

જિલ્લા શિક્ષણાધિકારીની કચેરી, સુરત

બ્લોક-એ, ત્રીજો માળ, જિલ્લા સેવા સદન-૨, અઠવાલાઈન્સ, સુરત- ૩૯૫૦૦૧



૨૬૧-૨૬૬૨૯૦૨



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જા.નં./મા-૭/એફ.આર.સી/૨૦૨૫/૬૮૬૬

તા. /૦૬/૨૦૨૫.

પ્રતિ,

આચાર્યશ્રી,

સુરત જિલ્લાની નોન-ગ્રાન્ટેડ (સ્વ-નિર્ભર) પ્રાથમિક, માધ્યમિક અને ઉચ્ચતર

માધ્યમિક શાળાઓ તમામ.

જિ-સુરત.

વિષય:- ફી નિયમન સમિતિ દ્વારા કરવામાં આવતા આદેશોનો અમલ કરવા બાબત.

સંદર્ભ:- અધ્યક્ષશ્રી ફી નિયમન સમિતિ, સુરતનાં જા.નં.૭૯૮, તા-૨૯/૦૫/૨૦૨૫.

ઉપરોક્ત વિષય અને સંદર્ભપત્ર અન્વયે જણાવવાનું કે સુરત જિલ્લાની નોન-ગ્રાન્ટેડ (સ્વનિર્ભર) પ્રાથમિક, માધ્યમિક અને ઉચ્ચતર માધ્યમિક શાળાઓની ફી નિયમન સમિતિ, સુરત ઝોન, જિ-સુરત દ્વારા જે શાળાઓની ફી નક્કી કરવામાં આવેલ છે અને એફ.આર.સી કચેરી દ્વારા જે આદેશો કરવામાં આવેલ છે. તે આદેશો શાળાનાં આચાર્યશ્રી શાળાની વેબસાઈટ પર મુકવા તથા ફરજિયાતપણે નોટીસ બોર્ડ પર તમામ વાલી/વિદ્યાર્થી જોઈ શકે તેમ કાયમી ધોરણે મુકવા આથી જણાવવામાં આવે છે.

ફી નિયમન સમિતિ દ્વારા નક્કી કરવામાં આવેલ ફી તથા શિક્ષણ વિભાગનું તારીખ:૧૭/૦૭/૨૦૧૮નું જાહેરનામું નંબર:GH/SH/23/BMS/1217/484/part-1/CHHમાં દર્શાવેલ ફી સિવાયની અન્ય કોઈપણ પ્રકારની વધારાની ફી શાળા દ્વારા ઉઘરાવી શકાશે નહિ.

જો કોઈ શાળાનાં આચાર્યશ્રી/ટ્રસ્ટશ્રી દ્વારા ઉક્ત સૂચનાનું પાલન કરવામાં ચૂક જણાશે અથવા અત્રેની કચેરીનાં ધ્યાન પર આવશે. તો તેવી શાળા વિરુદ્ધ કડક નિયમાનુસારની કાર્યવાહી હાથ ધરવામાં આવશે. જેની નોંધ લેશે.

બીડાણ:-ઉપર મુજબ

ચીફ કો-ઓર્ડિનેટર

ફી નિયમન સમિતિ

સુરત ઝોન, સુરત.

નકલ રવાના જાણ સાર:-

- પ્રતિ જિલ્લા શિક્ષણાધિકારીશ્રી અને જિલ્લા પ્રાથમિક શિક્ષણાધિકારીશ્રી, ભરૂચ, નર્મદા, નવસારી, તાપી, વલસાડ, ડાંગ

ફી નિયમન સમિતિ, સુરત ઝોન

EC-102, ડીગ્રી ડીપાર્ટમેન્ટ, ડૉ. એસ. & એસ. એસ. ગાંધી એન્જિનિયરીંગ કોલેજ, મજુરાગેટ, સુરત

ઇ-મેઇલ :- frcsuratzone2017@gmail.com

ખ.નં-798

તારીખ : ૨૯/૦૫/૨૦૨૫



પ્રતિ,

જિલ્લા શિક્ષણાધિકારીશ્રી,

જિલ્લા પ્રાથમિક શિક્ષણાધિકારીશ્રી,

ભરૂચ, નર્મદા, સુરત, નવસારી, તાપી,

વલસાડ, ડાંગ.

