

Orders dated 25<sup>th</sup> March, 2022 and 6<sup>th</sup> April, 2022 passed by the Hon'ble Division Bench comprising of the Hon'ble Justice I P Mukerji and the Hon'ble Justice Moushumi Bhattacharya in WPA (P) No.162 of 2021 with WPA No.5378 of 2020 with WPA No.5530 of 2020 with WPA No.5872 of 2020 with WPA No.5890 of 2020 with WPA (P) No. 46 of 2022.

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### **REPORT**

The orders dated 25<sup>th</sup> March, 2022 and 6<sup>th</sup> April, 2022 were communicated to us by the office of the Registrar General, High Court, Calcutta, under cover of a letter dated 12<sup>th</sup> April, 2022 for necessary compliance. Apart from the aforesaid orders, no other document was served on us.

In response to the aforesaid letter we immediately addressed a letter dated 13<sup>th</sup> April, 2022 to the Learned Registrar General which was received on 13<sup>th</sup> April, 2022, stating that none of the contesting parties had approached us till date and no copy of cause papers/complaints in the form of application/supplementary affidavit had been made available to us either by the office of the Registrar General or by any of the contesting parties. It was pointed out in the said letter that the names of the Advocates-on-record with their respective contact address/e-mail IDs were not made

available to us to enable us to convene meeting, as desired by the Hon'ble Division Bench. We further stated that copies of complaints regarding arbitrary increase in school fees during Covid-19 pandemic period also were not made available to us and the names and address/email IDs of the complainants or concerned schools were also not known to us. It was pointed out that unless the nature of dispute regarding fee liability or subsisting interim orders were made known to us by the contesting parties, we would be unable to even call a meeting of the parties or enter into any adjudicatory process. The office of Learned Registrar General was requested by us to immediately direct all Advocates-on-record of contesting parties to forward necessary documents for commencing the adjudication process and if necessary, place the above facts before the Hon'ble Division Bench, as and when business of the Hon'ble Court might permit.

After issuance of the letter dated 13<sup>th</sup> April, 2022, there was no response either from the office of Learned Registrar General or from any complainant. Copies of the said two letters are annexed hereto and marked A and B respectively.

On 20<sup>th</sup>/21<sup>st</sup> April, 2022 one Mr Vineet Ruia met the Joint Special Officers at the Bar Library Club, High Court, Calcutta and addressed a

letter dated 25<sup>th</sup> April, 2022 seeking information as to how to proceed with the matter and claimed that the said Mr. Vineet Ruia was representing 18700 students of 145 schools.

Immediately upon receipt of the aforesaid letter, we issued an e-mail dated 25<sup>th</sup> April, 2022 to the said Mr. Vineet Ruia (whose e-mail ID had been provided in the letter) stating that every complaint was unique and till date no document from any complainant had been filed with the Joint Special Officers. It was further pointed out in the said e-mail addressed to Mr. Vineet Ruia that e-mail IDs of schools were also not available with the Joint Special Officers and a request was made to provide e-mail IDs of the schools against whom complaints have been made or are proposed to be filed. The said Mr. Vineet Ruia was also requested to arrange for a stenographer to record the minutes of any meeting which was to be held as per the directions of the Hon'ble Division Bench.

After receiving the aforesaid e-mail the said Mr. Vineet Ruia addressed a further e-mail also dated 25<sup>th</sup> April, 2022 again enquiring the steps which were to be taken by the complainants in terms of the order passed by the Hon'ble Division Bench. It was mentioned in the said letter that there are 4,00,000 students who have been affected.

On 26<sup>th</sup> April, 2022 the aforesaid e-mail of Mr. Vineet Ruia dated 25<sup>th</sup> April, 2022 was immediately replied to by the Joint Special Officers and it was reiterated that no student had filed any complaint till date and unless a complaint was filed and e-mail IDs of the relevant schools provided, no meeting could be held or arranged by the Joint Special Officers as per the directions of the Hon'ble Division Bench. The said Mr. Vineet Ruia was requested to immediately file necessary complaints/documents to enable the Joint Special Officers to proceed further with the matter. Copies of the letters and emails exchanged with Mr Vineet Ruia are annexed hereto and collectively marked C.

There was no response from any party after 26<sup>th</sup> April, 2022. The summer vacation of the Hon'ble High Court at Calcutta was to commence from 20<sup>th</sup> May, 2022.

On 18<sup>th</sup> May, 2022 the Joint Special Officers received 17 (seventeen) complaints from 17 students of **Durgapur Public School** through Dr Indrajit Kundu, Advocate. The said 17 complaints were in the form of 17 (seventeen) charts and each chart had a few documents annexed to the charts. Apart from the excess payments allegedly made by the complainants, as reflected in the charts, there was a document annexed to

the charts, wherein it was complained that the school (Durgapur Public School) had allegedly charged excess Session Fee for the year 2020-21 and 2021-22, in violation of orders passed by this Hon'ble Court.

On 19<sup>th</sup> May, 2022, the Joint Special Officers immediately addressed an e-mail to Dr Indrajit Kundu, Advocate and requested copy of any order on the basis of which fees have been calculated since the no such order had been served on the Joint Special Officers. It was further pointed out that the calculations reflected in the charts needed to be explained and the relevant orders granting discount during pandemic had to be made available to the Joint Special Officers. By the said e-mail, Dr Indrajit Kundu, Advocate-on-record of the 17 complainants/students (Durgapur Public School) was requested to arrange for a stenographer to record the minutes of the meetings which were proposed to be held in compliance with the direction of the Hon'ble Division Bench.

On 20<sup>th</sup> May, 2022 (being the last working day before closure of High Court for the summer vacation), Dr Indrajit Kundu, Advocate filed before the Joint Special Officers 21 (twenty-one) complaints of 21(twenty-one) students of **Ashok Hall Girls' Higher Secondary School**. The complaints

were also in the form of 21(twenty-one) charts with a few payment slips annexed to each complaint. The complaints were in random order and enclosed in a large envelope, as was the case of 17 complaints in respect of Durgapur Public School. Immediately upon receiving the complaints on 20<sup>th</sup> May, 2022 in respect of Ashok Hall Girls' Higher Secondary School, the Joint Special Officers by an email requested Dr Indrajit Kundu, Advocate for the complainants to serve copies of the complaints to **Ashok Hall** Girls' Higher Secondary School. Since the e-mail ID of the school was provided in the 21 complaint charts, the Joint Special Officers also forwarded a copy of the said e-mail to the said school.

On 20<sup>th</sup> May, 2022, a similar request was made to Dr Indrajit Kundu, Advocate to ensure service of the 17 complaints to Durgapur Public School. A copy of the said e-mail was forwarded to **Durgapur Public School** at the e-mail address provided in the 17 complaint sheets.

One of the Joint Special Officers, Mr. Udayan Chakraborty was not in town during the summer vacation and returned to Kolkata around 27<sup>th</sup>/28<sup>th</sup> May, 2022. By an e-mail dated 21<sup>st</sup> May, 2022 addressed by one of the Joint Special Officers (Mr. Tilak Kumar Bose) to Dr Indrajit Kundu, Advocate, the latter was informed that before commencement of any

meeting to hear the complaints in respect of **Ashok Hall** Girls' Higher Secondary School, the said school should be informed. Since one of the Joint Special Officers was not available, Dr Indrajit Kundu, Advocate was informed that tentative date of the meeting would be after 27<sup>th</sup> May, 2022 (after return of the other Joint Special Officer). A copy of the said e-mail was also forwarded to Ashok Hall Girls' Higher Secondary School.

On 26<sup>th</sup> May, 2022 the Joint Special Officers received two separate mails from Dr Indrajit Kundu, Advocate in respect of **Durgapur Public School** and **Ashok Hall** Girls' Higher Secondary School respectively, stating that by reason of financial condition of the parents of the students, it was not possible either to pay remuneration of the Joint Special Officers or to pay the fee of any stenographer for any meeting .

On 27<sup>th</sup> May, 2022 the Joint Special Officers fixed a meeting to be held virtually on 30<sup>th</sup> May, 2022 at 5.00 P.M. to consider the case of the 17 complainants/students of **Durgapur Public School**. By an e-mail dated 27<sup>th</sup> May, 2022, Dr Indrajit Kundu, Advocate for the 17 complainants was requested to provide a link to the Joint Special Officers as well as Durgapur Public School at least 24 hours in advance.

On 28<sup>th</sup> May, 2022 (Saturday) a link for virtual meeting to be held on

30<sup>th</sup> May, 2022 at 5.00 P.M. was sent to the Joint Special Officers.

On 30<sup>th</sup> May, 2022 the Joint Special Officers received a letter from the Principal of **Durgapur Public School** stating that the school was wholly unaware of the 17 complaints which had been filed and that copies of the complaints had been served on the school only on 28<sup>th</sup> May, 2022. An adjournment of the meeting was requested since the Principal had joined the school only on 30<sup>th</sup> May, 2022. Later in the day, another e-mail was received by the Joint Special Officers from the Principal of Durgapur Public School appointing one Mr. Sanjay Sharma as an authorized representative of the school to attend the meeting at 5.00 P.M. on 30<sup>th</sup> May, 2022.

The meeting was held to consider 17 complaints in respect of **Durgapur Public School**, in compliance of the order of the Hon'ble Division Bench, at 5.00 P.M. on 30<sup>th</sup> May, 2022. The meeting continued from 5.00 P.M. sharp to 6.42 P.M. without any break. The meeting was held virtually. Since no stenographer had been provided by any of the parties, one of the Joint Special Officers took handwritten Notes to prepare minutes of the virtual meeting. The said handwritten Notes was later on typed and printed. A copy of the minutes of the meeting dated 30<sup>th</sup> May, 2022 is annexed with this Report and marked "D".

On 31<sup>st</sup> May, 2022 the Joint Special Officers addressed an e-mail to the Principal of **Durgapur Public School** with reference to the meeting held on 30<sup>th</sup> May, 2022 and sought for certain clarification inasmuch as on the date of the meeting the authorized representative of the school was unable to give any clarification. By the e-mail dated 31<sup>st</sup> May, 2022 the Joint Special Officers also informed the said school that the clarification should reach the Joint Special Officers by 2.00 P.M. on 3<sup>rd</sup> June, 2022. Alternatively, in the event the school was desirous to hold a further meeting in respect of the 17 complainants, the said school was requested to arrange for a virtual meeting by 4.00 P.M. on the said date, by providing a virtual link to all concerned and in particular, Dr Indrajit Kundu, Advocate for the 17 complainants.

In response to the e-mail dated 31<sup>st</sup> May, 2022, clarifications were given by the Principal of **Durgapur Public School** by an e-mail dated 3<sup>rd</sup> June, 2022. The said clarifications have been very helpful and have been considered while preparing final report in respect of the said school, as stated hereinbelow. A copy of the said mail dated 3<sup>rd</sup> June 2022 along with annexures is annexed hereto and marked E.

So far as **Ashok Hall Girls' Higher Secondary School** is concerned, the Joint Special Officers issued an e-mail on 30<sup>th</sup> May, 2022 requesting Dr Indrajit Kundu, Advocate to arrange for a virtual meeting to consider the complaints of all the said 21 complaints on 2<sup>nd</sup> June, 2022 at 5.00 P.M. and send an advance link therefor, both to the Joint Special Officers as well as the concerned school.

