

मा. उच्च न्यायालय उत्तराखण्ड नैनीताल में योजित जनहित याचिका संख्या (पी0आई0एल0)-59/2020 जपिन्दर सिंह बनाम यूनियन आफ इण्डिया व अन्य, रिट याचिका संख्या-789/एम0एस0/2020 सी0बी0एस0ई0 एफिलेटेड स्कूल एक्जक्यूटिव सोसायटी रुड़की व अन्य बनाम यूनियन आफ इण्डिया व अन्य, याचिका संख्या(पी0आई0एल0) 80/2020 आकाश यादव, रिट याचिका संख्या-774 /एम0एस0/2020 एजूकेशन वेलफेयर सोसायटी हल्द्वानी व अन्य, एवं रिट याचिका संख्या-800/एम0एस0/2020 सी0बी0एस0ई0 सहोदया स्कूल काम्पलेक्स देहरादून बनाम उत्तराखण्ड राज्य व अन्य में प्रकरण का निस्तारण

कोरोना वायरस (कोविड-19) के संक्रमण से रोकथाम के दृष्टिगत भारत सरकार द्वारा घोषित लॉकडाउन के अनुपालन में राज्य सरकार द्वारा भी तीन सप्ताह के लिए उक्त लाकडाउन का अनुपालन किए जाने के फलस्वरूप समस्त शिक्षण संस्थाओं को उक्त अवधि में बन्द रखने के निर्देश दिये गये। तीन सप्ताह की अवधि के उपरान्त लाकडाउन खुलने की प्रत्याशा में राज्य सरकार द्वारा तत्समय शासनादेश संख्या 126 दिनांक 25 मार्च, 2020 द्वारा समस्त शासकीय, अशासकीय एवं निजी विद्यालयों द्वारा समस्त प्रकार के शुल्क जमा करवाने पर तत्काल प्रभाव से रोक लगायी गयी। भारत सरकार द्वारा तीन सप्ताह की अवधि पूर्ण होने के उपरान्त लाकडाउन अवधि पुनः बढ़ाये जाने के फलस्वरूप राज्य सरकार द्वारा विद्यालयों को अग्रिम आदेश तक बन्द रखने के निर्देश दिये गये। लॉकडाउन अवधि में शुल्क पर लगायी गयी रोक के विरुद्ध प्रिंसिपल प्रोग्रेसिव स्कूल एशोशिएसन द्वारा अवगत कराया गया कि अभिभावकों से लिये जाने वाले शुल्क पर लगायी गयी रोक के फलस्वरूप विद्यालय अपने कार्मिकों/शिक्षकों का वेतन नहीं दे पा रहे हैं उनके द्वारा यह भी अवगत कराया गया कि जो अभिभावक स्वेच्छा से शुल्क देना चाहते हैं उनको शुल्क जमा करने की अनुमति दी जाय। सम्यक विचारोपरान्त शासनादेश संख्या 130 दिनांक 22 अप्रैल, 2020 द्वारा निम्नवत् निर्देश दिये गये-

1. प्रदेश में स्थित समस्त शासकीय, अशासकीय, सहायता प्राप्त एवं निजी विद्यालयों में अध्ययनरत् छात्र-छात्राओं के ऐसे अभिभावकों से शुल्क जमा करने हेतु अनुमति प्रदान की जाती है, जो स्वेच्छा से शुल्क जमा करना चाहते हैं।
2. उक्तानुसार एक बार में केवल वर्तमान माह का ही शुल्क जमा किया जायेगा। विद्यालय द्वारा किसी भी दशा में आने वाले माहों का अग्रिम शुल्क एक साथ कदापि नहीं लिया जायेगा।
3. शैक्षिक सत्र 2020-21 में निजी विद्यालयों द्वारा किसी भी परिस्थिति में किसी भी प्रकार के शुल्क में वृद्धि नहीं की जायेगी।
4. ऐसे छात्र-छात्राएं, जो लॉकडाउन से उत्पन्न आर्थिक तंगी के कारण मासिक शुल्क का भुगतान नहीं कर पा रहे हैं उनका नाम विद्यालय से पृथक नहीं किया जायेगा तथा उन्हें उक्त स्थिति सामान्य होने तक शुल्क भुगतान करने हेतु बाध्य नहीं किया जायेगा एवं उनका पठन-पाठन (ऑनलाईन/अन्य संचार माध्यमों से) भी यथावत रखा जायेगा।
5. सभी शासकीय, अशासकीय, सहायता प्राप्त एवं निजी विद्यालयों में कार्यरत शिक्षक/कार्मिकों का मासिक वेतन का भुगतान नियमित रूप से किया जायेगा।

