

PROCEEDINGS OF THE COMMISSIONER OF SCHOOL EDUCATION, TAMIL NADU
Rc. No. 32673/G2/2021, dated 09.08.2021

Sub: School Education – Collection of Fee by un aided private schools – Order of the Hon’ble High Court of Madras – Revised Circular – Sent – Regarding.

Ref: 1. This Office Proceedings Rc. No. 32673/G2/2021, dated.05.07.2021.
2. Judgment of the Hon’ble High Court of Madras in Writ Petition8490 of 2020 etc. and batch dated 30.07.2021

In the reference 1st cited, direction was given to all the unaided private schools for the collection of school fee for the year 2021-2021 and circulated to all the schools concerned through the Chief Educational Officers.

The Hon’ble High Court of Madras in its Judgment dated 30.07.2021 in the pending writ petitions vide reference 2nd cited has ordered as follows:

(1) The petitioners (school management of the concerned private unaided school) shall collect 85% of the annual school fees (based on the fee fixed for the academic year 2019-2020) for the academic year 2021-2022 in six instalments, from those students/parents such as State and Central Government Employees, Public Sector Undertakings, Professionals and Business People etc., who have not suffered loss of income during this pandemic period, provided if they have conducted online classes; If the students had already paid first instalment for this academic year, the balance amount shall be paid by way of instalments and the last instalment be paid on or before 01.02.2022.

(2) Students/parents who have suffered loss of income during this pandemic period, shall make an application to the school management, who shall consider their request and collect 75% of the fees (based on the fee fixed for the academic year 2019-2020) as per the Circular issued by the Commissioner of School Education, Chennai-6, for the academic year 2021-2022, in six instalments. If the students had already paid first instalment for this academic year, the balance amount shall be paid by way of instalments and the last instalment be paid on or before 01.02.2022.

(3) If any parents / wards seek further concession for payment of annual fees for the academic year 2021-22, apart from (1) and (2) stated above, on account of unemployment, close down of business due to lockdown, they shall make a representation to the School Management, who shall consider such representation on case-to-case basis sympathetically.

(PTO)

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(4) The unaided private institutions shall also collect the arrears of fees payable for the academic year 2020-2021 in instalments.

(5) If any student has already paid the entire fees including arrears, the same shall not be a ground to claim for refund of the fees.

(6) The school Management shall not debar any student from attending either online classes or physical classes on account of non-payment of fees, arrears/outstanding fees including the instalments, referred to above, and shall not withhold the results of the examinations of any student on that ground. If any such action is brought to the notice of the educational authorities, it shall be viewed seriously and suitable action shall be taken against the institutions concerned.

(7) Regardless of the above, it will be open to the petitioners (concerned schools) to give further concession to their students or to evolve a different pattern for giving concession over and above those noted in clauses (1) to (3) above.

(8) If any dispute arises between the parents/wards and the School Management in respect of concession in fees, either on the reference by the School Management or on the application by the students / parents, the District Educational Officer of the Districts concerned shall consider and take appropriate decision within a period of 30 days from the date of receipt of the application.

(9) The students shall not be removed / dropped out from the institutions under any circumstances during this academic year 2021-22 and it is the responsibility of the jurisdictional Educational Authorities to monitor the same.

(10) If any difficulty faced by the students to continue in a particular school, they can approach the jurisdictional Educational Authorities, who shall make necessary arrangements to accommodate the said students in nearby Government / Corporation/ Municipal / Panchayat schools.

(11) As a special case under extraordinary situation, the State Government may also consider to sanction amount for the fees, if there is any unfilled seats available under 25% quota under the Right of Children to Free and Compulsory Education Act, 2009, for the academic year 2021-22, subject to eligibility criteria.

(12) The management of CBSE Schools shall publish the details of fees to be collected for the academic year 2021-2022 in their respective website, within a period of four weeks from the date of receipt of a copy of this order.

(PTO)

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(13) In case of dispute in respect of determination of fees, the school Management or students/parents concerned can approach the Fee Determination Committee for redressal of their grievances.

(14) Students who seek to leave the school may inform to the schools concerned. It is made clear that the Education Department has already issued a circular that schools cannot insist upon production of Transfer Certificate for admission of students in schools. It is only an information to the school management for admitting new students in the said vacancies.

All the unaided private schools shall suitably be instructed to scrupulously follow the directions of the Hon'ble Court from S.No.s 1 to 7 stated supra.

The Chief Educational Officers / District Educational Officers shall act according to the directions above in S. Nos. 8 to 10.

The Inspecting Officers are again instructed to give instructions to the unaided private schools about the collection of fee for the year 2021-2022. Any violation in this regard will lead to contempt of Court and attract severe action by the Department.

J. Hon 10/8/21
for COMMISSIONER
J. Hon
10/8/21

To

All the Chief Educational Officers
All the District Educational Officers

Copy to the

1. Principal Secretary
School Education Department
Secretariat.
Chennai-9.(for kind information)
2. Director of Elementary Education
3. Director of Matriculation Schools