On 1<sup>st</sup> June, 2022 at 17.28 hours, the Joint Special Officers received a letter from Mr. Prasun Ghosh, Advocate acting on behalf of **Ashok Hall Girls' Higher Secondary School** stating that one of the schools had filed a Special Leave Petition against the order dated 6<sup>th</sup> April, 2022 and the Hon'ble Supreme Court of India by an order dated 20<sup>th</sup> May, 2022 had restrained the Joint Special Officers from further acting. The order was however, was confined to only minority institutions. It was further pointed out by Mr. Prasun Ghosh, Advocate of Sandersons and Morgans, Advocates and Solicitors for the School that the said school was in the process of filing appropriate application for clarification of the order passed by the Hon'ble Division Bench and also an intervention application in the pending matter before the Hon'ble Supreme Court of India.

Immediately thereafter at 17.54 hours on 1<sup>st</sup> June, 2022 Dr Indrajit

Kundu, Advocate acting on behalf of 21 students/complainants of **Ashok Hall** Girls' Higher Secondary School provided an advance link for the virtual meeting to be held on 2<sup>nd</sup> June, 2022.

On 2<sup>nd</sup> June, 2022 before commencement of the meeting, the Joint Special Officers addressed an e-mail both to Sandersons and Morgans acting on behalf of **Ashok Hall** Girls' Higher Secondary School as also Dr Indrajit Kundu, Advocate acting for the complainants to inform the Joint Special Officers, whether the said school was a minority institution or not, to enable the Joint Special Officers to proceed further in the matter. Dr Indrajit Kundu, Advocate acting on behalf of 21 students of Ashok Hall Girls' Higher Secondary School immediately replied to the said e-mail on 2<sup>nd</sup> June, 2022 stating that the said school was not a minority institution. Accordingly, the meeting was held from 5.00 P.M. on 2<sup>nd</sup> June, 2022. Various parents appeared at the said virtual meeting along with Dr Indrajit Kundu, Advocate. The school was represented by Mr Siddhartha Chatterjee, Advocate. The Joint Special Officers came to learn at the meeting that the said 21 complaints which were being considered at the meeting were served on the school only on 1<sup>st</sup> June, 2022. This was confirmed at the meeting by Dr Indrajit Kundu, Advocate. No stenographer was arranged to record the minutes of the virtual meeting by any party. As such, one of the Joint

Special Officers had to take notes in hand and record the gist of the minutes and later, have the same typed and printed. A copy of the said minutes of the meeting dated 2<sup>nd</sup> June, 2022 held in compliance of the direction of the Hon'ble Division Bench is annexed with this Report and marked "F".

On 3<sup>rd</sup> June, 2022 the Joint Special Officers addressed an e-mail to Mr. Prasun Ghosh, Advocate of Sandersons and Morgans acting on behalf of **Ashok Hall** Girls' Higher Secondary School seeking certain clarifications regarding the documents which were annexed to the said 21 charts/complaints and requested the same to be submitted by 5<sup>th</sup> June, 2022. On 5<sup>th</sup> June, 2022 a letter was received from Mr. Prasun Ghosh of Sandersons and Morgans acting on behalf of **Ashok Hall** Group of Schools, stating that the summer vacation of the school was still continuing and the school was scheduled to reopen on 13<sup>th</sup> June, 2022 and that the facts and figures contained in the 21 charts were erroneous and without causing thorough verification with the concerned department including Accounts Department along with supporting documents, the said school was not in a position to give effective reply.

Accordingly, this Report has been prepared both in respect of 17 complaints of **Durgapur Public School** and 21 complainants of **Ashok Hall Girls' Higher Secondary School** on the basis of documents submitted before the Joint Special Officers. There is no other school which has filed any other documents or even approached the Joint Special Officers. There is also no other complainants from any school other than 17 complainants/students of Durgapur Public School and 21 complainants/students of Ashok Hall Girls' Higher Secondary School, who have approached the Joint Special Officers.

**Complaints of seventeen students of Durgapur Public School:**

During the course of the meeting (detailed minutes annexed hereto as part hereof), it was admitted by Mr Pradip Das Bairagya, father of one of the students and acting on behalf of all the complainants that the facts and figures appearing in the 17 charts are incorrect and the dispute of 17 complaints should now be confined only to two major issues. The first issue is E-communication fee alleged charged by the school for the year 2020-21 and 2021-22. The E-Communication Fee was a fee charged for online classes. This will not only appear from the Notice issued by the school, but also from the explanation given by the Principal of the school in the e-mail dated 3<sup>rd</sup> June, 2022. Rs.70/- per month was the E-Communication Fee

and after giving 20% discount, this was reduced to Rs.56/- per month and charged both for 2020-21 and 2021-22. In the e-mail dated 3<sup>rd</sup> June, 2022 various documents were annexed by the school. One set of such documents are three letters from three students out of the seventeen complainants who have stated that they want to withdraw their complaints and that they had never authorized Dr Indrajit Kundu, Advocate to file the said complaints on their behalf.

We have perused the order of the Hon'ble Division Bench dated 13<sup>th</sup> October, 2020 (which was forwarded to us only on 20<sup>th</sup> May, 2022 by Dr Indrajit Kundu, Advocate) and found that there was no restraint on the school from demanding E-Communication Fees for online classes. The school has even given discount of 20% . It was attempted to be argued at the meeting held on 30<sup>th</sup> May, 2022 that the Joint Special Officers should treat the 17 complaints as model cases. We disagree.

The interim order dated 13<sup>th</sup> October, 2020 records as follows:-

*“61. (viii) Parents and guardians of students are requested **not to avail** of reductions in school fees, if their financial situation does not merit the reduction. However, if any such guardian or parent obtains the benefit, no question in such report can be asked.”*

Our jurisdiction by the orders dated 25<sup>th</sup> March, 2022 and 6<sup>th</sup> April, 2022 is limited to examine each and every complainant who is aggrieved. In the instant case, it refers to the 17 complainants (which now stand reduced to 14 in view of disclosure made by the school vide e-mail dated 3<sup>rd</sup> June, 2022 referred to above). For the 17 complainants the complaint with E communication fees demanded at Rs 56 per month is untenable .

The second objection of the 17 complainants is with regard to an alleged hike of Rs.150/- in the Annual Fee charged for the years 2020-21 and 2021-22. It is the allegation of the complainants that Annual Fees collected for the years 2020-21 and 2021-22 was Rs.4520/- when only Rs.4400/- ought to have been collected. Thus, Rs.120/- extra was collected. Rs.120/- is 80% of Rs.150/-. It is the allegation of the complainants that the Annual Fees for the years 2020-21 and 2021-22 was Rs.5500/- and therefore after 20% discount the figure should be

Rs.4400/- . It is an admitted position that same Annual Fees for the years 2020-21 and 2021-22 was collected and there was no further increase of such fees in 2021-22.

The complaint therefore essentially is with regard to only enhancement of Rs.150/- for the entire year and out of that Rs.150/-, Rs.120/- extra was actually charged for the years 2020-21 and 2021-22. The interim order dated 13th October 2020 as quoted above clearly observed parents and guardians of schools not to avail reduction in school fee, if their financial situation did not merit reduction. However, the order directed a cap on Session Fee at 80% on the Session Fee charged for 2019-20. The dispute therefore centres for at least 17 complainants (3 of them have already withdrawn as per e-mail dated 3<sup>rd</sup> June, 2022), as to what was the Session Fee for the year 2019-20. The complainants have asserted that the Annual Fee was Rs.5500/- for 2019-20 and accordingly, after giving 20% discount, Rs.4400/- was required to be paid for 2021-022. The school however by an e-mail dated 3<sup>rd</sup> June, 2022 has clarified that this is factually incorrect and that the Annual Session Fee in the year 2019-20 was Rs.5650/- and accordingly, 80% of Rs.5650/- amounting to Rs.4520/- was payable and accordingly, charged.

In view of the said stand taken by the school with regard to Annual Session Fee in the 2019-20 being Rs.5650/- and not Rs.5500/- and the fact that 20% discount was given both for the years 2020-21 and 2021-22 and the further fact that the amount complained off is only Rs.120/- per year, we feel there is no substance even in this issue.

### **21 Complaints of 21 students of Ashok Hall Girls' Higher Secondary**

#### **School:**

The minutes of the meeting held on 2<sup>nd</sup> June, 2022 has already been annexed with this Report. The complaints were filed on the last date before closure of the Court for summer vacation, namely on 20<sup>th</sup> May, 2022. In spite of repeated requests being made by the Joint Special Officers by several emails to serve notice of the complaints on the school authority, the same was served on 1<sup>st</sup> June, 2022, on the eve of the meeting held on 2<sup>nd</sup> June, 2022. However, by the e-mail dated 3<sup>rd</sup> June, 2022, the Joint Special Officers requested for certain clarifications from the Advocates-on-record of the school, namely, M/s. Sandersons and Morgans, to enable the Joint Special Officers to file an effective Report. Unlike the clarifications given by Durgapur Public School, no such clarification was given as would appear

from the e-mail dated 5<sup>th</sup> June, 2022. Accordingly, Joint Special Officers had to proceed on the basis of the complaints as recorded in the minutes of the meeting. As would appear from the said minutes, a few of the charts enumerating the particulars of the excess fees allegedly paid were incorrect and the same was admitted to be incorrect by Mr. Partha Sarathi Bhattacharya, representative of the parents' association. Further from the payment slips disclosed in the several charts it is not possible to ascertain whether the complainants have in fact paid entirety of the alleged excess fees mentioned in the charts. The general demands of the School by school fee circulars have been disclosed. It is however not clear whether these circulars were general fee circulars for the Academic Year or the fees actually demanded from the 21 students. The complaints were two-fold. The first complaint is with regard to extra-curricular activity fee charged per month for the disputed period. The extracurricular activities were admittedly conducted through online classes for Classes IV to VIII. It is called Extracurricular Activities Fee for Class IX to XII. It is called practical fee for Classes IX to XII. No practical fees were charged for Class IX and Classes X, XI and XII students for the Academic Year 2020-21. However, for the year 2021-22, this practical fee was charged for Classes IX to XII. Extra-curricular Activities which were conducted online were however

charged both for the years 2020-21 and 2021-22. The complainants state that every student of Class IV and VIII are required to chose certain extracurricular activities, such as, aerobics, public speaking, Maths 60, Zumba Class, Taikundu, Western Dance ,Fun filled Science etc as co curricular activities. It appears that the complainants have exercised this option in both the academic years, i.e. 2020-21 and 2021-22 separately.

For

practical classes which are also commerce students in Classes XI and XII, practical fees are charged for other activities, like Basket Ball and Yoga which are conducted at the school through online classes. It is nobody's case that online classes did not happen. The interim order dated 13<sup>th</sup> October, 2020 however reads as follows:-

*“.....Non essential charges for use of facilities **not availed of** will be permissible. For instance, additional charges for library, craft, supporting facilities or extracurricular activities will not be permissible during the month that the schools have not functioned in the physical mode.”*

Thus the order did not permit any charges “.....for use of facilities **not availed of**..... “.