6. प्रश्नगत माहों में शासकीय, अशासकीय, सहायता प्राप्त एवं निजी विद्यालयों द्वारा छात्रहित में ऑनलाईन एवं अन्य संचार माध्यमों द्वारा शिक्षण कार्य जारी रखा जायेगा।

राज्य सरकार के संज्ञान में आने पर कि किसी भी प्रकार का ऑनलाईन शिक्षण कार्य नहीं करने के बावजूद भी निजी विद्यालयों द्वारा छात्रों के अभिभावकों पर शुल्क देने का दबाव बनाया जा रहा है। उक्त के दृष्टिगत शासनादेश संख्या 131 दिनांक 2 मई, 2020 द्वारा शुल्क के सम्बन्ध में निम्नवत् निर्देश जारी किये गये—

1. ऐसे विद्यालय जो ऑनलाईन/अन्य संचार माध्यमों से शिक्षण कार्य कर रहे हैं, को सम्बन्धित अवधि में मात्र शिक्षण शुल्क (Tuition Fee) लेने की ही अनुमति होगी। शिक्षण शुल्क के अतिरिक्त अन्य किसी भी प्रकार का शुल्क (यथा मंहगाई/परीक्षा/वाहन/पंजिका आदि) नहीं लिया जायेगा।
2. ऐसे विद्यालय जो ऑनलाईन/अन्य संचार माध्यमों से शिक्षण कार्य नहीं कर रहे हैं, को किसी भी प्रकार का शुल्क लेने की अनुमति नहीं होगी। ऐसे विद्यालय अपने निजी स्रोतों से ही अपने शिक्षकों/कार्मिकों का मासिक वेतन वहन करेंगे।

इसी अवधि में अभिभावकों द्वारा विद्यालयों द्वारा लिये जा रहे शुल्क के विरोध में जनहित याचिका संख्या 59/2020 एवं 60/2020 मा. उच्च न्यायालय में योजित की गयी। उक्त जनहित याचिका में मा. उच्च न्यायालय द्वारा दिनांक 12 मई, 2020 को निम्नवत् अन्तरिम निर्णय पारित करते हुए Status Report file करने के आदेश पारित किये गये, आदेश का अंश निम्नवत् है—

- i- The State Government shall appoint the District Education Officer and the Block Education Officer, in such district, to be the Nodal Officers to whom complaints can be addressed by parents who are being coerced to pay tuition fees by private schools.
- ii- Wide publicity shall be given in the media informing the public at large, in the State, that they can address their grievance in this regard to the Nodal Officers.
- iii- On receipt of any such complaints, the concerned Nodal Officers shall take prompt action against the erring educational institutions who are coercing parents, to pay the tuition fees of their children, though the Government Order dated 02-05-2020 expressly stipulates that payment of tuition fees is voluntary.
- iv- Since the Government Order dated 02-05-2020 enables only those institutions which run online classes to collect fees, it is only those students, who are able to access the online course being offered by the private educational institutions, who would be required to pay tuition fee, if they choose to do so.
- v- Children, who do not have access to the online course, cannot be asked to pay the tuition fee.
- vi- It does appear that subtle means are being adopted by these private institutions to force parents to pay the tuition fees. Since payment of tuition fee by students

is voluntary, none of the private schools shall send e-mails or Whats-App messages or any form of communication to the parents calling upon them to pay the tuition fees.

- vii- The Secretary, School Education, shall call for information from all the District Education Officers regarding the number of private schools, in their respective districts, which offer online courses, and the number of students who have access to such online courses. Information shall be obtained from each of these private schools as to whether tuition fees is being collected even from those students who have no access to the online course offered by the schools, and whether these schools have collected tuition fees from such students also. This information shall not only be collected from students of Class 1 to Class 10, but also with regards children who are undergoing their Upper Kindergarten. The Secretary, School Education, shall submit a detailed report in this regard to this Court by the next date of hearing.
- viii- The secretary, school Education, shall also furnish information regarding online classes being conducted by private schools for Upper Kindergarten students. He shall consider the wisdom in conducting such online programmes for these children in Upper Kindergarten, examine whether this is just a ruse to collect tuition fee from the, and issues appropriate directions, to all such private schools, in this regard as he consider appropriate.

