

**Immediate/High Court Matter
(Secret)**

No. EDN-H(5)C(10) 17/2011-CWP 10062/2011
Directorate of Elementary Education ,
Himachal Pradesh

To

1. The Dy. Director of Higher Education,
Bilaspur/Mandi/Hamirpur/Una/Kangra at Dharmshala Solan and Chamba
Himachal Pradesh.
2. The Dy. Director of Elementary Education,
Mandi/Hamirpur/Una/Kangra at Dharmshala/Shimla and Solan
Himachal Pradesh.
3. The Principal DIET Shimla at Shamlaghat

Dated Shimla-171002, the 23rd April,2012.

Subject: CWP 10062/2011 titled Updesh Rani & Ors. Vs State of Himachal Pradesh & Ors.

Sir,

It is brought to your notice that the above mentioned Civil Writ Petition was listed before the Hon'ble High Court on 18.04.2012 when the Hon'ble High Court has been pleased to order that:-

“ It has come to the notice of this Court that in some of the 95% grant-in-aid schools, the management is alleged to be maintaining two set of registers both in case of fee to be collected from the students and also in the matter of payment of salary to the teachers. Under the 95% grant-in-aid scheme, the schools are bound to follow the fee as prescribed by the Government and they are also bound to pay salary at notified rates. The allegation is that it is done only on records. In larger public interest , we are of the view that the Principal Secretary (Education) to the Govt. of H.P. should conduct an appropriate discreet inquiry immediately as to the factual situation in all the 95% grant-in aid schools both in the matter of collection of fee from the students and in the matter of payment to the teachers. It will be open to the Principal Secretary(Education) to constitute a team and seek the assistance of police and the Vigilance Department, if required . After conducting such inquiry, a report shall be submitted to this Court positively with in ten days .Post on 30th April,2012.

In compliance with the directions of the Hon'ble High Court of Himachal Pradesh , Inquiry Teams have been constituted to conduct the discreet inquiry of the Management of 95% aided schools in the matter of collection of fee and funds from the students and payment of salary to the teachers in accordance with the provisions of Himachal Pradesh


Non Govt. Institution Rule (Grant-in-aid Rule 1997) The detail of constituted teams is enclosed at Annexure-A.

You are , therefore , directed to examine the record of the schools thoroughly and cross checks it from the relevant record. An illustrative proforma indicating the points to be covered/cross checked and to maintain uniformity is enclosed at Annexure-B. It is advised that in order to ascertain the factual position , statements of few students, their parents and the teachers at random may be recorded . If required, the assistance of police/vigilance may be requisitioned through SDM concerned . It may please be ensure that in case of irregularities found during the course of Inquiry the relevant record may be ceased and submitted along with the report.

The members of the team immediately co-ordinate with other members and immediately proceed to conduct the inquiry . They will also ensure that the detailed report (in triplicate) is submitted personally in the Directorate latest by 27.4.2012. before 1 p.m. by the concerned team in charge and Section Officer Finance and Accounts .So that the same could be submitted to the Government on the very same day before 5 p.m.

This may be given Top Most Priority and Personal attention may be paid to ensure to submission of inquiry by the stipulated date. Any deviation of these order will be viewed seriously and would be at your risk being a Hon'ble High Court Matter


Yours faithfully,


Director of Elementary Education
Himachal Pradesh

Endst. No. Even. dated

A copy is forwarded for information to:-

- 1.The Secretary (Education) to the Government of Himachal Pradesh Shimla-171002 with reference to his U.O. No. PS/Sec.(Edu.)-4/2012 dated 21.04.2012.
- 2.The Director of Higher Education, Himachal Pradesh Shimla-171001.
- 3.The Dy. Director of Higher Education Bilaspur/Mandi/Hamirpur/Una/Kangra at Dharmshala Solan and Chamba .
4. The Dy. Director of Elementary Education , Bilaspur/Mandi/Hamirpur/Una/Kangra at Dharmshala/Shimla and Solan Himachal Pradesh
5. The Principal DIET Shimla at Shamlaghat and DEIT Kangra at Dharmshala.
6. The S.O.(F&A) office of the Dy. Director of Higher Education , Bilaspur/Mandi/Hamirpur/Una/Kangra at Dharmshala Solan and Chamba
7. The S.O.(F&A) office of the Dy. Director of Elementary Education Bilaspur/Mandi/Hamirpur/Una/Kangra at Dharmshala/Shimla and Solan Himachal Pradesh
- 8 The S.O.(F&A) DIET Kangra at Dharmshala.