The order further records in paragraph 61 (vii) as follows:-

*“Parents and guardians of students are requested **not to avail of reductions** in school fees, if their financial situation does not merit the reduction....”*

Thus, what was not permitted by the interim order was – “non essential charges for use of facilities **not availed of**”. None of the complainants have complained that the aforesaid facilities were not availed of by the complainants. In fact, in both the years, these facilities were availed of and opted for by the complainants. No clarification was given by the school in this regard, as to whether the aforesaid facilities were provided by the school or not. It appears that the facilities under extracurricular activities were different in most cases, for the two academic years which means a conscious option was exercised each academic year by the students

Therefore, it will be difficult for us to hold without further particulars that Extracurricular Activities Fee (ECA) was not payable even though the same were availed of by the 21 students by exercising option. However, 20% reduction of such fees was to be given even if the same were availed of. The payment slips annexed for the 21 complaints are inadequate and throw no light in this regard. Therefore, we are not in a position to determine whether

the payment made by the 21 complainants, if at all, on account of ECA was with 20% discount or without the 20% discount. For this, the participation of the school is a must and in this case, the school has not given any particulars for the reasons stated above.

The second complaint is with regard to Session Fee which was charged for the year 2021-22, i.e. for the period from the month of April 2021 onwards. It has been alleged that the Session Fees were increased for the next Academic Year, i.e. 2021-22 and the increased Session Fee was charged and paid. While increasing the Session Fee, no discount of 20% was also given. The payment slips disclosed by the complainants are not adequate and do not conclusively prove that such was the case for the 21 complainants. It appears that Annual Fees were increased. But again, paragraph 61.(viii) the order dated 13<sup>th</sup> October, 2020 must be referred to which reads as follows:

*“Parents and guardians of students are requested not to avail of reductions in school fees, if their financial situation does not merit the*

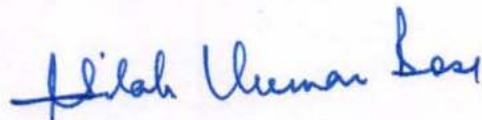
*reduction.”*

Thus, it is for only those complainants who are desirous of obtaining the benefit of reduction that the interim order dated 13<sup>th</sup> October, 2020 was applicable.

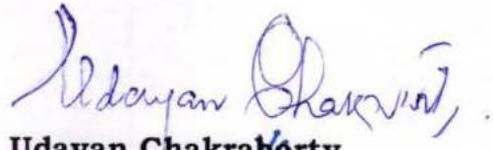
In the instant case, from the documents available on record, it is not possible to determine whether in respect of the 21 complaints the reduced fees with the discount was paid or the complainants were forced to pay the enhanced fee and that too, without discount of 20% for the year 2021-22. Again, it is the school which can clarify this position in the absence of full payment documents being disclosed by the 21 complainants.

We feel the case of 21 students of Ashok Hall Girls' Higher Secondary School requires further investigation by the Court to ascertain whether indeed there has been violation of the interim order dated 13<sup>th</sup> October, 2020 or not.

This report is being filed in compliance of the orders dated 25<sup>th</sup> March 2022 and 6<sup>th</sup> April 2022 passed by Hon'ble Division Bench



**Tilak Kumar Bose**



**Udayan Chakraborty**

..... ... Joint Special Officers

Dated: 10<sup>th</sup> June, 2022

**REGISTRAR GENERAL**  
HIGH COURT, CALCUTTA



3, Esplanade Row West  
Kolkata-700 001  
Phone : (033) 2213 5472  
Tele/Fax : (033) 2248 7835  
Mobile : 98308 91262

*Received  
on 12/4/22*

Memo No. 1977-RG

**URGENT**

By Special Messenger

Dated: 12.04.2022.

To,

1. Mr. Tilak Kumar Bose,  
Joint Special Officer,  
Ld. Senior Advocate,  
Bar Library Club,  
High Court at Calcutta.
2. Mr. Udayan Chakraborty,  
Joint Special Officer,  
Ld. Advocate,  
Bar Library Club,  
High Court at Calcutta.

In Re: Compliance in terms of the solemn order dated 06.04.2022 passed by the Hon'ble Division Bench comprising of the Hon'ble Justice I.P. Mukerji and the Hon'ble Justice Moushumi Bhattacharya in W.P.A. (P) 162 of 2021 with W.P.A. 5378 of 2020 with W.P.A. 5530 of 2020 with W.P.A. 5872 of 2020 with W.P.A. 5890 of 2020 with W.P.A. (P) 46 of 2022.

With reference to the captioned subject, I am transmitting herewith the copies of the aforesaid solemn orders dated 25.03.2022 and 06.04.2022 for your information and necessary compliance.

Please treat the matter as extremely urgent.

Yours faithfully,

*Ananya Bandyopadhyay*  
(Ananya Bandyopadhyay)  
Registrar General. 12.4.22

Enclosure:

1. Copy of order dated 06.04.2022.
2. Copy of order dated 25.03.2022.

13th April 2022

The Registrar General  
High Court, Calcutta  
3, Esplanade Row West  
Kolkata 700001



Your reference : Memo No 1977-R

Dear Madam,

We, the undersigned are in receipt of your above mentioned letter dated 12th April 2022 enclosing copies of two orders dated 25th March 2022 and 6th April 2022 passed by the Hon'ble Division Bench comprising of <sup>The</sup> Hon'ble Justice I.P. Mukherji and <sup>The</sup> Hon'ble Justice Moushumi Bhattacharya.

We have perused the two orders .The order dated 25 March 2022 appears to have been passed in WPA (P)162 of 2021,WPA5378 of 2020, WPA 5530 of 2020 ,WPA 5872 of 2020, WPA 5890 of 2020 and WPA(P)46 of 2022 along with numerous CAN and CPAN applications connected therewith. Relevant portion of the aforesaid order is set out in bold hereinbelow:

**".....In that view of the matter, we are of the opinion that Joint Special Officers should be appointed to carefully scrutinise each and every complaint that is before us in the form of applications and supplementary affidavits in support thereof. After scrutinising the allegations and hearing the parties in brief in meetings, of which minutes should be maintained, they should file a detailed report before us stating which allegations according to them have substance and should be investigated by the Court....."**

Please note that none of the contesting parties have approached us till date. No copy of cause cause papers/complaints in the form of applications /supplementary affidavits have been made available to us either by you or any of the contesting parties. Further the names of the Advocates

on Record with their respective contact address/emails have not been made available to us to enable us to convene meetings as desired by the Hon'ble Division Bench . In the absence of the above , we are unable to act in terms of the aforesaid order dated 25th March 2022 as on date.

The subsequent order dated 6th April 2022 contains further directions on us, as Special Officers which for the sake of convenience is highlighted in bold hereinbelow :

**“.....(g) So that the schools/teaching institutions do not suffer any deficiency in fund, we direct the Special Officers to go into the above dispute regarding fee liability and to come to a decision in the matter.**

**(h) The Joint Special Officers will also look into the complaint of arbitrary increase in school fees during the Covid-19 pandemic period with a view to circumvent the orders of this Court and take a decision in the matter with regard to fee actually payable by those guardians/students.**

.....

**(j) The Joint Special Officers shall also tabulate in their report the names of the students who have not made any payment at all during the operation of our interim order.....”**

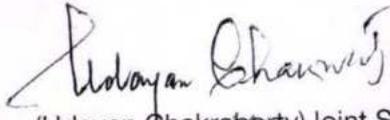
The complaints regarding arbitrary increase in school fees during the Covid- 19 pandemic period have not been made available to us. The names and address/emails of the complainants or the concerned schools are not known to us. No cause papers have been forwarded by any of the Advocates on Record of the contesting parties. Unless the nature of the dispute regarding fee liability or subsisting interim orders are made known to us by the contesting parties we are unable to even call a meeting of the concerned parties or enter into any adjudicatory process or file a report as directed.

In the aforesaid circumstances, we request you to immediately direct the Advocates on Record of all contesting parties to forward necessary documents to us for commencing the adjudicatory process and also request you to place the above facts before the Hon'ble Division Bench as and when business of the Court may permit.

Yours truly.



(Tilak Kumar Bose) Joint Special Officer



(Udayan Chakraborty) Joint Special Officer

*Vineet Ruia*

*B.Com (Hons), PGD (Human Rights)  
President : Bharat Bachao Sangathan*

307 Narayani Building,  
27 Brabourne Road,  
Kolkata – 700 001

Ref : SFCHC/JSO/CPAN/01

Dated : 25.04.2022

To

Sri Tilok Bose  
Joint Special Officer (in CPAN 723 of 2020)  
Calcutta High Court

And

Sri Udayan Chakravorty  
Joint Special Officer (in CPAN 723 of 2020)  
Calcutta High Court

Respected Sir(s)

Ref : CPAN No. 723 of 2020 in WPA 5890 (W) of 2020

Sub : Hearing of Contempt Applications

Unknown about the protocol of how to proceed before the Joint Special Officers, I had come to meet your kindnesses on 19<sup>th</sup> April 2022. I was able to reach Mr. Udayan Chakravorty on 20<sup>th</sup> April and his kindness asked me to meet Mr. Tilok Bose on 21<sup>st</sup> April 2022 at Bar Library and discuss how to proceed in the matter.

On 21<sup>st</sup> April 2022, I met his kindness Sri Tilok Bose who suggested me that all the 18,700 parents will have to file separate complaints before the Joint Special Officers.

In this context, I would like to draw your kind attention to the order of the Hon'ble Justice I.P. Mukherjee and Justice Mousumi Bhattacharya which states:

***Several applications including applications alleging contempt have been filed, inter alia, pointing out the excess fees demanded by the schools/educational institutions in question, overcharging of fees, default in payment of fees by the parents/guardians of the students, threat from the schools to debar students from writing a board examination or to rusticate them or deny them the annual promotion.***

*As 145 schools/educational institutions are involved, we thought that it would not be practicable for us to look into each and every complaint as that would consume an extraordinarily large amount of time, which unfortunately we do not have at our disposal.*

***In that view of the matter, we are of the opinion that Joint Special Officers should be appointed to carefully scrutinise each and every complaint that is before us in the form of applications and supplementary affidavits in support thereof.*** After scrutinising the allegations and hearing the parties in brief at meetings, of which minutes should be maintained, they should file a detailed report before us stating which allegations according to them have substance and should be investigated by the court.

*Vineet Ruia*

*B.Com (Hons), PGD (Human Rights)  
President : Bharat Bachao Sangathan*

307 Narayani Building,

27 Brabourne Road,  
Kolkata – 700 001

Page 2

Going by the operating part of the above order, I would understand that the Hon'ble Court intends to get the applications before them scrutinized and not looking for the 18,700 individual complaints.

Kindly suggest me how to proceed as the matter is long pending and parents and children are traumatized and terrified with the behaviour of the schools each and every day.

I would also like to file an additional application along with the most recent developments in addition to the contempt and affidavits filed earlier which may require another couple of days as collection of data from 145 school parents requires quite a bit of time.