मा. न्यायालय के पारित आदेश के अनुपालन में दिनांक 14 मई 2020 को शासनादेश संख्या 161 द्वारा निम्नवत् व्यवस्था दी गयी—

“.....निजी विद्यालय मात्र उन्ही छात्रों से जो ऑनलाईन शिक्षण से लाभान्वित हो रहे हैं तथा स्वेच्छा से शिक्षण शुल्क (Tuition Fee) दे सकते हैं, से ही सम्बन्धित माह का शिक्षण शुल्क (Tuition Fee) लिया जाय।.....”

मा. न्यायालय द्वारा PIL 59/2020, 60/2020 रिट याचिका संख्या 774/2020, 789/2020 एवं 800/2020 में दिनांक 10.06.2020 को अन्तिम निर्णय पारित किया गया जिसका क्रियात्मक अंश निम्नवत् है—

2- The State Government had, hitherto, issued an order on 02-05-2020, in furtherance of its earlier order dated 22-04-2020, whereby private unaided schools in the State were permitted to conduct online classes. The said Government order dated 02-05-2020 prohibited these private schools from collecting any fees other than tuition fees; only such of those private unaided schools, which were conducting online classes for their students, were permitted to collect tuition fees; and those private unaided schools, which were not conducting online classes, were

prohibited from doing so. Further, payment of tuition fees was made voluntarily. These schools were however, required to pay the entire salary and emoluments, of their teachers and other staff, from their own funds. We had, by our order dated 12-05-2020, issued several directions including that these schools should not sent e-mails or WhattsApp messages, or any other form of communication, calling upon the parents to pay tuition fees, since we were of the view that such methods were adopted by these institutions to coerce parents to pay the tuition fees. We had also opined that, while the difficulties faced by these institutions, in having to incur expenditure without collecting fees from their students, was understandable, times of crisis, like these, would require the haves to extend a helping hand to the have nots.

5- We find considerable force in the submission, urged on behalf of the Schools, that their very existence in peril for they are required, by the Government Orders issued from time to time, to pay salary to their teachers and staff in its entirety on the one hand, while being disabled from collecting tuition fees from the students on the other. In abnormal times such as the present, where the COVID-19 pandemic had adversely affected the economy in general, and the source of livelihood of a very large number of persons in the State in particular, some concession/sacrifice on everyone's part, in a spirit of give the take, is in order. It is true that, in case the schools are in no position to continue running their institutions, the student, who have secured admission thereat, would be deprived of much needed quality education.

7- Suffice it, in such circumstances, to dispose of these Writ Petitions permitting the school management to submit representations to the Secretary, School Education, Government of Uttarakhand on or before 15-06-2020. The Secretary, School Education shall be examine the whole issue in the light of the representations submitted by the school managements, and take a considered decision, on or before 22-06-2020, as to whether the earlier Government Orders dated 22-04-2020 and 02-05-2020 should be continued, modified or cancelled. The decision so taken by the State Government shall be communicated to all the Schools which have submitted their representation to the Secretary, School Education, as also to the public at large.

मा. न्यायालय द्वारा पारित निर्णय के अनुक्रम में निम्नांकित निजी विद्यालयों द्वारा ई.मेल. अथवा स्वयं के द्वारा प्रत्यावेदन सचिव विद्यालयी शिक्षा को प्रस्तुत किये गये हैं—

1- Samar Study Hall Kundeshwari Kashipur



- 2- Great Mission Public School Himmatpur Block Ramnagar
- 3- Shining Star School Ramnagar
- 4- Chhauni Children's Academy Kashipur U S Nagar
- 5- Sri Sai Public School Bajwalpur Rampur Road Haldwani
- 6- The Gurukul, (The Sri Ram Schools Delhi) Bazpur Road Kashipur
- 7- Sri Guru Nanak Sr. Sec. School Kashipur U S nagar
- 8- Tarari Independent Schools Welfare Societ Station Road Kashipur
- 9- Vision Valley School Kashipur U S Nagar
- 10- Public School Association Kaladhungi Nainital
- 11- Jenesis International School Jaspur U S Nagar
- 12- P.S.N. Sr. Sec. School Lamachaur
- 13- Guru Nanak Model School Kashipur U S Nagar
- 14- Society of Private Schools of Nainital
- 15- Sahodaya School Complex Pachwadoon Vikasnagar Dehradun
- 16- C.B.S.E. Affiliated School Executive Society Roorkee
- 17- Mool Chandra Shastri (M.C.S.) Bal Vidya Peeth Kankhal Haridwar
- 18- The Oberai school of Integrated Studies Raipur Dehradun
- 19- Saigrace Academy International Raipur Dehradun
- 20- Devbhoomi Pre and Primary School Welfare Association DL Road Dehradun
- 21- Principals Progressive Schools Association, Uttarakhand Dehradun
- 22- Educational Welfare Society