વિષય : ફી નિયમન સમિતિ દ્વારા કરવામાં આવતા આદેશોનો અમલ કરાવવા બાબત.

સંદર્ભ :

1. ગુજરાત સ્વનિર્ભર શાળા (ફી નિયમન) અધિનિયમ, ૨૦૧૭
2. ગુજરાત સ્વનિર્ભર શાળા (ફી નિયમન) નિયમો, ૨૦૧૭
3. નામદાર ગુજરાત હાઈકોર્ટનો તારીખ : ૦૩/૦૪/૨૦૨૪નો આદેશ.
4. શિક્ષણ વિભાગનું તારીખ : ૧૭/૦૭/૨૦૧૮ નું જાહેરનામાં નંબર : GH/SH/23/BMS/1217/484/part-1/CHH.

ઉપરના વિષય અન્વયે જણાવવાનું કે ફી નિયમન સમિતિ, સુરત ઝોન દ્વારા તાબાની શાળાના ફી નક્કી કરતા આદેશ કરવામાં આવે છે. આ આદેશોને શાળા દ્વારા જો શાળાની વેબસાઈટ હોય તો પોતાની વેબસાઈટ પર અને નોટીસ બોર્ડ પર અને જો વેબસાઈટ ન હોય તો શાળાના નોટીસ બોર્ડ પર તમામ વાલી/વિદ્યાર્થી જોઈ શકે તેમ કાયમી ધોરણે મુકવાના હોય છે. સંદર્ભ દર્શિત કાયદા, નિયમો અને નામદાર ગુજરાત હાઈકોર્ટનાં આદેશ મુજબ તાબાની શાળાઓની ફી નક્કી કરતા આદેશમાં ફી નિયમન સમિતિ દ્વારા નક્કી કરવામાં આવેલી ફીમાં સંદર્ભ -૧ ની કલમ-૨(જ) મુજબ શિક્ષણ ફી(ટ્યુશન ફી), પ્રવેશ ફી, સત્ર ફી અને સંદર્ભ-૪ મા દર્શાવેલ ન હોય તેવી તમામ ફીનો સમાવેશ થઈ જાય છે. આમ ફી નિયમન સમિતિ દ્વારા નક્કી કરવામાં આવેલ ફીથી ઉપરાંતની સંદર્ભ-૪ મા દર્શાવ્યા સિવાયની કોઈપણ પ્રકારની વધારાની ફી શાળા દ્વારા ઉઘરાવી શકાશે નહિ.

ઉપરોક્ત સૂચના આપના તાબાની તમામ શાળાઓ સુધી પહોંચાડવા આપને જણાવવામાં આવે છે. આપના તાબાની તમામ શાળાઓમાં ફી નિયમન સમિતિ, સુરત ઝોને કરેલા આદેશનું પાલન તથા આપેલી સૂચનાનું અમલીકરણ આપની કક્ષાએથી કરાવવાનું રહેશે જેની નોંધ લેશો.

બીડાણ : ઉપર મુજબ


અધ્યક્ષ

ફી નિયમન સમિતિ

સુરત ઝોન, સુરત



સત્યમેવ જયતે

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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV-B

Rules and Orders (Other than those published in Parts I, I-A, and I-L) made
by the Government of Gujarat under the Gujarat Acts

EDUCATION DEPARTMENT

NOTIFICATION

Sachivalaya, Gandhinagar, 25th April, 2017.

GUJARAT SELF FINANCED SCHOOLS (REGULATION OF FEES) ACT, 2017.

