

**General Instructions to all Unaided Private Schools covered under Tamil Nadu Schools (Regulation of Collection of Fee Act,) 2009.**

1. Every school submits an application proposing the fee structure long after the previous academic year is over. "Academic year" is defined under the Act as meaning the year commencing on the first day of June to the last day of May of the succeeding year. Under Section 6(5) of the Act, any order passed by the Committee determining the fee payable is declared to be final and binding on the private school for three academic years. More or less all schools commences admission in their respective schools even before the commencement of the academic year. Fee structure fixed by the Committee to be collected by the school from the students should be permanently displayed by the school on their respective notice board. (Reference is made to the Unreported judgement dated 29.05.2019 in W.P. No.(MD) 12384/2019 rendered by the Hon'ble High Court of Madras – Madurai Bench). The present Committee notes that all along the determination of fee structure has been going on from the commencement of the academic year till almost the end of the academic year which means the school is not certain and the parents are not certain which will be the fee payable by the students for want of official details. There is no time frame fixed under the Act for filing the application by the school which is proposing a new fee structure and also for the Committee to pass an order determining the fee structure at the first instance. It may be noted that under Section 6(4) of the Act, the Committee is directed to consider and dispose of the objection petitions within 30 days from the date of receipt of such objection. Therefore it has become necessary for the Committee to fix an outer time limit for each school to file their application proposing a new fee structure.
2. Each school on appearance before the Committee on the date of hearing the objection petition, has uniformly stated that the format uploaded by the Committee is not in line with the format reflected in the unreported judgement dated 25.01.2018 in W.P. No. 38383/2015 batch. Therefore the Committee is inclined to clarify that aspect also.

3. In the light of the above, the Committee, in order to make things clearer, definite, and not being vague decides to publish the following information's for all the schools covered under Tamil Nadu Schools (Regulation of Collection of Fee) Act, 2009 not only by publishing it in the website of the Committee but also by Emailing to each school to the Email-Id available with the Committee and also have it circulated to each school by requesting the Chief Educational Officer of each District to have the communication mentioned hereunder circulated to each school within his Jurisdiction immediately after publication of the same in the Committee's website.

### **Clarification:**

- Every school, who has a right to file an application proposing a new fee structure to be in force from the commencement of an academic year, shall file their application on or before 20<sup>th</sup> April of the previous academic year.
- Since the base year for determining the fee for a new academic year is the previous academic year, expenditures incurred by the school during such previous academic year shall be disclosed supported by documents along with the application.
- The school will be guided by the unreported judgement of the Hon'ble High Court of Madras dated 25.01.2018 in W.P. No.38383/2015 batch in filing the application proposing a new fee structure.
- Every expenditure claimed will be evaluated on the basis of the direction contained in the judgement reported in 2012 WLR 489 and the unreported judgement of the Hon'ble High Court of Madras dated 25.01.2018 in W.P. No.38383/2015 batch.
- Each application proposing a new fee structure shall be filed in physical form only along with the documents referred to above.

- The documents in support of Electricity consumption charges alone may be submitted on or before 10<sup>th</sup> of May of the previous academic year.

From,  
**JUSTICE. R. BALASUBRAMANIAN,  
CHAIRMAN**

**Date: 03.03.2022**

To,

**1. MR. K.K. MURALIDHARAN, MEMBER SECRETARY**

**2. DR. A. KARUPPASAMY, MEMBER**

**3. DR. G. ARIVOLI, MEMBER**

**4. MR. C. ISAIARASAN, MEMBER**

Dear Learned Members;

The attachment to this letter is self explanatory. I request you to kindly go through it and give your comments, if any. If it is approved as such then please send back the same to the Committee.

Regards,

**JUSTICE. R. BALASUBRAMANIAN,  
CHAIRMAN**

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