प्रस्तुत प्रत्यावेदनों में निजी विद्यालयों द्वारा दिये गये समस्याओं एवं सुझावों का सार निम्नवत् है—

- ❖ That school institutions, as non profit making bodies being run under charitable trusts and societies aim to help and aid the Government in fulfilling Directive Principles of State Policy as enshrined in Article 39, Article 45 as well as Article 46 of the Constitutions of India, 1950. That, in essence, school institutions are enshrined with executing a duty inwards the public.
- ❖ That recently we were faced with adverse unprecedented as a result of a global pandemic namely, COVID-19. That in the face of adversity the Government was constrained to take certain to ensure the safety of people.
- ❖ However, the State Government needs to consider the fact that it is impossible to protect the interests of the students and Teachers if the school institutions which are the sole facilitators of providing employment in such teachers/staff



and responsible for educating the students are left wanting for protection and are prohibited from charging fees.

- ❖ The State Government should have isolated and acted only against schools violating basic humanitarian tenets of helping the parents in need or dire circumstances and instead not generalized and passed stringent orders which painted all school institutions as unempathetic to the situations of certain affected parents in this unprecedented situation.
- ❖ That it may be brought to the notice of the State Government that the instant member schools are all "budget" schools with an affordable fee structure. That the only source of revenue for these schools is the fee collected from students as already affirmed by them while obtaining NOC from the State Government affiliation from CBSE. Further, all the collection in terms of fee from students in the development of the school institution.
- ❖ That these schools are private unaided schools that do not receive any grants/aids/financial assistance from the Government and whose only source of revenue is the fee collected from students and without the same, their very becomes endangered.
- ❖ That the school institutions are not running on donated land/interest free land/concessions received from the Government as claimed by certain persons involved in activities aimed at shaking public trust in school institutions.
- ❖ That the schools have spent valuable resources in terms of spending money and time to train teaching staff to enable them to conduct online classes. Furthermore, schools have ensured facilitation of such classes by providing equipment like white boards, electronic devices and other essentials to ensure smooth and seamless provision of online education.
- ❖ School institutions be allowed to charge their fees without any fetters or restrictions during the Lockdown period as the member schools are continuing to pay their teachers, staff, utilities etc, and are incurring substantial expenses during the Lockdown. Further most member institutions are providing online education to students which entails very high expenditure on infrastructure costs etc.
- ❖ The parents be restrained from taking transfer certificates during the period of lockdown in lieu of paying fee to schools as this would be detrimental to the functioning of school institutions in particular and the public at large.

- ❖ Though schools are not declaring officially but we have heard that many schools with no reserve funds have already closed down and many are on the verge of closure since the parents are not ready to pay any fees until they receive any orders from the Govt. The closure of schools will only create more unemployment and unrest and this will not be good for the country.
- ❖ We are glad to say that more than 90% of parents have wholeheartedly supported the online classes and said that these have been very helpful for them to engage their children productively during the period when schools are not open. Rather, they want the Pre and Primary Schools to continue these sessions throughout and without any break for summer vacations.
- ❖ That the parents were ready to make payment of fees but the government orders from March to May 2020 created an impression in the mind of parents that government may scrap out the fees but later on by order passed by the government on 2nd May 2020 it was communicated that only monthly tuition fees would be taken by schools and for this also no message will be send to the parents. This created an impression in the mind of parents that government is going to waive off the entire fees as agriculture loans of the bank were waived off.
- ❖ That 99.9% fees for the month of April, May and June has not been received by the member schools of the society, due to which all are under great pressure and financial crises.
- ❖ That the direction to pay the salary to teachers and other staff by the govt. disabling schools from collecting even tuition fee from the students poor attending online class has made the survival of members of the school society very difficult.
- ❖ There is negligible No. of parents who have lost their livelihood and in any such case a representation to the principal or the member of school society will be looked favourably and payment will be deferred according to the circumstances of the case.
- ❖ The school vehicle are parked idle due to lockdown. Therefore it is also requested that payment of Road tax, Fitness, Permit fees and insurance be extended from March to the month buses start running for transporting the students to the School/Home after opening the lockdown.
- ❖ We are being left at the mercy of the parents 'will' to pay that too only the tuition fees.