No.GH/SH/16/BMS/1117/83/CHH:- In exercise of the powers conferred by section 20 of the Gujarat Self financed Schools (Regulation of Fees) Act, 2017 (Guj. 20 of 2017), the Government of Gujarat hereby makes the following rules, namely:-

1. **Short title and commencement.**- (1) These rules may be called the Gujarat Self financed Schools (Regulation of Fees) Rules, 2017.
- (2) They shall come into force on the date of their publication in the *Official Gazette*.
2. **Definitions.**- (1) In these rules, unless the context otherwise requires,-
 - (a) "Act" means the Gujarat Self financed Schools (Regulation of Fees) Act, 2017 (Guj. 20 of 2017);
 - (b) "commencement" means the date on which these rules come into force;
 - (c) "Fee Regulatory Committee" means the Fee Regulatory Committees constituted under sections 3 of the Act;
 - (d) "Fee Revision Committee" means the Fee Revision Committee constituted under section 12 of the Act;
 - (e) "Form" means the form appended to these rules.
 - (2) The words and expressions used in these rules but not defined hereinabove shall have the same meaning as respectively assigned to them in the Act.

3. **Appointment of Chairperson and other Members of the Fee Regulatory Committees and Fee Revision Committee.**- (1) The State Government shall appoint the Chairperson and Members of the Fee Regulatory Committees and Fee Revision Committee in accordance with the provisions of section 3 and section 12 of the Act immediately after the commencement of these rules.

(2) A person who has been nominated as a Chairperson or a Member of such Committee shall disclose his interests, if any, with affairs of any self financed school before assuming the office. Such interest, if in conflict with the functioning of such Committee shall lead to cancellation of his nomination.

(3) (i) A person who has been nominated as a Chairperson or a Member of such Committee shall maintain utmost confidentiality and secrecy about the deliberations and discussions having taken place in the meetings and decisions taken by the Committee. Disclosure of any such matters or decisions in any manner whatsoever shall make him liable to be removed from such Committee.

(ii) The Chairperson or a Member so removed shall not be eligible for reappointment.

(4) No person who is associated in any manner with the affairs of the Management of any self financed school shall be eligible for being a Member of aforesaid Committee(s) except the Member who is nominated by the State Government under clause (d) of sub-section (4) of section 3 and clause (v) of sub-section (2) of section 12 of the Act, respectively.

4. Terms and Conditions of Appointment of Chairperson and Members of Fee Regulatory Committee and Fee Revision Committee.- (1) The honorarium and other allowances payable and facilities to be provided to the Chairperson and Members other than the *ex-officio* members of the Fee Regulatory Committees and Fee Revision Committee shall be such as may be fixed and specified by the State Government by a general or special order issued in that behalf from time to time.

(2) The term of the Chairperson and Members shall be three years from the date of their assuming the office. In case of vacancy by any reason whatsoever, the same shall be filled in accordance with the provisions of the Act. The term of such member shall be for remainder period of the term of the Chairperson or a Member, as the case may be, in whose place he has been appointed.

(3) The Chairperson, or the Member, as the case may be, shall be eligible for appointment for the period not exceeding two terms.

(4) The Chairperson or Members may resign from the office by giving one month's notice to the State Government and the resignation shall be effective on the date of acceptance of the same by the State Government. The vacancy arisen on account of the resignation shall be filled in as early as possible from the date of occurrence of the vacancy.

5. Meetings of Fee Regulatory Committee.-

(1) The Chairperson shall preside over the meetings of the Fee Regulatory Committee. The Committee may adopt its own procedure for transaction of business as it deems fit.

(2) The date, time and venue of the meeting of the Committee shall be decided by the Chairperson and the same shall be communicated to the members of the Committee by the Co-ordinator of the Committee.

(3) The notice in FORM I, along with the agenda items of the meeting shall be given to the each member of the Committee at least 7 clear days in advance by registered post acknowledgement or any other mode including electronic mode as may be decided by the Committee. The acknowledgement shall be preserved for one year.

(4) Emergency meeting may be called for by the Chairperson of the Fee Regulatory Committee with a short notice of 24 hours.

(5) The quorum at the meeting of the Committee shall be atleast two- third Members of the total strength of the Committee. If there is no quorum at the meeting, the same shall be adjourned for half an hour. Thereafter the meeting shall be held for the transaction of its business.

(6) The District Education Officer, or the District Primary Education officer of the Zonal headquarters, as the case may be, shall be the Co-ordinator of the Committee who shall act as per the directions of the Chairperson and shall prepare proceedings of the meeting and circulate the same to all the Members within seven days from the date of meeting.

