was to devise a way out to deal with complaints made against the schools, without infringing on their autonomy. These complaints generally pertained to:

1. Employing under qualified teachers
2. Diversion of funds taken from parents for some other purpose
3. Not paying full salary to the employees

2. The Chairperson sought their views on adopting the following measures to sort out these complaints ; The delegation was ~~agreeable~~ to the following :-

- A Grievance Redressal/Recociliation committee may be constituted by the department either at the level of Regional Director or at the district level where parties involved could come across the table. The party aggrieved by the decision may approach Tribunal. This proposal was accepted by them.
- A template of each school may be created in which the qualification as well as salary paid to each teacher may be mentioned. This web site may be approached by all the stake holders of the school. The representatives were not averse to this idea either .Some of them even proposed that schools be asked to pay salary through ECS
- The schools may be asked to place their financial returns on the web site for the sake of transparency. The schools did not accept this proposal .Their view was that this would create more problems for them . However they were ready to give whatever information was sought by the department.
- A fee-regulatory committee may be constituted on the same pattern as is done in Department of Higher Education. This was essential because government has a social responsibility to ensure that schools do not dictate terms to a captive group of parents who had no option but to agree to pay. All the schools opposed this idea; their contention was that in TMA Pai judgment hon'ble Supreme Court had upheld the right of minority institutions to fix up their fee-structure. ALA Manish Gaur ~~also~~ clarified that in PAInamdar case the Hon'ble Court had held that fee can be regulated.

 The argument given by the schools was that TMA Pai judgment was given by a 11 judge bench while PA Inamdar judgment was delivered by 07 judges, so it can not over-ride the TMAPai judgment.

3. The Chairperson asked ALA Manish Gaur to prepare a note on the issue clarifying all the legal position so that the same may be sent to Law Secretary for opinion as it affected the whole question of conclusion /exclusion of minority schools from this regulation.

4. Minority schools once again emphasized that they should be differentiated from non-minority schools. The Chairperson assigned Fr. Binny to prepare a note on situational analysis highlighting the following-

- Actual situations of harassment encountered
- Provisions of the Act under which this is supposedly done in the name of Regulation.
- Changes sought

Fr. Binny agreed to submit this by 15<sup>th</sup> August

5. Some more suggestions given by schools for improving the educational standards were-

- Private schools with expertise be allowed to advise government schools on improvement of quality of education.
- While conducting inspection of government schools, private schools should be associated so that idea of sharing good teaching practices could be worked.

Meeting ended with vote of thanks to all.



(ABHA JOSHI)

**MEMBER SECRETARY**