- ❖ There is no possible way we can sustain our salary bills, EPF, ESIC, Insurance, EMI's, ERP's, annual contractual services monthly electricity, water bills (commercial) etc.
- ❖ Preparatory schools are on the verge of closing down.
- ❖ In any of the above merely the tuition fees cannot sustain us. We all are digging deep into our corpus which is usually kept aside for recovering from natural disasters, minor and major urgent infrastructural developments. In plain words many of us are very near to bankruptcy!
- ❖ Voluntary payment of school fee must be revoked as it does not motivate even the well to do families to pay school fee.
- ❖ The schools should be given right to communicate with parent and raise demand for fees.
- ❖ Only tuition fee is not enough to run the schools, hence levying annual charges be allowed.
- ❖ All the salaried class must be directed to pay school fee without any delay.
- ❖ Parent to be told to meet the school authorities if they are severely affected due to Lockdown and the school management must consider, relaxing/differing fee from case to case.
- ❖ Salary deferment proportionate to fee collection.
- ❖ Guidelines form collection of dues for preparatory schools.
- ❖ Explicit Guidelines for collection of dues for boarding and day cum boarding schools keeping their huge expenditure in mind.
- ❖ We would like to submit that there is a new category of schools that has come up in past 4-5 years known as Day Boarding Schools, Where a child is in the schools the schools for more than 8 hours as compared to the normal schools timing of 5 to 6 hours. In this, the school provide extracurricular activities like Arts, Music, (Classical & Western), Dance, Dramatics, Yoga, indoor and outdoor games, as well as, meals. During the lockdown period all these extra-curricular activities are being conducted online by the respective trained teachers for the students, and are being well received by them.
- ❖ लॉकडाउन की इस अवधि में परिवहन की सुविधा न होने के कारण परिवहन शुल्क नहीं आ रहा है, जबकि परिवहन व्यवस्था चालू न होने पर केवल बसों का तेल का खर्चा (25 प्रतिशत) ही बचता है और अन्य खर्च, ड्राइवर, कन्डक्टरों का वेतन व रख-रखाव का खर्चा रोड़ परमिट, बीमा रोड़ टैक्स, बैंकों की किस्त एवं अन्य सरकारी खर्च यथावत रहते हैं जो कि 75 प्रतिशत होते हैं।
- ❖ शुल्क समय पर न जमा करने वाले विद्यार्थियों के विरुद्ध कार्यवाही करने की अनुमति प्रदान करने की अनुमति दी जाय।

- ❖ लॉकडाउन अवधि में सरकार द्वारा वित्तविहीन, निजी विद्यालयों के लिए आर्थिक पैकेज की घोषणा की जाय।

उक्त के क्रम में निम्नवत् निजी आवासीय विद्यालयों द्वारा भी प्रत्यावेदन प्रस्तुत किये गये। इस सम्बन्ध में शासनादेश संख्या-120 दिनांक 14-03-2020 में यह प्राविधान किया गया है कि "जो स्कूल पूर्ण रूप से बोर्डिंग स्कूल हैं, पूर्व की तरह संचालित किये जा सकते हैं। परन्तु छात्रों को सम्पूर्ण रूप से Quarantine रखेंगे। बाहरी व्यक्तियों के प्रवेश पर यथासम्भव प्रतिबन्धित रखा जायेगा। यदि उनके कर्मचारी बाहर से आते हैं तो उनको सैनिटाइजर से हाथ धोने के उपरान्त ही अन्दर प्रवेश की अनुमति दी जायेगी। बोर्डिंग स्कूल के द्वारा अपनी छात्र-छात्राओं को विदेश भ्रमण नहीं कराया जायेगा।" शासनादेश संख्या-121 दिनांक 19-03-2020 द्वारा कोराना वायरस संक्रमण के दृष्टिगत निजी आवासीय विद्यालय एवं राज्य सरकार द्वारा संचालित समस्त आवासीय विद्यालय/छात्रावास दिनांक 31.03.2020 तक बन्द किये जाने का निर्णय पारित किया गया।