(7) All official correspondence relating to administrative nature shall be issued under the signature of the Co-ordinator.

6. Procedure for Submission of Proposal by Self Financed School for Determining of Fee or Fee Structure.- (1) The Self financed school shall prepare and submit to the Fee Regulatory Committee, a proposal in FORM II, for fixation of fee or fee structure, containing the particulars specified in it, for its consideration and approval not later than the 31st October of the year of the proposal. The proposal shall also contain the following matters, namely:-

- (i) proposal shall be for fixation of fee or fee structure for next three years;
 - (ii) audited accounts of the preceding two financial years;
 - (iii) provisional accounts from 1st April to 31st August of the year in which proposal is made alongwith a certificate of Chartered Accountant containing the income and expenditure specifying under the different heads;
 - (iv) proposed budget estimates in respect of the year of proposal with the relevant record and evidence; and
 - (v) expenditure incurred towards the educational related services rendered to the students by the affiliated / holding or subsidiary companies having same or related trustees and directors, directly or indirectly.
- (2) In the event of non-submission of proposal within prescribed time limit or submission of incomplete details for fixation of fee, the Fee Regulatory Committee shall *suo moto* determine the fee structure which shall be binding on such school. The fees structure as determined by the Fee Regulatory Committee *suo moto* shall be applicable for the next three academic years.
- (3) The self financed school shall pay such amount towards the process fee, as may be determined by the State Government, alongwith the proposal.
- (4) The self financed school shall be bound to supply any further information or statements which may be required by the Fee Regulatory Committee within the time limit specified by the Committee.

7. Procedure to be Adopted by Fee Regulatory Committee for determining Fee or Fee Structure.- The Fee Regulatory Committee shall adopt following procedure for determining fee or fee structure or fee commensurate with the facilities provided by the self financed school, namely:-

(1) (a) On receiving the proposal from the self financed school in FORM II, the Fee Regulatory Committee shall scrutinise the proposal in accordance with the provisions of the Act and the rules made thereunder.

(b) The Committee may call for any further information or statements as are necessary for scrutiny of the proposed fee or fee structure from the self financed school within the specified time limit and may offer hearing to the concerned school.

(c) The Committee may authorise any Member or any officer for spot verification of documents and school buildings, etc.

(2) The Committee shall not ordinarily grant more than three adjournments during the course of proceedings.

(3) After considering all the relevant factors as provided in the Act and the rules, the Fee Regulatory Committee shall take a decision on such proposal within a period of ninety days from the date of receipt of the proposal.

(4) The Fee Regulatory Committee shall determine the total fees under a single head which may be levied or collected. The order in FORM III, determining the total fees shall be operative for a period of three years.

(5) In the event of contravention of the Act or the rules, the Fee Regulatory Committee shall pass an order of,-

- (a) refund of differential amount in case the school has collected excess fee; and
- (b) penalty in case of any contravention of the provisions of the Act or the rules.

(6) The fee determined by the Fee Regulatory Committee for Pre-Primary Schools, Primary Schools, Secondary and Higher Secondary Schools shall be displayed by every such self financed school on its notice board in Gujarati and English as also on its official website.

(7) No Self Financed School shall collect fee amounting to more than one quarter from any student at a time and collection of fee for more than one quarter at a time shall be construed as collection of capitation fee and such school shall be liable to be proceeded against in accordance with the provisions of the Act.

(8) The order determining the fee by the Fee Regulatory Committee shall be binding on the self financed school till the revision application is finally decided by the Fee Revision Committee. In the event of increase in fees by the Fee Revision Committee, the self financed school shall be at liberty to collect the differential amount from the student / parents in the next quarter.