As his kindness Advocate Mr. Tilok Bose suggested that the Joint Special Officers have not received any documents of the case for adjudication/hearing from the Court, I am sharing a copy of this letter with the Hon'ble Registrar General so that the Court Officers of Hon'ble Justice I.P. Mukherjee and Justice Mousumi Bhattacharya can be directed to send all the relevant files to the Joint Special Officers for further scrutiny and starting the process of hearing.

I am reachable on email at [vineetruia@yahoo.co.in](mailto:vineetruia@yahoo.co.in) or phone number 9331288908 if you wish to do so.

Kind Regards



Vineet Ruia

CC to : Hon'ble Registrar General, Calcutta High Court.



Chandan Dutta &lt;chandan.jesus2010@gmail.com&gt;

**Fwd: Letter of Vineet Ruia dated 25th April 2022**

Tilak Kumar Bose <tilakkbose@gmail.com>  
To: chandan.jesus2010@gmail.com

Thu, Jun 9, 2022 at 4:54 PM

----- Forwarded message -----

From: **Tilak Kumar Bose** <tilakkbose@gmail.com>  
Date: Mon, 25 Apr, 2022, 15:39  
Subject: Letter of Vineet Ruia dated 25th April 2022  
To: Udayan Chakravarty <udayan.saswati@gmail.com>

25thApril2022

DearMr Vineet Ruia,

On 12th April 2022 we received copies of two orders dated 25th March 2022 and 6th April 2022 passed by the Division Bench of the Hon'ble High Court at Kolkata from the office of Registrar General, High Court, Calcutta. Immediately upon receipt of the said orders, we informed the Learned Registrar General by our letter dated 13th April about our inability to proceed further in the matter unless complaints and documents in support thereof were filed before us. A copy of such letter is enclosed for your perusal. As on date, no written complaint of any parent/ student has been filed. We are not even made aware of the email address of the different complainants and the email address of relevant schools to enable us to comply with the orders. Your attention is drawn to the following portions of the two orders.

**ORDER DATED 25TH MARCH 2022**

"...As 145 schools/ educational institutions are involved, we thought it would not be practicable for us to look into each and every complaint as that would consume an extraordinarily large amount of time, which unfortunately we do not have at our disposal...."

".....In that view of the matter, we are of the opinion that Joint Special Officers should be appointed to carefully scrutinise each and every complaint that is before us in the form of applications and supplementary affidavits in support thereof.....After scrutinising the allegations and hearing the parties at meetings, of which minutes should be maintained, they should file a detailed report...."

".....We also make it clear that the schools/educational institutions shall be free to take action as available to them in law against any student/ guardian for any act or deed committed AFTER THIS DAY...."

**ORDER DATED 6TH APRIL 2022**

".....The arrangement under which the students shall pay fees and other charges to the schools/ educational institutions for the new session shall be entirely between the schools/teaching institutions and the students/ guardians and shall not be affected by this order or any previous order...."

".....As far as the payment of school fees during the operation of our interim is concerned, the payment made by EACH students/guardians shall be accompanied by a STATEMENT showing the calculation for such payment..."

"....As a matter of guidance to the parents/ students the fee last paid and accepted by the schools/teaching institutions should be indicative of how much is payable for a particular month preceding the start of the new session..."

".....we direct Joint Special Officers to go into the above dispute regarding fee liability and come to a decision in the matter...."

".....The Joint Special Officers shall also tabulate in their report the names of the students who have not made any payment at all during the operation of our interim orders..."

The aforesaid directions were pointed out to you, Mr Vineet Ruia, when you came to meet one of us at Bar Library Club in person on 21st April 2022. You were requested to file the complaint of EACH complainant separately since every complaint is unique and by the aforesaid orders we are required to examine the payment made by each

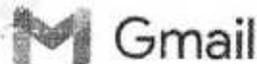
student. Further you were requested to point out the fees payable by each student during subsistence of interim order separately and also indicate the excessive fees charged by the concerned schools on such complainants.

No complaint with supporting documents of any student of any school has been filed till date. Further the email ID of the concerned school or its Advocate on record has not been provided to enable us to contact the school. We are not even informed of the various interim orders or their scope and ambit. We are required to maintain minutes of meeting while determining the veracity and genuineness of EACH complaint for which you are requested to arrange a stenographer. Since none of schools have appeared before us till date and have not agreed to bear the cost of a stenographer, the same has to be borne by the complainant/ complainants initially. The meetings would have to be virtual since imposing costs on students for arranging physical hearing/venue maybe financial burdensome. You are requested to provide the email ID of the relevant school of the complainant to enable us to give notice to the school before finalisation our report to be submitted before this Hon'ble Court.

Thanking you

Joint Special Officer  
Tilak Kumar Bose

Joint Special Officer  
Udayan Chakravarty



Chandan Dutta &lt;chandan.jesus2010@gmail.com&gt;

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**Fwd: Letter of Vineet Ruia dated 25th April 2022**

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Tilak Kumar Bose <tilakkbose@gmail.com>  
To: chandan.jesus2010@gmail.com

Thu, Jun 9, 2022 at 4:56 PM

----- Forwarded message -----

From: Vineet Ruia &lt;vineetruia@yahoo.co.in&gt;

Date: Mon, 25 Apr, 2022, 19:05

Subject: Re: Letter of Vineet Ruia dated 25th April 2022

To: Tilak Kumar Bose &lt;tilakkbose@gmail.com&gt;, udayan.saswati@gmail.com &lt;udayan.saswati@gmail.com&gt;

Cc: Registrar General &lt;rghc\_cal@rediffmail.com&gt;

Your Kindnesses,

Advocate Sri Tilak Kumar Bose and Advocate Sri Udayan Chakravarty Sirs,

Thank you very much for the prompt response to my letter dated 25<sup>th</sup> April 2022.

As you are aware that I am the Petitioner in WP 5890 of 2020 and C.P.A.N. No. 723 of 2020 and am fully conversant of each hearing and the orders passes by the Hon'ble Justice I.P.Mukherjee and Justice Mousumi Bhattacharya, I would like to bring several facts to your kind attention and notice. Kindly consider my following submissions:

1. With regard to your kindnesses observation " As 145 schools ..... at our disposal .....", kindly read the previous paragraph which read and I

QUOTE

***"Several applications including applications alleging contempt have been filed, inter alia, pointing out the excess fees demanded by the schools/educational institutions in question, overcharging of fees, default in payment of fees by the parents/guardians of the students, threat from the schools to debar students from writing a board examination or to rusticate them or deny them the annual promotion.***

UNQUOTE

While in the course of hearing of the matter, the Hon'ble Judges had clearly pointed out that several contempt applications and pending before them and since 145 schools are involved, it would be practically not possible for them to go through each and every complaint. That is why, they appointed your kindnesses to scrutinize each and every complaint that is before the bench. There does not arise a need to call for any individual complaints from each and every student of 145 Schools which could total upto almost more than 4,00,000 students and the process could take decades. If your kindnesses have any doubts over this, I don't know what could be the procedure to clarify this as requesting for assignment of bench for this small purpose may not be desirable by the Hon'ble Court.

2. So far as the 6<sup>th</sup> April 2022 order is concerned, the bench was assigned for a special reason that the schools were not giving report cards, admit cards, promotions etc. Coming to your reading of the order,

(a) "...The arrangement ..... Previous order..." has no relevance with the pandemic period

- (b) "... As far as the payment .... such payment..." the Hon'ble bench had passed this part of the order for the convenience of the schools as Mr Sabyasachi Choudhury informed the court that it was difficult to track the payments made by some students.
- (c) "..... as a matter of guidance..... new session...." the Hon'ble bench had passed this part of the order for the parents to follow a guideline that they should clarify each paid amount for a relevant month for the school to be able to track it.
- (d) After all this, since the Hon'ble bench wanted to come to a conclusion faster in the PIL, they directed the Registrar General to forward the order dated 25<sup>th</sup> March 2022 to the Joint Special Officers.
- (e) The Hon'ble bench further ordered that the Joint Special Officers may look into the contempt applications and other affidavits pending before the Court as order on 25<sup>th</sup> March 2022 expeditiously so that the schools may not face deficit of funds as one school was claiming that 87 of 3000 students had not paid in full and they were facing funds crisis. That brings the "... we direct the ..... decision in the matter..."
- (f) Since the parents had complained on arbitrary increase of fees during the pandemic, the Hon'ble Court directed the Joint Special Officers to look into the matter with a view to circumvent the order of the Hon'ble Court
- (g) Once the amount payable is decided by the Joint Special Officers, guardians are to make the payment accordingly to the schools within 2 weeks.
- (h) Finally, when one of the schools said that many students have not paid anything, the Hon'ble Court directed the Joint Special officers to tabulate in their report the names of students who have not made any payments at all during the operation of its interim orders. That is where your last point comes from. The schools only would be the rights bodies to disclose this.

Your kindnesses, I therefore request you to kindly suggest what to do.

Most Respectfully

Vineet Ruia

On Monday, 25 April, 2022, 05:23:46 pm IST, Tilak Kumar Bose <tilakkbose@gmail.com> wrote:

\*\*\*\*"financial" to be read as " financially"

[Quoted text hidden]



Chandan Dutta &lt;chandan.jesus2010@gmail.com&gt;

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**Fwd: Letter of Vineet Ruia dated 25th April 2022**

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**Tilak Kumar Bose** <tilakkbose@gmail.com>  
To: chandan.jesus2010@gmail.com

Thu, Jun 9, 2022 at 4:56 PM

----- Forwarded message -----

From: **Tilak Kumar Bose** <tilakkbose@gmail.com>  
Date: Tue, 26 Apr, 2022, 16:49  
Subject: Re: Letter of Vineet Ruia dated 25th April 2022  
To: Udayan Chakravarty <udayan.saswati@gmail.com>

Dated 26th April 2022

Dear Mr Vineet Ruia,

We are in receipt of your mail dated 25th April 2022 in response to our mail dated 25th April 2022. We once again repeat and reiterate our directions as highlighted in our earlier mail. We have taken note of the orders dated 25th March 2022 and 6th April 2022 and have accordingly requested you to file complaint/complaints, if any, on behalf of any student/guardian whom you may be representing. No student/guardian whom you may be representing and who may have authorised you has filed any written complaint before us in terms of the above orders of the Division Bench, which is clear and specific. Even the statement of fees of any particular aggrieved student/parent has not been filed although there is specific direction in this regard in the order dated 6th April 2022. Please appreciate that unless a complaint of a student/guardian is filed before us and email ID of the concerned school intimated, we cannot proceed further in respect of such complaint or hold meetings therefor for the purpose of filing a report in terms of the orders of the Division Bench. You are therefore requested to immediately file any complaint of any aggrieved student/guardian whom you may be representing as has been clarified in our earlier mail dated 25th April 2022.