राज्य में स्थित निम्नवत् आवासीय विद्यालयों द्वारा समस्याओं एवं सुझावों से अवगत कराया गया है—

- 1- Unison world School
- 2- Ecole Globale International Girls School
- 3- Kasiga School
- 4- Wehlam Boys Schools

- ❖ Wehlam Boys School Dehradun informed that fees received from the parents is the only source of income for the school. It is a residential school. It is affiliated to CBSE. There are about 570 students studying in the said schools. With a staff strength of about 75 teachers, 40 administration member, 48 support staff and 160 contractual employees.
- ❖ That the private schools were however required to pay the entire salary and emoluments of their teachers and others staff from their teachers and others staff from their own funds.
- ❖ That Welham Boy's School has been conducting regular online classes from 01.04.2020 for classes 10th and 12th as they have to appear for their board examinations. The students of other classes from class 4th to class 9th and 11th have been attending online classes since 04.05.2020.
- ❖ That notwithstanding the above, it is being placed on record on that Welham Boy's School is a self-funded, non-profit making school and fees is the only source of revenue for its survival. Despite the tough prevailing economic climate, the school continues to be committed to responsible development stance to fulfil its mission of imparting quality education in the best interest of the students.
- ❖ Electricity bills are required to be paid irrespective of the fact whether the students are in the school or not.

- ❖ Payments to safaikaramcharis, an essential and indispensable component of Schools functioning.
- ❖ Security guard's payment, who have to be there whether the school is functioning or not.
- ❖ Water bills and ancillary services charges are a regular feature.
- ❖ Recurring payment to local and controlling authorities, no matter the school is open or not.
- ❖ A large sum of money is required every year for new furniture, repair of the building, annual white washing and maintenance.
- ❖ Education of students is an ongoing process and needs updating and procuring latest equipment to keep up with the latest educational trends in the world. Schools infrastructure not only maintenance but up gradation to create better learning spaces for the students and teachers alike.
- ❖ Government orders dated 22.04.2020 and 02.05.2020 are therefore without authority, without jurisdiction, non-set and cannot be sustained. The said orders are liable to be rescinded.

उपरोक्तानुसार सभी पक्षों के तर्क-वितर्क का भली-भाँति परीक्षण किया गया एवं मा0 उच्च न्यायालय नैनीताल की युगल पीठ द्वारा पारित निर्णय दिनांक 10.6.2020 में दिए गए विभिन्न Observations का संज्ञान लेते हुए सम्यक विचारोपरान्त निम्नवत् निर्णय लिये गये:-

1. मात्र ऑनलाईन/अन्य संचार माध्यमों से शिक्षण कराने वाले निजी विद्यालयों को लॉकडाउन अवधि में मात्र शिक्षण शुल्क (Tuition Fee) लेने की अनुमति होगी। अन्य किसी भी प्रकार का शुल्क अभिभावकों से नहीं लिया जायेगा। परन्तु यदि किसी विद्यालय द्वारा अतिरिक्त विषयों का अध्यापन ऑनलाईन करवाया जा रहा है तो उक्त विद्यालय द्वारा अतिरिक्त विषय पढ़ाने हेतु पूर्व से निर्धारित शुल्क, शिक्षण शुल्क के अतिरिक्त लिया जा सकेगा।
2. ऑनलाईन/अन्य संचार माध्यमों से शिक्षण का लाभ लेने के बावजूद भी शुल्क देने में असमर्थ अभिभावक कारणों का उल्लेख करते हुए सम्बन्धित विद्यालय के प्रधानाचार्य/प्रबन्ध समिति से शुल्क जमा करने हेतु अतिरिक्त समय का अनुरोध कर सकते हैं। ऐसे प्रकरणों में विद्यालय प्रधानाचार्य/प्रबन्ध समिति द्वारा कोविड-19 एवं उसके फलस्वरूप लम्बी अवधि तक लागू लॉकडाउन के कारण उत्पन्न हुयी असामान्य परिस्थितियों को दृष्टिगत रखते हुये सकारात्मक रूप से शुल्क के लिए वांछित अतिरिक्त समयावधि प्रदान की जायेगी। किसी भी परिस्थिति में छात्रों को शुल्क जमा करने में हुए विलम्ब के कारण विद्यालय से बाहर नहीं किया जायेगा।
3. कोविड-19 एवं उसके फलस्वरूप लागू किये गये लॉकडाउन की अवधि में सरकारी/अर्द्धसरकारी अधिकारियों/कर्मचारियों द्वारा नियमित रूप से वेतन प्राप्त करने एवं उनकी आजीविका में किसी भी प्रकार का प्रतिकूल प्रभाव नहीं पड़ने के कारण