8. Special Provisions for Fee or Fee Structure for Academic Year 2017-18.- (1) Within a period of thirty days from the commencement of these rules, the self financed school shall submit to the Fee Regulatory Committee a proposal for fixation of fees or fee structure in FORM - II alongwith the following information, namely:-

- (i) audited accounts for the last two financial years i.e. 2014-2015 and 2015-16; and provisional accounts of financial year 2016-17 alongwith a certificate of Chartered Accountant showing the income and expenditure;
- (ii) fee collected from the students for the previous academic year and also fee collected for the academic year 2017-18;
- (iii) detailed justification for proposed fee or fee structure shall be given along with necessary accounts and statements relating to income and expenditure and such other matters as may be required by the Fee Regulatory Committee;
- (iv) an undertaking to the effect that if the self financed school has collected the fee at the rates of previous academic year and such fee being in excess of the fees fixed by the Fee Regulatory Committee, the difference of the fee collected and fee structure determined by the Fee Regulatory Committee, shall be adjusted in the remaining quarters of the academic year. In case annual fee is taken in advance, excess fee shall be refunded within thirty days.

(2) The Fee Regulatory Committee shall scrutinise the proposal and after giving an opportunity of being heard take a decision within a period of ninety days from the receipt of the proposal.

9. Powers and Functions of Fee Regulatory Committee.- The powers and functions of the Chairperson and the Fee Regulatory Committee amongst others shall be as follows, namely:-

(1) The Chairperson of the Fee Regulatory Committee,-

- (i) shall by an order authorise any officer or person for authentication of such orders and such decisions of the Committee under sub-section (3) of section 6 of the Act;

- (ii) may authorise any member of the Fee Regulatory Committee to visit any school for verification;
- (iii) may authorise any officer for inspection of the accounts and records of the self financed school under sub-section (4) of section 13;
- (iv) shall monitor the strict implementation of the provisions of the Act and the rules.

(2) The Fee Regulatory Committee shall –

- (i) make necessary documents available where the revision application is made by the self financed school to the Fee Revision Committee;
- (ii) call for such other information or statements as are necessary for determination of fee structure or require the presence of the authorised person of the self financed school.

(3) The order of the Committee determining the total fee shall also contain directions to refund the difference of fee within the specific time limit mentioned in it.

10. Process Fee.- The State Government shall by an order determine the process fee for submission of proposal for fixation of fee or fee structure to the Fee Regulatory Committee and for filing revision application before the Fee Revision Committee.

11. Exemption.- (1) The Fee Regulatory Committee may exempt such self financed school from determination of fee that charges the amount of fee lower than the fee prescribed by the State Government by notification in the *Official Gazette*. Such self financed school shall file an affidavit to that effect in FORM IV.

(2) If in the opinion of the Fee Regulatory Committee any self financed school charging amount of fee lower than the fee prescribed by the State Government by notification in *Official Gazette*, has increased the fee unreasonably, then, it shall be competent to call for such school's records for fee regulation.

(3) Exclusive pre-primary classes/play groups/crèches not attached to any school shall be exempted under section 9 of the Act.

Explanation.- For the purposes of second proviso to sub-section (1) of section 9 and sub-rule (3), any tie up, agreement, collaboration of any such pre-primary classes/play groups/crèches with any self financed school either directly or indirectly, or operating under functional/financial or administrative control of the same management or of the relatives or the pre-primary schools being run as franchise or agency by the primary school shall be considered to be an attachment with such school.

12. Maintenance of Accounts and Records under section 13.- Every self financed school shall maintain the accounts in the following manner, namely:-

(1) (a) the self financed school shall keep accounts for different kinds of expenditure and transactions such as fee collected, grants received from the Central / State Government / local authority, donations and financial assistance received, payment of salary and allowances to the teaching and non-teaching staff, purchase of machinery, equipments, laboratory apparatus and consumables, library books, stationery, computers software and other such expenditure incurred for imparting educational activities such as building construction / renovation / expansion of the school, etc.;

(b) certificate relating to Tax Deducted at Source (TDS) for salary of teaching and non-teaching staff;

(c) expenditure incurred towards the related trust or affiliated / holding / subsidiary company having same trustees / directors / members or relatives for educational, management service or house keeping services.

(2) The self financed school shall keep the registers, accounts and records within its premises at all reasonable time for inspection by the Fee Regulatory Committee or the authorised officer.

