

RAJYA SABHA

*Friday, the 11th March 1966/the 20th
Phalgun, 1887 (Saka)*

The House met at eleven of the clock
MR CHAIRMAN in the Chair.

ORAL ANSWERS TO QUESTIONS

UNAUTHORISED LEVIES BY GOVERNMENT AIDED SCHOOLS IN DELHI

*463. { SHRI M P. BHARGAVA †
SHRI V M. CHORDIA :

Will the Minister of EDUCATION be
pleased to state :

(a) whether it is a fact that a number
of Government aided schools in Delhi are
still charging unauthorised levies in contra-
vention of Article 118 of Delhi Education
Code;

(b) if so, what is the number of such
schools; and

(c) what steps are being taken to en-
force that no unauthorised levies are
realised by Government aided schools in
Delhi?

THE MINISTER OF EDUCATION
(SHRI M C CHAGLA) (a) and (b) The
information is being collected

(c) The audit authorities of the Edu-
cation Department of the Delhi adminis-
tration scrutinise the accounts of the
schools from this view-point. The Directo-
rate also initiates enquiries if such cases
are brought to notice

SHRI M. P. BHARGAVA : May I know
from the hon. Minister what information
is being collected since this matter has
been raised by me for the last four years ?
I do not know at this stage what informa-
tion is still being collected I would also
like to know if any instructions were
issued to the Delhi schools on this subject
after this question was raised quite a
number of times in this House.

SHRI M C CHAGLA : Yes, Sir. The
instructions are specific and the grant-in-

†The question was actually asked on the
floor of the House by Shri M. P. Bhargava
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aid is also specific. The schools are not
entitled to levy any charges other than
those unauthorised under article 118. If
they do it and if it is detected in the
course of audit, necessary action is taken.
When we get the accounts, they are audited
and if we find that any levy has been
made which is not authorised, action is
taken. If our attention is drawn even
otherwise to the fact that a particular
school is levying any unauthorised charge,
we investigate and take action

SHRI M P BHARGAVA : May I
know whether any action has been taken
against any schools in Delhi which are
charging such unauthorised levy and, if so,
against how many schools action is taken ?

SHRI M. C CHAGLA . Well, I have
got the figures. In 1958 the Delhi Admi-
nistration reported that 24 aided schools
were raising contributory donations over
and above the prescribed rates of fees in
one form or the other. The whole ques-
tion was examined in detail by the Minis-
try of Education in consultation with the
Delhi Administration and in May 1960 the
Ministry issued instructions to the Delhi
Administration that in order to improve
the educational standards the schools might
be permitted to charge a special develop-
ment fee from the students at a flat
rate with the prior approval of the Director
of Education. They also laid down that
the fees so collected were not to be utilised
for meeting the management's share
of maintenance expenditure. The pur-
poses for which such fees could be charged
are :—

- (a) Appointment of additional quali-
fied teachers in excess for the
number of teachers admissible to
the school under the grant-in-aid
rules
- (b) Teaching of subjects for which
no grant is admissible from the
Directorate.
- (c) Purchase of special teaching aids
and equipment.
- (d) Provision of special amenities to
children like additional fans, sup-
ply of cold drinking water medi-
cal aid and hobbies.

श्री राम सहाय : क्या मैं माननीय मंत्री जी से यह जान सकूंगा कि जब आप इस बारे में जांच कर रहे हैं, तो इस बात की भी जांच करेंगे कि जो स्कूल इस प्रकार से ज्यादा पैसा वसूल करते हैं, वे कुछ मैनेजमेंट में खराबी होने की वजह से, आर्थिक स्थिति खराब होने की वजह से करते हैं या फिर मैनेजमेंट स्कूल के अलावा अपने फायदे के लिए इस तरह का पैसा इकट्ठा करता है ?

SHRI M. C. CHAGLA : Because there has been mal administration and we are not wholly satisfied with the manner in which the aided schools are being run, the Delhi Secondary Education Bill was introduced and now it is pending before the Select Committee. I hope when the Bill is passed, the Administration will have more powers to deal with the schools which do not act in conformity with the standards we have laid down.

SHRI DEOKINANDAN NARAYAN : May I know if it is a fact that there are some schools in Delhi which charge certain amounts for building purposes ? Is that allowed ?

SHRI M. C. CHAGLA : Well, Sir, the only fee we allow is this developmental fee and that too with the prior approval of the Director of Education and it has got to be utilised for the purposes I have mentioned.

SHRI DEOKINANDAN NARAYAN : But there are certain schools which are charging fees for building purposes. Will the Government make enquiries ?

SHRI M. C. CHAGLA : If my hon. friend gives me the names of those schools, I shall certainly have the matter enquired into.

PANDIT S. S. N. TANKHA : What action has been taken by the Government against such institutions which have been found to be charging fees against the orders of the Government ?

SHRI M. C. CHAGLA : Recently, the only complaint we received was against the Ram Roop Vidya Mandir Higher Secondary School and the allegations regarding

unauthorised levies by the management have been referred to the Director of Education for further investigation. In fact, we have got two sanctions before us. If we find that the money has been utilised for an unauthorised purpose, we deduct that amount from the grant. The second sanction is that we can withdraw recognition.