Director of Elementary Education
Himachal Pradesh

Immediate/High Court Matter

No. EDN-H(5)C(10) 17/2011-CWP 10062/2011
Directorate of Elementary Education ,
Himachal Pradesh

To

1. The Dy. Commissioner
Bilaspur/Mandi/Hamirpur/Una/Kangra at Dharmshala/ Shimla/
Solan and Chamba.
2. The Superintendent of Police,
Bilaspur/Mandi/Hamirpur/Una/Kangra at Dharmshala/ Shimla/
Solan and Chamba.

Dated Shimla-171002, the 23rd April,2012.

Subject: CWP 10062/2011 titled Updesh Rani & Ors. Vs State of Himachal Pradesh & Ors.

Sir,

I have the honour to bring to your kind notice that the above mentioned Civil Writ Petition was listed before the Hon'ble High Court on 18.04.2012 when the Hon'ble High Court has been pleased to order that:-


“ It has come to the notice of this Court that in some of the 95% grant-in-aid schools, the management is alleged to be maintaining two set of registers both in case of fee to be collected from the students and also in the matter of payment of salary to the teachers. Under the 95% grant-in-aid scheme, the schools are bound to follow the fee as prescribed by the Government and they are also bound to pay salary at notified rates. The allegation is that it is done only on records. In larger public interest , we are of the view that the Principal Secretary (Education) to the Govt. of H.P. should conduct an appropriate discreet inquiry immediately as to the factual situation in all the 95% grant-in aid schools both in the matter of collection of fee from the students and in the matter of payment to the teachers. It will be open to the Principal Secretary(Education) to constitute a team and seek the assistance of police and the Vigilance Department, if required . After conducting such inquiry, a report shall be submitted to this Court positively with in ten days .Post on 30th April,2012.

In compliance with the directions of the Hon'ble High Court of Himachal Pradesh, Inquiry Teams have been constituted to conduct the discreet inquiry of the Management of 95% aided schools in the matter of collection of fee and funds from the students and payment of salary to the teachers in accordance with the provisions of Himachal Pradesh Non Govt. Institutions Grant-in-aid Rules 1997. The detail of constituted teams is enclosed at Annexure-A.

You are, therefore, requested to direct the concerned Sub Divisional Magistrates and In charge of the nearest Police Station to provide police/vigilance through SDM concerned if required by the Inquiry team at once.

This may please be given Top Most Priority and Personal attention being a Hon'ble High Court Matter.


Yours faithfully,


Director of Elementary Education
Himachal Pradesh

Endst. No. Even. dated 23.04.2012.

A copy is forwarded for information to:-

- 1.The Secretary (Education) to the Government of Himachal Pradesh Shimla-171002 with reference to his U.O. No. PS/Sec.(Edu.)-4/2012 dated 21.04.2012.
- 2.The Director of Higher Education, Himachal Pradesh Shimla-171001.
- 3.The Dy. Director of Higher Education, Bilaspur/Hamirpur/Chamba/ Mandi/ Kangra/Una/ Solan.
- 4.Dy. Director of Elementary Education/Mandi/Una/Shimla /Solan/Hamirpur/Kangra at Dharmshala .
5. The Principal DIET Shimla at Shamlaghat
6. The Principal DIET Kangra at Dharmshala Distt. Kangra.
- 7.The SO(F&A) office of the Dy. Director of Higher & Elementary Education Bilaspur/Hamirpur/Chamba/Mandi/Kangra/Una/Solan & Shimla and SO (F&A) DIET Kangra at Dharmshala.