[Quoted text hidden]

Minutes of Meeting ( virtual meeting) held at 5pm on 30th May 2022 in respect of 17 complainants of Durgapur Public School

Present

1. Mr Tilak Kumar Bose & Mr. Udayan Chakravarty, Joint Special Officers
2. Dr. Indrajit Kundu, Advocate for Complainants
3. Mr. Pradip Das Bairagya , parent of Pratham Bairagya and representative of complainants
4. Mr Sanjay Sharma, authorised representative of Durgapur Public School

The meeting started sharp at 5pm. Advance link was provided by Dr Indrajit Kundu, Advocate on record of the complainants. Earlier in the day the Joint Special Officers had received a mail from the Principal of the School stating Mr. Sanjay Sharma would be representing the school at the meeting. The meeting was being held pursuant to the orders passed by The Hon'ble High Court at Kolkata dated 25th March 2022 and 9th April 2022, both of which were served on the Joint Special Officers under cover of a letter dated 12th April 2022 by the Office of Registrar General, Kolkata. The 17 complaints of students were filed on 18th May 2022 ( two days before closure of High Court for the summer vacation).

The complaints/claims were in form of 17 charts giving particulars of excess payment allegedly paid by the 17 complainants supported by a few documents showing proof of payments for the Academic Year 2021-22. A bill for student Sneha Roy of Class VIII dated 17/4/2019 and a bill of Oindrila Dey , student of Class VII dated 20/09/2019 was annexed. Finally a chart showing calculation of annual fee for 2019-20 as allegedly demanded by the School and actually payable for 2019-20 ( according to the complainants ) as per Court order was annexed with particulars of Annual fee paid for Academic Year 2021-22.

At the outset, the Special Officers enquired whether any Stenographer had been arranged for recording the minutes of the meeting which was required to be held as per the orders of Hon'ble High Court. Learned Advocate for the complainants clarified that it wasnot possible for the complainants to bear the expenses of a Stenographer as clarified in earlier mails dated 20th May 2022 and 26th May 2022. Accordingly there was no option but to record the gist of minutes in

hand by one of the Special Officers so that the same could be later typed , drafted and printed in compliance of orders of the Hon'ble High Court.

Mr Sanjay Sharma requested for adjournment of the meeting on the ground that the 17 complaints / charts were submitted to the School as late as on 28th May 2022 and it was not possible to verify the same in such short notice. This was refuted by Learned Advocate for the complainants on the ground that an application being CPAN 642 of 2021 pending before the Hon'ble High Court ( copy of which had not been served even to Joint Special Officers till date ) had allegedly been served on the School as early as in 2021. In as much as there is firm direction in the orders dated 25th March 2022 and 6th April 2022 on the Special Officers to hold a meeting and hear each and every complaint and maintain minutes therefor at a meeting the Joint Special Officers proceeded to hear each of the 17 complaints on the basis of the papers filed before the Special Officers.

Learned Advocate for the complainants introduced Mr Pradip Das Bairagya as the representative of Durgapur Public School Parents' Association and submitted that the said Mr Bairagya would be making submissions on behalf of all the complainants.

Since the 17 complaints in form of 17 covering charts had been filed in random order and enclosed in an envelope, the Joint Special Officers requested Mr Bairagya to identify each complainant and make submissions.

**Complainant 1** was identified as **Hrishikesh Kundu** who was in Class IX in 2019-20. In the chart submitted Rs 56 per month has been claimed as excess fees paid on account of E communication fees for the period April 2020 March 2021. The E communication fees were Rs 70 per month .If 20% discount is given the amount is Rs 56. According to the complainant even this sum of Rs 56 per month was not payable since such E communication fees during the pandemic when classes were held online were not payable as per the order dated 13th October 2020. For the months April 2021, May 2021 and June 2021 Rs 1656 per month excess payment was claimed while for months July 2021 to November 2021 Rs 616 per month was claimed as excess fees paid. It was submitted that from the month of December 2021 there was no dispute since normal classes had resumed. Mr Bairagya tried to justify the excess payments indicated in the chart for the months April 2021 to November 2021 from the documents annexed with the chart

but miserably failed to do the same. The Joint Special Officers requested the assistance of Mr Sanjay Sharma but since documents were served only on 28th May 2022, the latter was unable to offer any assistance. About 30 minutes was spent only for consideration of the claim of Hrishikesh Kundu as shown in the chart. Documents annexed with the chart were insufficient to justify the figures mentioned in the chart. A document annexed with the chart regarding increase of annual fees was however drawn to the attention of the Joint Special Officers and it was submitted that annual fees for the year 2019-20 was increased Rs 150 in 2020-21 and after giving discount of 20% as per Court order Rs 4520 was collected. Actually what should have been collected was Rs 4400 (20% of Rs 5500) i.e. the increase of Rs 150 or 80% thereof ought not to have been made. The fact that Rs 4520 was paid for Academic year 04/21 to 03/22 on 17/2/22 was drawn to the notice of Joint Special Officers. It was submitted that even for 2020-21 similar excess annual fees had been charged. There was however no document to substantiate the same. So far as the excess payments reflected in the chart is concerned Mr Bairagya could not substantiate the same. At the request of Mr Bairagya the Joint Special Officers were requested to proceed with the next claim.

**Complainant No 2** was **Prahlad Das Bairagya**, the son of Mr. Pradip Das Bairagya. In the chart submitted only Rs 56 per month was claimed as excess fees charged on account of E communication fees for months April 20 to February 2022. The same claim on account of excess annual fees charged for the years 20-21 and 21-22 was made since there was increase by Rs 150 of annual fees from the amount charged in 2019-20. The payment slip for Rs 4520 on 17/2/22 on account of annual fees for Academic year 04/21 to 03/22 was annexed. The pay slip for the Academic year 20-21 was missing. It is at this stage that Mr Pradip Bairagya submitted that the excess payments of students as alleged in the charts (except 80% E communication fees and 80% of Rs 150 increase in annual fees) have been adjusted in the subsequent bills after February 2022 and students no longer have any complaint save and except the imposition 80% of E communication fees amounting to Rs 56 per month and increase in annual fees as mentioned above. It was also submitted that the various charts have to be revised and restricted only to the above two issues. Learned Advocate for the claimants asked Mr Bairagya to once again ascertain correct facts before making such bold and positive statements. After verifying the same Mr

Bairagya however reiterated his statement. Had this statement been made earlier valuable time at this meeting would have been saved. Joint Special Officers however proceeded to deal with each complainant since the same was the direction of the Hon'ble High Court.

The next complainants considered were as follows

**Complainant No3. Subrata Das**

**Complainant No4 Soumabho Seth**

**Complainant No5 Indrani Sarkar**

**Complainant No 6 Adrish Ruidas**

**Complainant No7 Jayanta Bose**

**Complainant No8 Angsuman Gorai**

**Complainant No 9 Oindrila Dey**

**Complainant No 10 Debalina Gorai**

**Complainant No 11 Swatantra Dhar**

**Complainant No 12 Soumyadeep Bardhan**

**Complainant No 13 Saptarshi Acharjee**

**Complainant No 14 Swastika Ghosh**

**Complainant No 15 Sayantika Das**

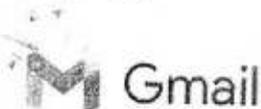
**Complainant No 16 Sneha Roy**

**Complainant No 17 Ranita Sam**

The documents submitted in connection with all the above complainants were more or less identical. It had already been submitted on behalf of all complainants that the charts had to be revised and various excess payments shown in the charts apart from Rs 56 per month had been adjusted against subsequent bills. Thus apart from Rs 56 per month claimed as excess payments the other claims lost their significance. The Joint Special Officers asked Learned Advocate of the complainants as to why the aforesaid facts were not brought to the notice of the Joint Special Officers before the meeting. It was submitted by Learned Advocate that he was not informed of the same earlier. The only dispute remained with regard to E communication fees and excess 80% of Rs 150 charged on account of annual fees for 2020-21 and 2021-22 which was claimed separately in an attached sheet. The payment slip dated February 2022 for payment of annual fees

for Academic Period 04/21 to 03/22 was only annexed and payment slips for Academic year 2020-21 were not annexed.

The meeting which had commenced at 5pm ended around 6.42 pm and was held virtually without any break.



Chandan Dutta &lt;chandan.jesus2010@gmail.com&gt;

**Fwd: Meeting held on 30th May 2022**

Tilak Kumar Bose <tilakkbose@gmail.com>  
To: chandan.jesus2010@gmail.com

Mon, Jun 6, 2022 at 6:12 PM

----- Forwarded message -----

From: **Tilak Kumar Bose** <tilakkbose@gmail.com>  
Date: Mon, 6 Jun, 2022, 17:43  
Subject: Fwd: Meeting held on 30th May 2022  
To: Tilak Kumar Bose <tilakkbose@gmail.com>

----- Forwarded message -----

From: **Tilak Kumar Bose** <tilakkbose@gmail.com>  
Date: Tue, 31 May, 2022, 11:21  
Subject: Meeting held on 30th May 2022  
To: Dps, Durgapur <contact@dpsdgp.com>  
Cc: Udayan Chakravarty <udayan.saswati@gmail.com>, durgapur public school durgapur public school <dpsdgp@gmail.com>

Dated 31st May 2022

To

The Principal  
Durgapur Public School

Dear Madam,

This is with reference to the meeting held on 30th May 2022 at 5pm. The meeting started at 5pm and continued till 6.41 pm. The meeting was attended by your authorised representative Mr Sanjay Sharma who submitted that only a chart for excess fees paid by the 17 complainants was submitted to the School and that too on 28th May 2022. As such, no proper clarification could be given regarding the authenticity of the claims at the said meeting. The said allegation was controverted by Learned Advocate of the 17 complainants and it was alleged that all complaints were already part of records in CPAN 642 of 2021 which is pending before the Hon'ble High Court. We like to place on record that we are not in receipt of any application being CPAN 642 of 2021 and all that have been served on us on 18th May 2022 are 17 charts annexing a few documents including 2 bills of two students of Class VII namely, Oindrilla Dey and Sneha Roy. As such, at the meeting held we have only taken note of oral submissions of Learned Advocate of the 17 complainants assisted by one guardian Mr Pradip Bairagya. It appears from submissions made on behalf of the 17 complainants that there are two main disputes regarding fees surviving at present, namely E- Communication fees allegedly charged for the disputed period (80% of Rs 70 = Rs 56) and excess Session fee charged for the period 2021- 2022 ( Rs 4520 instead of Rs 4400). Kindly confirm the same.

It appears further from the 17 charts submitted that apart from excess Rs 56 per month on account of E Communication fees allegedly paid by the 17 complainants, some other excess payments have allegedly been made by some students for a few months. It was however submitted repeatedly by representatives appearing for the 17 complainants that such further extra payments have been adjusted in the bills raised for the current session and no dispute remains with regard thereto. At the meeting, your authorised representative Mr Sanjay Sharma also confirmed the same. Kindly examine the 17 charts and confirm the same. If the monthly excess payments for the disputed period ( apart from Rs 56 as indicated above ) have indeed been adjusted or are to be adjusted, please verify from accounts department immediately as to how this adjustment has been done.

You are requested to give the above clarifications in writing positively by 2pm on 3rd June. In the event, you desire to hold a further meeting, you will have to arrange for a virtual link and send the same to both the Joint Special Officers as

Also the Advocate for the claimants, Dr.Indrajit Kundu at least 24 hours in advance before such meeting tentatively fixed at 4pm on 3rd June.For minutes of such meeting to be recorded in your presence, you will have to engaged a Stenographer. Please note that the meeting, if any, will be held at your instance.For the purpose of filing our report, the written clarifications as sought for would be sufficient for us.

