

GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
DIRECTORATE OF EDUCATION
(ACT-I BRANCH)
OLD SECRETARIAT, DELHI-110054.

No. DE.15/Act-I/Misc./2013/ 8643

Dated: /04/2013 $\frac{5}{13}$

CIRCULAR

Sub: COLLECTION OF MONTHLY FEES.

Whereas Hon'ble Delhi High Court vide order dated April 10, 2013 in WP (C) No. 1128/2010 titled Mr. Rahul Chadha and Ors. Vs Summer Field School & Ors in reference to Circular No. F.30-3(95)-Coord./33021-34021 dated 01.10.1990 of Directorate of Education had directed that:-

"5. On the basis of the aforesaid circular it is contended that the schools are entitled to charge quarterly fees. In my opinion, though the circular on the first blush seems to refer to collection of fees on quarterly basis, however, a reading of the entire circular shows that the portion relied upon is only indication of the fact that there possibly is a practice or may be an earlier circular for collection of fees on quarterly basis. **This very circular does not authorize the private unaided schools to take fees on quarterly basis.** In any case, the Director of Education has no power to issue circulars which will be in violation of statutory rules." Rules 165 and 166 are statutory in character. Once rules are statutory in character it is not possible for Director of Education to issue circulars in violation of these rules whereby fees can be allowed to be charged by a school otherwise than every month and which is payable by the 10th day of the month in which the fees become due.

6. In view of the above, the writ petition is allowed. Respondent No.1-School is directed only to collect monthly fees from the wards of the petitioners and the respondent No.1-School will accordingly comply with the provisions of Rules 165 and 166 of Delhi School Education Rules, 1973".

Therefore, all the unaided recognized schools are hereby directed to comply with the provisions of Rule 165 & 166 of Delhi School Education Rules, 1973 and orders of Hon'ble High Court as referred above. The unaided recognised schools can only collect fee and contributions on monthly basis which shall be payable by the 10th day of the month in which they are due.

This issues with the prior approval of Competent Authority.


30.04.13

DR. MADHU RANI TEOTIA (IAS)
ADDL. DIRECTOR OF EDN. (ACT-I)

To,
Management/Heads of Schools,
All Recognized Unaided Public Schools.

No. DE.15/Act-I/Misc./2013/ 8643

Dated: 15/04/2013

Copy to:-

1. P.S. to Secretary (Education), Dte. of Education, GNCT of Delhi.
2. P.S. to Director (Education), Dte. of Education, GNCT of Delhi.
3. All Deputy Director of Education, Dte. of Education, GNCT of Delhi to ensure the compliance in their jurisdictions.
4. O.S. (IT) with the request to up-load the circular on the Department web-site.
5. Guard file.

P. Lata
01/05/13
(P. LATA TARA)
ASSTT. DIRECTOR OF EDN. (ACT-I)