Director of Elementary Education
Himachal Pradesh

Deputy Director Higher Education & official	Name of Institution	Deputy Director Elementary Education & official	Name of Institution	Principal DIET	Name of Institution
DDHE Bilaspur, SO (F&A) HE Bilaspur & DA 95% GIA in the office of DDHE & DDEE	Blue Star High School Hamirpur Distt. Hamirpur Adarsh Shishu Middle School Hamirpur Distt. Hamirpur. Adarsh Middle School Ghumarwin Distt. Bilaspur Distt. Bilaspur	DDEE Mandi Distt. Mandi , SO (F&A) Elem, DA 95% GIA in the office of DDEE.	Satguru Partap High School Ramnagar Distt. Mandi MIE HS Dev Dhar Tihra Distt. Mandi	Principal DIET Shimla SO (F&A) HE Shimla & DA 95% GIA in the office of DDHE, Shimla	S.D. Senior Secondary School, Shimla F.C. Sikh High School, Shimla Arya (G) High School, Shimla Nehru High School, Kaina.
DDHE Hamirpur, SO (F&A) HE Hamirpur & DA 95% GIA in the office of DDHE and one Supdt. Gr-II from DDHE Kangra.	BBMP Pub SSS Indira Coloney HaripurDistt. Kangra Bilson SSS Bilaspur Teh Dehra District Kangra	DDEE Una Distt. Una SO (F&A) Elem Una, DA in the office of DDEE	DAV Sr. Sec. School Una Distt. Una Himotkarsh High School Dangloi Distt. Una Public High School Chururu Distt. Una		
DDHEChamba Distt. Chamba SO (F&A) HE, DA with 95% GIA in the office of DDHE Kangra.	GA SS Patta JattianDistt. Kangra , Public SSS SughBhatoli Distt. Kangra , Public SSS Thora Distt. Kangra	DDEE Shimla Distt. Shimla, SO (F&A) Elem Shimla, DA 95% GIA in the office of DDEE	Prem Public Middle School, Theog. District Shimla Janta High School, Juggar, District Shimla Jai Durga High School Kairtoo, Distt. Shimla Janta, High School Majhar, District Shimla		

DDHE Mandi Distt. Mandi , SO (F&A) HE Mandi & and DA 95% GIA DDHE Mandi and One Supdt. Gr-II from the office of DDHE Kangra.	GAVSS Kangra Distt. Kangra BLB SS Palampur Distt. Kangra Sarswati Middle School Salan (Thural) Distt. Kangra	DDEE Kangra at Dharamshala , SO (F&A) DIET Dharamshala , DA with 95% GIA in DDEE	BRMP Public SSS Garan Distt. Kangra , Public HS Harnota Distt. Kangra Public Model HS Jassure Distt. Kangra .		
DDHE Kangra at Dharamshala Distt. Kangra SO (F&A) HE and one Supdt. Gr-II from the office of DDHE Kangra.	Sarswati HS Indpur Distt. Kangra FD SS Mandmiani Distt. Kangra , VNM SSS Raja Ka Talab Distt. Kangra	DDEE, Solan, Distt. Solan. SO (F&A) Elem, DA 95% GIA in DDEE, Solan	BVN High School Nalagarh, District Solan Indira Gandhi High School, Ghanagughat, District Solan.		
DDHE Una Distt. Una SO (F&A) HE, DA 95% GIA from DDHE Una.	Public Middle School Dhenet Distt. Una Shivalik High School Solasinghi Distt. Una Public High School Basoli Distt. Una	DDEE Hamirpur, SO (F&A)EE Hamirpur & DA 95% GIA in the office of DDEE HMR . one Supdt. Gr.II from DDEE Kangra.	Public SSS Chalwara Distt. Kangra , Public SSS Matlahar at Samlana Distt. Kangra		
DDHE, Solan, Distt. Solan. SO (F&A) HE, DA 95% GIA in DDHE, Solan	S.D. High School, Solan, District Solan Wood Stone High School, Solan Janta Sr. Secondary School, Danoghat, District Solan.				