Thanking you,

Yours truly

Tilak Kumar Bose  
Joint Special Officer

Udayan Chakavarty  
Joint Special Officer

On Mon, 30 May, 2022, 16:53 Dps, Durgapur, <contact@dpsdgp.com> wrote:

To,  
Mr Tilak Kumar Bose  
Joint Special Officer

Mr Udayan Chakravarty  
Joint Special Officer

Dear Sir,

I hereby authorise Mr. Sanajy Kumar Sharma S/o Late R.P. Sharma to attend the meeting scheduled at 5pm today for and on my behalf.

Thanking You,  
Yours faithfully,  
Soma Roy,  
Principal  
Durgapur Public School

To,  
Mr Tilak Kumar Bose  
Joint Special Officer

Mr Udayan Chakravarty  
Joint Special Officer

Dear Sir,

This is with reference to your mail dated 31st May 2022 regarding the meeting held on 30th May 2022 in the matter of purported complaints from 17 students of Durgapur Public School filed in the form of an unsigned chart as Disputed Fee Sheets without any complaint letter from the respective students and or his parent, alleging excess fees have been charged by the school authorities for the period April 2020 to February 2022.

At the very outset, most humbly I submit that all fees charged has been according to the orders of the Hon'ble High Court and we have reduced the fees as per the orders of the Hon'ble High Court. Reduction on Fees was on the fees as per the fee structure applicable in 2019-2020 . All fees for the year 2020-2021 and 2021-2022 were same and based on 20% reduction as per the orders of Hon'ble High Court as such any allegations made towards any excess charge is baseless, false, untenable and without any merit.

During the course of the meeting in 30th May representatives of these 17 Complainants submitted and admitted before you that any excess payment made towards tuition fees were all adjusted and there was No Dispute with regard thereto. The only dispute raised by them was with regard to the following two disputes namely :

- 1) ECommunication fees charged (80% of Rs 70/-) Rs. 56 excess charged.
- 2) Alleged excess session fees charged for the period 2021-2022 ( Rs 4520 instead of Rs 4400) excess charged Rs. 120/-

And for which you have sought clarifications from me.

Before I reply to the clarifications sought by you, may I, please bring it to your kind notice an important fact which has come to my notice.

That out of the 17 complaints by the so called complainants, parents of three students have confirmed to me that they have no dispute with the school regarding any fees charged. Rest were not available due to vacation. They have confirmed that they have not filed any complain nor they have authorised anybody to file complain on their behalf before you. In fact they were not even aware of the complaint filed before you. It cannot be denied and disputed that these three complaints filed before you are without any due authorisation from those complainants due to this. Hence, these complaints are liable to be quashed. Due to this false nature of complaints which has been filed purposely with the sole aim of intimidating school authorities. Few handful persons who in the garb of Guardians Welfare Society regularly violate school rules and disturb academic atmosphere of the school with the sole aim of intimidating school authorities so that the school authorities bow down to the illegitimate demands and requirement. Such handful people coerce parents of the other students of the school with their agenda and allure and misguide them including with financial benefit ( fee waiver ) and others. They use their agendas as bait and tempt other genuine parents by misguiding them to form unauthorised group which they finally use to file illegitimate and false complain regarding the school authorities with the sole aim to intimidate the school authorities.

These three parents of our students have written letter to me in this regard. Attached please find three letters written by 1,2, & 3 for your perusal.

Now coming to the clarifications which you have sought for the two disputes namely

- 1) ECommunication fees charged (80% of Rs 70/-) Rs. 56 excess charged.
- 2) Alleged excess session fees charged for the period 2021-2022 ( Rs 4520 instead of Rs 4400) excess charged Rs. 120/-

With regard to the allegation of E-Communication fees it is humbly submitted that E-Communication fees is an essential fees and it's facilities have been availed by the students. It is charged for online communication regarding all round affairs of the school with the parents through E-Communication platform for the parents to communicate with the school one to one and the school to inform the parents regarding daily updates including but not limited to student attendance, exams, assessment, results, fees, notices, circulars and others. E-Communication platform has played a most vital role during pandemic. Hence, Sir, you will be kind enough to appreciate that E-Communication fees charged was genuine and cannot be disallowed and hence the allegation made by so called complainants is frivolous.

With regard to the allegation of excess session fees charged for the period 2021-2022 ( Rs 4520 instead of Rs 4400) excess charged Rs. 120/- it is humbly submitted that this allegation is false untenable and is mala-fide. The annual session fees was increased in the session 2019-2020 itself to Rs 5650/- and 80% of which is Rs. 4520/- and this amount of Rs 4520/- was charged. Hence, Sir, you will be kind enough to appreciate that there cannot be and there should not be any allegation of any excess session fee charged. Attached please find herewith sample copy of receipt pertaining to April 2019 of few students who are so called complainants herein for your perusal.

I also take this opportunity to state that this school has always supported the students and carried on social work for the benefit of society at large. School has also given reduction in fees of some needy students as and when they approach the school if they have any bonafide reason.

In view of above facts and our submissions, we believe that we have been able to clarify and justify our position to your satisfaction.

In the light of above it is humbly submitted that the so called allegation of excess fees charged towards E-Communication fees and Excess session fees charged are baseless, untenable, mala-fide and has no legs to stand on. These so called complaints are filed with underline hidden malafide intentions and these complaints are filed without any authority therefore these so called complaints are liable to be quashed.

We shall be grateful for your kind consideration.

Thanking you

Yours Faithfully

Soma Roy  
Principal  
Durgapur Public School

M  
s Faithfully

Soma Roy

Principal

Regards  
Durgapur Public School.

---

**5 attachments**

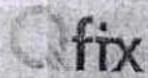
 **1.pdf**  
174K

 **3.pdf**  
153K

 **2.pdf**  
167K

 **Swatantra Kumar Dhar payment slip.pdf**  
48K

 **Soumavo Seth Payment Slip.pdf**  
43K



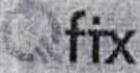
## Durgapur Public School

Sahid Sukumar Banerjee Sarani, Bidhannagar -  
713212

Academic Year : 04/2019 - 03/2020  
Payment Date : 14/04/2019 00:00  
Payment For: SOUMAVO SETH  
Division : C  
Qfix Reference Number : FTSDI6OS0003880  
Late Payment Charges : INR 0.00  
Other Charges : INR 0.00  
Remaining Amount : INR 0.00

Fee Description : ANNUAL FEES  
Mode Of Payment : DEBIT CARD  
Standard/Course : IV  
Student Registration Code : 3880  
Fee Amount : INR 5650.00  
Discount Amount : INR 0.00  
Paid Amount : INR 5650.00

Thanks for your payment.



## Durgapur Public School

Sahid Sukumar Banerjee Sarani, Bidhannagar  
713212

Academic Year : 04/2019 - 03/2020

Payment Date : 11/04/2019 00:00

Payment For : SWATANTRA KUMAR DHAR

Division : G

Qfix Reference Number : ZGNKWC130003365

Late Payment Charges : INR 0.00

Other Charges : INR 0.00

Remaining Amount : INR 0.00

Fee Description : ANNUAL FEES

Mode Of Payment : DEBIT CARD

Standard/Course : I

Student Registration Code : 3365

Fee Amount : INR 5650.00

Discount Amount : INR 0.00

Paid Amount : INR 5650.00

Thanks for your payment.

Date:- 01.06.2022

To,  
The Principal,  
Durgapur Public School,  
S.S.B. Sarani Bidhannagar,  
Durgapur-12

Respected Madam,

I have no dispute with regard to any fees charged by this school. If any complain has been filed on my behalf it is wrong as the same has not been authorized by me.

I again submit that I have no dispute with the school regarding any fees charged.

Thanks n Regards,

Yours Truly

*Brotish Kundu*

(Brotish Kundu)  
Father of Hrishikesh Kundu  
Class- 12, Section- C  
Admission No.- 5287

Date: - 31.05.2022

To,

The Principal,

Durgapur Public School ,

Durgapur, 713212

Madam,

I, Gadadhar Ruidas Father of Adrish Ruidas, student of your school say that I have no grievance regarding any school fees charged.

I am surprised to know that a complain has been filed before the Joint Special Officer on my behalf.

I state that I have neither filed the said complain nor I have authorised anyone to file any complain on my behalf.

There is no dispute with the school regarding any school fees.

Thanking you

Yours faithfully

*Gadadhar Ruidas*  
(Gadadhar Ruidas)

Date- 02.06.2022

To,

The Principal,

Durgapur Public School

Durgapur

Dear Madam,

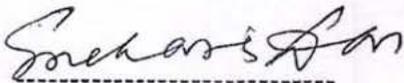
This is to inform you that I have not filed any complain with regard to any excess fees being charged by this school.

Nobody has been given any authority to file any complain on my behalf by me.

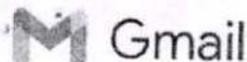
I have no issues with our school with respect to any fees charged by the school.

Warm Regards

Yours Sincerely,



Snehasis Das  
Father of Subham Das  
Class-10, Section- A  
Admission No- 726



Chandan Dutta &lt;chandan.jesus2010@gmail.com&gt;

**Fwd: Email Dated June 3, 2022**Tilak Kumar Bose <tilakkbose@gmail.com>  
To: chandan.jesus2010@gmail.com

Mon, Jun 6, 2022 at 6:13 PM

----- Forwarded message -----

From: **Tilak Kumar Bose** <tilakkbose@gmail.com>  
Date: Mon, 6 Jun, 2022, 17:46  
Subject: Fwd: Email Dated June 3, 2022  
To: Tilak Kumar Bose <tilakkbose@gmail.com>

----- Forwarded message -----

From: **prasun ghosh** <pgsm.pg@gmail.com>  
Date: Sun, 5 Jun, 2022, 15:25  
Subject: Email Dated June 3, 2022  
To: <tilakkbose@gmail.com>To  
Mr. Tilak Bose,  
Special Officer.

My client: Ashok Hall Group of Schools

Sub: Email dated June 03, 2022 sent by the Special Officers

Sir,

I am in receipt of your email under reference, and upon obtaining necessary instruction from my client, I write as under:

As duly recorded by you, my client through its counsel was represented in the meeting convened by the Joint Special Officers on June 02, 2022, without prejudice to its rights and contentions in the proposed applications for clarification of the orders dated April 06, 2022 and April 19, 2022, passed by the Hon'ble High Court at Calcutta in WPA (P) 162 of 2021 and an intervention application in pending special leave petition being SLP No.12815 of 2022 filed against the order dated April 06, 2022, or an independent special leave petition.

From the emails received by my client, it appears that the parents of the wards of Ashok Hall Girls' Higher Secondary School through their Learned Advocate had forwarded 21 charts/complaints to the special officers on May 20, 2022. Upon receipt of the charts/complaints, the special officers directed service of the same immediately on the school. However, for reasons best known to the parents/Advocate representing the 21 parents, a copy of the charts/complaints was served on the school only on June 01, 2022.