ऑनलाईन/अन्य संचार माध्यमों से कक्षाओं का लाभ लेने के फलस्वरूप नियमित रूप से निर्धारित शिक्षण शुल्क (Tuition Fee) जमा करवाया जायेगा।

4. शैक्षिक सत्र 2020-21 में निजी विद्यालयों द्वारा किसी भी परिस्थिति में किसी भी प्रकार के शुल्क में वृद्धि नहीं की जायेगी।

उपरोक्त आदेश समस्त निजी Day एवं Day Boarding विद्यालयों पर समान रूप से लागू होगा। इस हेतु पूर्व में निर्गत शासनादेश सं० 126 दिनांक 25.03.2020, शासनादेश सं० 130 दिनांक 22.04.2020, शासनादेश सं० 131 दिनांक 02.05.2020 एवं शासनादेश सं० 161 दिनांक 14.05.2020 तत्काल प्रभाव से अतिक्रमित समझे जायेंगे।

(आर० मीनाक्षी सुन्दरम)
सचिव

उत्तराखण्ड शासन
माध्यमिक शिक्षा अनुभाग-5
संख्या:- 237/XXIV-B-5/2020-03(01)/2020,
देहरादून: दिनांक 22 जून, 2020

प्रतिलिपि:- निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित-

1. निजी सचिव, मा० मुख्यमंत्री जी, उत्तराखण्ड सरकार।
2. निजी सचिव, मा० शिक्षा मंत्री जी, उत्तराखण्ड सरकार।
3. निजी सचिव, मुख्य सचिव, उत्तराखण्ड शासन।
4. रजिस्ट्रार, मा० उच्च न्यायालय, उत्तराखण्ड नैनीताल को सूचनार्थ प्रेषित।
5. मुख्य स्थायी अधिवक्ता, मा० उच्च न्यायालय, उत्तराखण्ड नैनीताल को सूचनार्थ प्रेषित।
6. मण्डलायुक्त गढ़वाल/कुमाऊँ मण्डल।
7. समस्त जिलाधिकारी, उत्तराखण्ड।
8. महानिदेशक, विद्यालयी शिक्षा उत्तराखण्ड, देहरादून को आवश्यक कार्यवाही हेतु।
9. महानिदेशक, लोक सूचना एवं लोक सम्पर्क विभाग, उत्तराखण्ड, देहरादून को इस आशय से प्रेषित कि शासन के उक्त निर्णय का व्यापक प्रचार-प्रसार सुनिश्चित करने का कष्ट करें।
10. वरिष्ठ पुलिस अधीक्षक/पुलिस अधीक्षक, समस्त जनपद उत्तराखण्ड।
11. निदेशक, प्रारम्भिक/माध्यमिक शिक्षा/अकादमिक शोध एवं प्रशिक्षण उत्तराखण्ड को आवश्यक कार्यवाही हेतु प्रेषित।
12. क्षेत्रीय अधिकारी, सी०बी०एस०ई०/आई०सी०एस०ई० को आवश्यक कार्यवाही हेतु प्रेषित।
13. मण्डलीय अपर निदेशक (मा०शि०/प्रा०शि०), गढ़वाल मण्डल पौड़ी/कुमाऊँ मण्डल, नैनीताल को उक्त आदेश के अनुपालनार्थ।
14. समस्त मुख्य शिक्षा अधिकारी, उत्तराखण्ड को उक्त आदेश के अनुपालनार्थ।
15. समस्त खण्ड शिक्षा अधिकारी/उप शिक्षा अधिकारी उत्तराखण्ड को उक्त आदेश के अनुपालनार्थ।
16. प्रदेश स्थित उक्त विभिन्न बोर्डों के प्रधानाचार्य/प्रधानाध्यापकों को (मुख्य शिक्षा अधिकारी के माध्यम से) को उक्त आदेश के अनुपालनार्थ।

(अनिल कुमार पाण्डे)
उप सचिव