Annexure –B.

Guiding performa for inspection and Inquire into the facts about the fee being charged by the Managing Committees of privately managed 95% aided schools from the students and the salary being paid by the Management of the school.

1. Name of the school
2. Tehsil.....Nearest Police StationDistt.....
3. Date since when covered under 95% grant-in-aid.....
4. Class wise students strength in the school.

Class wise students strength .	1st	2 nd	3 rd	4 th	5 th	Total

Class wise students strength .	6 th	7 th	8 th	9 th	10	Total

Class wise students strength .	Arts	Sc.	Com.	Total
+1				
+2				

DETAIL OF FEE AND FUNDS BEING CHARGED BY THE MANAGEMENT.

Detail of Fee being charge.	Primary Unit.	Middle Unit	High Unit.	+2 UNIT
(i) Admission Fee				
(ii) Re-admission fee				
(iii) Late fee fine per day				
(iv) School leaving certificate fee				
(v) Monthly charged.				
Annual charges				
(i) Scout and Guide Fund.				
(ii) Sports. Fund				
(i) Union Fund				
(ii) Building fund				
(iii) Red Cross Fund				
(iv) Absence fine fund.				
(v) Health Fund				
(vi) Science Fund				

6. Month wise detail of realizations of Fee and funds during the year 2010-11 and 2011-12.

Month	Amount	Account No in which deposited with date
April 2010		
May 2010		
June 2010		
July 2010		
August 2010		
September,2010		
October 2010		
November 2010		
December 2010		
January 2011		
February 2011		
March 2011		
Total		

1. 2011-12.

Month	Amount	Account No in which deposited with date
April 2010		
May 2010		
June 2010		
July 2010		
August 2010		
September,2010		
October 2010		
November 2010		
December 2010		
January 2011		
February 2011		
March 2011		
Total		

7. Whether the management is paying 5% management share or not if yes ,give the Bank account number from which the management share is being meet out.(Documentary proof may be attached).

Name of the Bank	Account No	Name of the person in whose name the account is being maintained.	Amount in the said account as on 31.3.2012	Source of payment of 5% management share .

8.Detail of Bank Accounts being maintained by the management for all units.

Name of the Bank/Post Office.	Account No	Item for which the account has been opened	Amount in the account as on 31.3.2012.

Note: Affidavit/ undertaking on Judicial paper/Bond paper may be obtained from the management that they have maintained only above mentioned accounts and no other account is maintained by them.

9.Whether the amount of fee and other funds are collected by the management or the class teacher. If the amount is collected by the class teacher then please mention the name of class teacher.

Class.	Name of the class teacher who collects the amount of fee and other funds from the students.
1 st .	
2 nd .	
3 rd	
4 th	
5 th	
6 th	
7 th	
8 th	
9 th	
10 th	
+1 Sc	
+1 Arts.	
+1 Comm.	
+2 Sc.	
+2 Arts.	
+2 Comm.	

10 Whether the management is issuing the receipts to the parents/students of the amount being charged , from the students of +1 and +2 classes , If not reasons for not issuing the receipt .

11 Whether the management have maintained two sets of registers/accounts ,if Yes, the record may be taken into custody and be produced with inquiry report.

12 Statement of staff regarding payment of salary including 5% Management share, with documentary proof.(payment made by cheque or cash)

Signature of the Inquiry team.

DDE

SO(F&A)

Dealing hand/Supd.

CERTIFICATE TO BE SIGNED BY THE RESPONSIBLE OFFICER OF THE MANAGEMENT.

It is certified that the information given in the above performa Sl.No.1 to 12 is correct to the best of my knowledge and belief. I agree with the information filled in this performa .

Signature of responsible officer
Of the management with seal.