Presently, the summer vacation is in vogue and the school is scheduled to reopen on June 13, 2022. Majority of the teachers including the principal and the staff are on leave and are not in Kolkata. The charts/complaints were duly circulated with the concerned persons and it appears that the facts and figures contained therein are erroneous. However, without causing through verification with the concerned departments including the accounts department along with supporting documents, my client is not in a position to effectively and adequately contribute to its defence. The above facts were brought to your attention during the meeting and have been duly noted by you in the email under reference. This situation could have been avoided had the school been served with the charts/complaints as per the directions issued by you on May 20, 2022.

In these circumstances, you are kindly requested to afford 7 days' time from date to enable the school to file a reply to the charts/complaints.

Regards

Minutes of meeting ( virtual ) held on 2nd June 2022 at 5pm in respect of 21 complainants of Ashok Hall Girls' Higher Secondary School

Present

1. Mr Tilak Kumar Bose & Mr Udayan Chakravarty , Joint Special Officers
2. Dr Indrajit Kundu, Advocate on record of complainants
3. Mr Siddhartha Chatterjee, Advocate for Ashok Hall Girls' Higher Secondary School
4. Mr Partha Sarathi Bhattacharya, Parent and representative of Parents' Association
5. Mr Navin Poddar, Parent
6. Mr Sourav Jhavar, Parent
7. Mr Praloy Sarkar, Parent
8. Mr Prasun Kanjilal, Parent
9. Mr Pawan Goenka, Parent
10. Mr Rajiv Ghosh, Parent
11. Mr Mayur Bhansali, Parent
12. Mrs Rituparna Guha, Parent
13. Mr Amitava Dhar, Parent
14. Mr Arijit Giri, Parent
15. Mr Dip Gupta , Parent
16. Mr Kunal Gupta, Parent
17. Mr Santanu Roy, Parent
18. Mr Soumyajit Bhowmick, Parent
19. Mr Chandrasekhar Bhartia, Parent
20. Mr Surendra Agarwal, Parent.

The meeting started at 5pm. The names of participants were recorded at 5pm. There were a few other parents who joined later whose names have not been recorded. At the outset the Joint Special Officers enquired whether any Stenographer had been arranged by any of the parties for recording the minutes of the meeting which was required to be held as per the order of Hon'ble High Court. Learned Advocate of the complainants had already by mail dated 26th May 2022 informed the Joint Special Officers that no Stenographer can be arranged by him by reason of poor financial condition of the complainants. Learned Advocate for the School submitted that the School did not have any prior notice for arranging a Stenographer . In that view of the matter the Joint Special Officers had no option but to note the gist of the minutes in hand so that the same could be typed and printed later.

Learned Counsel of the School submitted that he was appearing without prejudice for the following reasons

1. A clarification application was in the process of being filed before the Hon'ble High Court.

2. An intervention application would also be filed before Hon'ble Supreme Court of India in a Special Leave Petition filed by an aggrieved School.

3. The complaints had been served on the School only on 1st June 2022. The teachers were on leave and as such verification of the details of the complaints was not possible in such short notice. The calculations in the charts submitted were all erroneous. A proper reply would be given to such complaints and as such the School was seeking sufficient time to answer to the complaints.

The Joint Special Officers enquired from Learned Advocate for the complainants whether the complaints had indeed been served on the School on 1st June 2022 as alleged. Learned Advocate confirmed that it was correct that complaints had been served only on 1st June 2022. An order dated 20th May 2022 passed by Hon'ble Supreme Court of India was served on the Joint Special Officers on 1st June 2022 by the new Advocate on record of the School namely Sandersons & Morgans. By the said order the Joint Special Officers have been restrained from further acting. However the order has been restricted only to minority institutions. The Joint Special Officers enquired from the complainants whether the School was a minority institution or not to which Learned Advocate for complainants submitted that the School was not minority institution. Learned Advocate for the School also fairly submitted that the School was not a minority institution. As such Joint Special Officers proceeded to hear each of the complainants in compliance of the directions of the Hon'ble High Court.

Learned Advocate for the complainants introduced Mr Partha Sarathi Bhattacharya as the authorised representative of Parents' Association of Ashok Hall Girls' Higher Secondary School and submitted that the latter would make submissions on behalf of all complainants if a particular complainant was unrepresented.

Before proceeding with each complaint Mr Partha Sarathi Bhattacharya made general submissions. The complaints of the students were two fold. Firstly fees for extra curricular activities were being charged for classes IV to VIII. From classes IX onwards instead of extra curricular activities practical fees were being charged. For class XI students since there are no practical classes for Commerce students, other activities like Judo or Karate are taught. The ECA classes or Practical classes were all held online during the disputed period April 2020 to February

2022. According to the complainants for the Academic year 2020-21 , even after the order dated 13th October 2020, 80% of ECA fees for the previous year was charged. For the Academic Period 2021-22 till February 2022, full ECA fees were charged at enhanced rate and even without giving 20% discount. Secondly, tuition fees and Session fees were enhanced from Academic Year 2021-22 and charged even without giving discount of 20%. Some documents in support of payments made were annexed to each complaint from which it would not be possible to verify the exact payments made for the period the complainants are claiming excess payment. However the nature of excess payments allegedly made can be deciphered from the charts. The session fees and ECS fees remain the same for every class but tuition fees differ. Some complainants did not even annex the fee structure relevant for their complaint and therefore submissions were made on the basis of overall documents annexed with other complaints . The 21 complaints were also enclosed in haphazard manner in an envelope and each complaint had to be isolated.

Mr Partha Sarathi Bhattacharya started with his daughter **Saanvi Bhattacharya ( Complainant 1)**. During Academic year 2020-21 complainant was in Class IV. Therefore first complaint is with regard to ECA fees .Complainant had opted for Aerobics and next Academic Year had opted for Public Speaking . For Academic year 2021-21 ECA fees per month charged was  $6736/12=Rs$  561.33. For next year total fees allegedly charged were Session fee of Rs 13980 together with ECA fees Rs 9430 ( both without discount) and enhanced tuition fees of Rs 5975. Session fees and ECA are annual fees and to convert them to monthly fees the aggregate has to be divided by 12 as denominator. If Rs 5975 tuition fees is added the figure would be Rs 7925.83 per month and this was allegedly charged and paid from April 2021 till February 2022. As mentioned earlier, from the documents disclosed it could not be determined with certainty whether the said sum was actually paid on all the months as stated in the chart. It also cannot be determined with certainty that demand for such enhanced amounts without discount of 20% was actually made on the complainant No 1 for the disputed months or were general demands.

**Complainant No 2** was **Sharanya Bhowmick** a student of Class IX in 2020-21 . No practical fees was charged at all during Academic Year 2020-21. The only complaint is with regard to enhanced tuition fees of Rs 6788 without discount in 2021-22 and enhanced session fees and enhanced Practical fees for Academic Year 2021-22 , both without any discount of 20%. Again from the

documents disclosed it was not possible to verify with certainty whether such demand had actually been made to the complainant No 2 and whether such enhanced demand was paid for every disputed month.

**Complainant No 3** was **Hritika Sarkar** a student of Upper Infant in 2020-21. There was no ECS fees charged. But complaint is with regard to enhanced session fee without discount and enhanced tuition fee without 20% discount. It could not be determined with certainty whether for complainant No 3 the demand was actually made or the demand was a general demand. It also could not be determined with certainty whether such enhanced demand was actually paid for each of the disputed months.

**Complainant No 4** was **Shinjini Roy** a student of Upper Infant in 2019-20. The dispute is therefore only with regard to enhanced session fee without discount for 2021-22 . General demand mails addressed to Principal were annexed as also certain payment documents. But here again it cannot be said with certainty that the payment documents substantiate the payments as reflected in the chart. Further whether the demands of the School were general demands or demands made specifically to complainant No 4 cannot be ascertained with certainty.

**Complainant No 5** was **Oishi Ghosh** a student of class IV in 2020-21. She opted for Aerobics and next year i.e 2021-22 opted for Debate .The case was similar to Saanvi Bhattacharya .

**Complainant No 6** was **Sneha Agarwal** and it was submitted on behalf of his father that case was similar to that of Sharanya Bhowmick ( Class IX student in 2020-21)

**Complainant No 7** was **Prathishta Giri** a student of Upper Infant in 2020-21. The case would be similar to Shinjini Roy. However in this case, no document showing proof of payment was annexed. The general fee structure was however annexed.

**Complainant No 8** was **Khushi Jhavar** a student of Class IV in 2020-21. She had opted for Zumba Classes in 2020-21 and fun filled maths in the next year 2021-22. Her case was similar to Saanvi Bhattacharya, daughter of Mr Partha Sarathi Bhattacharya.

**Complainant No 9** was **Arusmita Kanjilal** a student of Class I in 2020-21. Her case was similar to Hritika Sarkar.

**Complainant No 10** was **Atindrita Kanjilal** a student of Class V in 2020-21. Her father made

submissions on her behalf as well as his younger daughter Arusmita Kanjilal..Atindrita Kanjilal had opted for Fun filled Science in 2020-21 and Western dance in 2021-22. Apart from disputing ECS fees at 80% rate charged for 2020-21 the increase of tuition fees to Rs 6308 without discount as well as enhanced session fees and ECA fees without discount was challenged. But like all other cases, it could not be determined with certainty whether enhanced demand without discount in 2020-21 was general demand or demand specific to complainant No 10. Further from payment documents disclosed it could not be determined with certainty that such enhanced demands were actually paid for every disputed month or not.

**Complainant No 11** was **Sansthita Dhar** a student of Class VII in 2020-21. She had opted for Science 60 in 2020-21 and also opted again for Science 60 in 2021-22. Apart from ECS fees at 80% rate in 2020-21 the enhanced demand of tuition fees ,session fees and ECS fees without discount of 20% in 2021-22 was challenged. It could not be ascertained with certainty whether demand in 2021-22 was general demand or demand specific to complainant No 11. Further whether or not the enhanced demands were all paid could not be determined from documents disclosed .

Case of **complainant No 12 Sahana Ghosh** student of Class VII in 2020-21 was similar to Santhistha Dhar. She had opted for Western dance in 2020-21 and exercised same option in 2021-22, It was submitted on behalf of her parent that though classes were online they were not regular and were held twice a week. The student could not follow the teacher at times. Further three Birla schools were holding classes simultaneously and there were at times 150 students in one session.

**Complainant No 13** was **Alankrita Guha** student of class VI in 2020-21. She had opted for Zumba class in 2020-21 and Spanish Guitar in 2021-22. In the documents submitted , the breakup of fees for Class VII were not annexed. The payment documents also could not be correlated to the payments allegedly made for each of the disputed months.

Next complainant to be considered was **Complainant No 14 Nupur Poddar** a student of Class IX in 2020-21. The complaint is only with regard to enhanced tuition fees , enhanced session fees and enhanced Practical fees all without discount of 20% for the year 2021-22 . There is no

dispute with regard to any Practical or ECS fees for Academic year 2020-21.