SHRI G. M. MIR : The hon. Minister has said that a number of schools have collected unauthorised funds. May I know from the hon. Minister whether the funds so collected have been refunded to the persons concerned or not ?

SHRI M. C. CHAGLA : As I said, they are deducted from the grant-in-aid. Therefore, automatically they get so much less. For example, if they collect an unauthorised fund of Rs. 500 and if the grant is Rs. 50,000, we deduct that Rs. 500 from the grant.

SHRIMATI LALITHA (RAJAGOPALAN) : How many unauthorised schools have come up and what steps have the Government taken to prevent any unauthorised schools coming up ?

SHRI M. C. CHAGLA : Well, Sir, no unauthorised schools can come up because before a school is recognised it has got to be accepted by the Administration.

SHRIMATI SHAKUNTALA PARANJ-PYE : Sir, a complete answer to Mr. Mir's question was not given. He wanted to know if the money collected from such individuals was refunded to them.

SHRI M. C. CHAGLA : No, Sir. That is not possible. But I take it that it comes to the same thing. If the school collects something unauthorisedly, its grant is cut down and to that extent it gets less from the Government.

MR. CHAIRMAN : The school loses but does the person concerned get his money back ? That is the question.

SHRI M. C. CHAGLA : We do not know how it is collected; it is very difficult to say that.

SHRI ARJUN ARORA : May I know if the attention of the Government has been drawn to the fact that students and

their guardians subject themselves to this practice of unauthorised payments, because there is paucity of schools in Delhi and the students find it very difficult to get admissions and, if so, will the Government take some steps to increase the number of schools in Delhi and extend educational facilities in the city?

SHRI M. C. CHAGLA : Well Sir, no student is denied education. In Delhi we have a zonal basis and we see to it that there are enough schools for each zone. The difficulty arises when the parents want to send their children not to the school in the zone but outside it. Anyway, I can assure my hon. friend that if all parents send their children to the schools which are in a particular zone, there will be no difficulty at all.

श्री रामकुमार भुवालका : क्या मे माननीय मंत्री जी से जान सकूंगा कि जितने एडेड स्कूल हैं उनमें कोई फीस ली जाती है ? यदि ली जाती है, तो कितनी ली जाती है ?

SHRI M. C. CHAGLA : The rate of fees I have not got here.

*464. [The questioner (Shri M. C. Shah) was absent. For answer, vide col. 2843 infra.]

465. [The questioners (Sarvashri Ram Singh, S. S. Mariswamy, L. K. Gujral, Ramgopal Gupta and Bansilal) were absent. For answer, vide col. 2844 infra.]

RULES OF RECOGNITION OF TRADE UNIONS

*466 SHRI D. THENGARI : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether there are any specific rules for the recognition of a trade union of the Posts and Telegraphs Department; and

(b) if so, what are the details thereof ?

THE MINISTER OF STATE IN THE DEPARTMENTS OF PARLIAMENTARY AFFAIRS AND COMMUNICATIONS (SHRI JAGANNATH RAO) : (a) The recognition of Unions of industrial workers, which may be called Trade Unions, is governed by the rules for recognition of associations of industrial employees (including railway employees) of Government of India, circu-

lated by the Ministry of Labour under their Memo No. LR. 26(40) dated 22.6.50

Service Associations of employees in the category of Civil Servants i.e., non-industrial staff were recognised under the C.C.S. (R.S.A.) Rules, 1959 promulgated by the Ministry of Home Affairs. Those rules have, however, been held in abeyance following Supreme Court's decision striking down Rule 4(B) of the erstwhile C.C.S. (Conduct) Rules, 1955.

(b) Copies of the Rules referred to in (a) above, are placed on the Table of the Sabha [See Appendix LV, Annexure No 38]

SHRI D. THENGARI : According to clause 7 of the Central Civil Services Rules, if in the opinion of Government a Service Association recognised under these rules has failed to comply with the conditions set out in rule 4, rule 5 or rule 6, the Government may withdraw the recognition accorded to such Association. Is this right to withdraw recognition based merely upon subjective satisfaction of the Government or the authority or there are any objective conditions prescribed? If there is any difference of opinion between the authorities and the Service Association regarding the fulfilment or non-fulfilment of those objective conditions the violation of which entitles the Government to withdraw the recognition, what procedure is prescribed for the Association to either make an appeal or to get its recognition restored establishing a fact that they have not violated those objective conditions?

SHRI JAGANNATH RAO : As I stated earlier in the main answer, this Rule 4(2) was struck down by the Supreme Court and the operation of these rules was kept in abeyance. The Ministry was advised by the P. & T. Department to proceed with the Union and not to insist on their recognition.

SHRI D. THENGARI : Will the Government assure us that for the purpose of recognition for participation in the Whitley Council machinery the Union will not be required to abandon their legitimate right to strike?

SHRI JAGANNATH RAO : All these questions are being considered. I hope in a month or two some arrangement will be arrived at.