**Complainant No 15 Nehal Poddar** was in Class XI in 2020-21 .The breakup is same as Nupur Poddar.

While considering **complainant No 16 Shivangi Bhartia** student of class VIII in 2020-21 it transpired that the chart was incorrect. Mr Partha Sarathi Bhattacharya fairly agreed to the same and advised Mr Bhartia who was making submissions regarding the same.. The student had opted for Taikundu in Class VIII and was disputing levy of ECS fees even at 80% rate like the previous complainants . The other dispute was enhanced tuition fees without discount, enhanced session fees without discount and enhanced practical fee without discount for 2021-22. When enquiry was made as to why practical fees for class X should not be paid, it was submitted that only laboratory books had been provided. All experiments were done at home and written experiments submitted at the end of semester. So no practical fees were payable .

**Complainant No 17 was Vidhi Bhansali** who was a student of Class X in 2020-21. Substantial sums of money for Academic Year 2020-21 was given as waiver . However in next Academic Year 2021-22when the student is in Class XI claim is based on enhanced session fees, enhanced practical fees and enhanced tuition fees as in other cases. An additional claim on account of stationery fees allegedly paid has been made. Upon enquiry, Mr Partha Sarathi Bhattacharya informed the Joint Special Officers that others have not claimed refund of stationery fees .

For **complainant No 18 Shalika Gupta**, there was technical problem at the end of parent of Shalika Gupta. After waiting for some , Mr Partha Sarathi Bhattacharya made submissions on his behalf.The complainant was a student of Class VIII in 2020-21 and had opted for Fun filled Maths in 2020-21 as ECA. The complaints are similar to others.

**Complainant No 19 was Anfaal Nawaz** a student of Class II in 2020-21 and Class III in 2021-22. The basis of the chart was incorrect and Mr Partha Sarathi Bhattacharya agreed to the same . There was also no document annexed to substantiate the claim. Mr Partha Bhattacharya orally corrected the claim.Essentially the enhanced tuition fees for Class III was Rs 5975 and not Rs

6315. Therefore the amount should be Rs 7140 and not Rs 7271.45.

**Complainant No 20** was **Veronica Gupta** a student of Class 1 in 2020-21 and Class 2 in

2021-22. Complaint is regarding enhancement of session and tuition fees in 2021-22.

Finally **complainant No 21** was **Jahnavi Goenka** a Commerce student of Class XI in 2020-21. In 2020-21, no practical/ECS fees were charged. The chart submitted by Jahnavi Goenka turned out to be incorrect and Mr Partha Sarathi Bhattacharya had to orally correct the same . The only complaint is with regard to Rs 13980 session fees, Rs 9430 practical fees and enhanced tuition fees of RS 6788. Upon enquiry from Joint Special Officers, Mr Partha Sarathi Bhattacharya informed that in case of Class XI and XII Commerce students activities like basketball ,yoga etc are offered and charges for the same are levied under the head practical fees.

All 21 complainants having been given hearing there were no further complaints to consider.

The meeting which started at 5pm finally ended at 6.58 pm without any break.



Chandan Dutta &lt;chandan.jesus2010@gmail.com&gt;

**Fwd: Meeting held on 2nd June 2022 at 5pm in respect of 21 complainants of Ashok Hall Girls' Higher Secondary School**Tilak Kumar Bose <tilakkbose@gmail.com>  
To: chandan.jesus2010@gmail.com

Wed, Jun 8, 2022 at 6:45 PM

----- Forwarded message -----

From: Tilak Kumar Bose &lt;tilakkbose@gmail.com&gt;

Date: Fri, 3 Jun, 2022, 18:50

Subject: Meeting held on 2nd June 2022 at 5pm in respect of 21 complainants of Ashok Hall Girls' Higher Secondary School

To: prasun ghosh &lt;pgsm.pg@gmail.com&gt;

Cc: Dr. Indrajit kundu &lt;indrajitknd5@gmail.com&gt;

Dated 3rd June

To

Prasun Ghosh  
Sandersons&Morgans

Dear Sir,

The meeting as scheduled was held on 2nd June 2022 from 5pm and continued till 6.58 pm. Since no Stenographer was arranged by any of the parties, the minutes had to be noted in hand by one of the Joint Special Officers and the same would later be typed and printed by either of the Joint Special Officers before the same are filed before the Hon'ble High Court. The meeting was attended by Dr Indrajit Kundu, Advocate on record of the complainants, parents of several complainants and Mr Siddhartha Chatterjee, Advocate for the School. The appearance of Mr Siddhartha Chatterjee was noted to be without prejudice to the contention of the School that a clarification application would be filed before the Hon'ble High Court and an intervention application would also be filed in the Special Leave Petition filed in May 2022. It was further urged by Mr Siddhartha Chatterjee, Learned Advocate that copies of the complaints were served on the School only on 1st June 2022. This was confirmed by Dr Indrajit Kundu, Advocate for the complainants. On behalf of the School adjournment was sought to place the correct facts before the Special Officers and it was submitted that the figures in the charts are incorrect. It was also submitted that in view of School's summer vacation many of the teachers were on leave.

After hearing the submissions of the complainants it appears that there are two main disputes. The first dispute is with regard to EXTRACURRICULAR FEES/ LABORATORY FEES charged by the school. It was submitted on behalf of complainants that for classes 4 to 8 extracurricular fees for diverse activities were being charged depending on the option exercised. For the period upto March 2021, 20% discount was given on such ECA fees while from April 2021 no discount of 20% was given. For classes 9 and 10 a similar amount on account of Practical fees was charged. You are requested to give clarification with regard to the same. You are also requested to clarify the position with regard Class 11 and 12 students (both Science and Commerce)

The second dispute is with regard to session fees, tuition fees and ECA fees charged from April 2021 at enhanced rate and without any 20% discount. Kindly clarify whether any discount of 20% was given and whether there had been any increase in above fees or not from April 2021.

You may clarify the above after causing verification from your Accounts department and inform the same to us. It was also submitted at the meeting on behalf of the School that facts and figures in the 21 charts submitted by complainants are incorrect. Please verify from accounts department which figures are incorrect and inform the same to us via email. The above clarifications should reach us by 6pm on 5th June 2022 to enable us to file the report as directed by the Hon'ble High Court. In the event the School is desirous of holding a further meeting the same has to be arranged by the School by providing a virtual link to the Joint Special Officers at least 12 hours before the meeting tentatively scheduled at 7pm on

3/8/22, 7:26 PM

Gmail - Fwd: Meeting held on 2nd June 2022 at 5pm in respect of 21 complainants of Ashok Hall Girls' Higher Secondary School

5th June. The link must also be given to Dr Indrajit Kundu, Advocate of the complainants. In the event the School is desirous of minutes of such meeting being recorded online, the School must arrange for a stenographer.

Yours truly,

Tilak Kumar Bose  
Joint Special Officer

Udayan Chakravarty  
Joint Special Officer

On Thu, 2 Jun, 2022, 14:10 Tilak Kumar Bose, <tilakkbose@gmail.com> wrote:

----- Forwarded message -----

From: **Tilak Kumar Bose** <tilakkbose@gmail.com>

Date: Mon, 30 May, 2022, 13:21

Subject: Re: CAPAN 569 of 2021 Arising out of WPA No 5890 of 2020 Re: Ashok Hall Girls' High Secondary School Parents' Association

To: Dr. Indrajit kundu <indrajitknd5@gmail.com>

Cc: Udayan Chakravarty <udayan.saswati@gmail.com>

30th May 2022

To

Indrajit Kundu, Advocate

Dear Sir,

In terms of orders dated 25th March 2022 and 6th April 2022 passed by Division Bench of Hon'ble High Court at Kolkata, we are required to hold a meeting to hear each of the 21 complaints which were filed by you on behalf of 21 students/ parents of Ashok Hall Girls' High School on 20th May 2022( being the last day before closure of High Court for the summer vacation) Accordingly, you are requested to arrange for a virtual meeting on 2nd June at 5pm and send virtual link therefor to all concerned and in particular both the Joint Special Officers and relevant school authorities at the email address provided by/to you. Please ensure that proper notice is given and service is effected on all concerned. The link for the meeting must be sent at least 24 hours in advance before the scheduled meeting.

Yours truly,

Tilak Kumar Bose  
Joint Special Officer

Udayan Chakravarty  
Joint Special Officer

On Thu, 26 May, 2022, 22:20 Dr. Indrajit kundu, <indrajitknd5@gmail.com> wrote:

Respected sir,

I regret to inform you that the guardians (CPAN 569 OF 2021) informed me that they are not in a position to bear any expenses of stenographer, and allied and fees/ remuneration of joint special officers( if any) as pandemics cause a long term economic impact on them and the same causes fiscal stress. According to them the covid 19 pandemic and resulting economic fallout causes significant hardship to them. Hence at this point I am unable to appoint any stenographer who can work on gratis

This for your kind information

Thanking you,

Indrajit kundu



Chandan Dutta &lt;chandan.jesus2010@gmail.com&gt;

**Fwd: Email Dated June 3, 2022**

**Tilak Kumar Bose** <tilakkbose@gmail.com>  
To: chandan.jesus2010@gmail.com

Mon, Jun 6, 2022 at 6:13 PM

----- Forwarded message -----

From: **Tilak Kumar Bose** <tilakkbose@gmail.com>  
Date: Mon, 6 Jun, 2022, 17:46  
Subject: Fwd: Email Dated June 3, 2022  
To: Tilak Kumar Bose <tilakkbose@gmail.com>

----- Forwarded message -----

From: **prasun ghosh** <pgsm.pg@gmail.com>  
Date: Sun, 5 Jun, 2022, 15:25  
Subject: Email Dated June 3, 2022  
To: <tilakkbose@gmail.com>

To  
Mr. Tilak Bose,  
Special Officer.

My client: Ashok Hall Group of Schools

Sub: Email dated June 03, 2022 sent by the Special Officers

Sir,

I am in receipt of your email under reference, and upon obtaining necessary instruction from my client, I write as under:

As duly recorded by you, my client through its counsel was represented in the meeting convened by the Joint Special Officers on June 02, 2022, without prejudice to its rights and contentions in the proposed applications for clarification of the orders dated April 06, 2022 and April 19, 2022, passed by the Hon'ble High Court at Calcutta in WPA (P) 162 of 2021 and an intervention application in pending special leave petition being SLP No.12815 of 2022 filed against the order dated April 06, 2022, or an independent special leave petition.

From the emails received by my client, it appears that the parents of the wards of Ashok Hall Girls' Higher Secondary School through their Learned Advocate had forwarded 21 charts/complaints to the special officers on May 20, 2022. Upon receipt of the charts/complaints, the special officers directed service of the same immediately on the school. However, for reasons best known to the parents/Advocate representing the 21 parents, a copy of the charts/complaints was served on the school only on June 01, 2022.

Presently, the summer vacation is in vogue and the school is scheduled to reopen on June 13, 2022. Majority of the teachers including the principal and the staff are on leave and are not in Kolkata. The charts/complaints were duly circulated with the concerned persons and it appears that the facts and figures contained therein are erroneous. However, without causing through verification with the concerned departments including the accounts department along with supporting documents, my client is not in a position to effectively and adequately contribute to its defence. The above facts were brought to your attention during the meeting and have been duly noted by you in the email under reference. This situation could have been avoided had the school been served with the charts/complaints as per the directions issued by you on May 20, 2022.

In these circumstances, you are kindly requested to afford 7 days' time from date to enable the school to file a reply to the charts/complaints.

Regards