(3) The accounts maintained by the self financed school together with all vouchers relating to various items or receipts and expenditure shall be preserved by that school till the audit of accounts is over and objection, if any, raised is settled or till a period of seven years, whichever is later.

(4) (a) The self financed school shall maintain the following registers and record for the purposes of the Act and the rules, namely:-

- (i) General Register,
- (ii) Admission Registers,
- (iii) Fee receipt,
- (iv) Fee Collection Register,
- (v) Cash Book,
- (vi) Library Register,
- (vii) Staff Attendance Register,
- (viii) Student Attendance Register,
- (ix) Voucher File,
- (x) Cheque Register,
- (xi) Service Books,
- (xii) Stock Registers,
- (xiii) Transfer Certificate Book,
- (xiv) Contingency Expenditure Register,
- (xv) Asset Register,
- (xvi) Building rent Register,
- (xvii) District Information System for Education (DISE) form,
- (xviii) Unified District Information System for Education (U-DISE) form,
- (xix) Minute book of school management,
- (xx) Register for TDS certificate.

(b) The Principal / Head Master / Managing Trustee or authorised person of the self financed school shall be responsible for maintenance of accounts, records and registers.

13. *Separate Bank Account.*- (1) The self financed school shall open and operate only one bank account by the name “.....” for individual registered school. The student / parents shall make payment of prescribed fees directly to the aforesaid bank account of the concerned school. The acknowledgement of receipt of the total fees collected from the student / parents shall be given in the form of counter foil by the bank, or by the concerned school, as the case may be.

(2) All expenditure towards management, teaching and non-teaching staff, house keeping, etc. shall be incurred from this account.

(3) The payments towards the salary and allowances of the teaching and non- teaching staff members shall be credited directly to their bank account from the aforesaid bank account.

14. *Revision Application.*- (1) Any self financed school being aggrieved by the order of the Fee Regulatory Committee under section 10 of the Act, may prefer a revision application in FORM V, to the Fee Revision Committee, within a period of twenty-one days from the date of receipt of such order alongwith payment of process fees.

(2) A statement stating the grounds for preferring the revision application shall be submitted alongwith FORM V.

(3) In case of delay in preferring the revision application, the applicant self financed school shall also file a delay condonation application with the revision application.

(4) The Fee Revision Committee may call for additional information from the applicant, as it considers necessary for deciding the revision application. The Fee Revision Committee shall call for the records of proceedings of the Fee Regulatory Committee and after considering the same and giving a reasonable opportunity of being heard to the applicant, may confirm, revise or cancel the order against which the revision application is preferred. The decision of the Fee Revision Committee shall be final and conclusive and shall be binding on the self financed school.

(5) The Fee Revision Committee shall take decision on revision application within a period of ninety days from the date of receipt of the said application.

15. Meetings of Fee Revision Committee.-

(1) The Chairperson shall preside over the meetings of the Fee Revision Committee. The Committee may adopt its own procedure for transaction of business as it deems fit.

(2) The date, time and venue of the meeting of the Committee shall be decided by the Chairperson and the same shall be communicated to the members of the Committee by the Member-Secretary of the Committee.

(3) The notice in FORM VI alongwith the agenda items of the meetings shall be given to the each Member of the Committee at least seven clear days in advance by registered post acknowledgement or any other mode including electronic mode as may be decided by the Committee. The acknowledgement shall be preserved for the period of one year.

(4) The emergency meeting may be called for by the Chairperson of the Fee Revision Committee with a short notice of 24 hours.

(5) The quorum at the meeting of the Committee shall be atleast two- third members of the total strength of the Committee. If there is no quorum at the meeting, the same shall be adjourned for half an hour. Thereafter the meeting shall be held for the transaction of its business.

(6) The Member - Secretary of the Committee shall prepare the proceedings of the meeting and circulate the same to the all the members within seven days from the date of meeting.

(7) All official correspondence relating to administrative nature shall be issued under the signature of the Member - Secretary of the Committee. The orders and decisions of the Committee shall also be communicated by the Member - Secretary of the Committee. The Committee may authorise any Member of the Committee to visit the school for verification and any officer for inspection of accounts and records.

16. Procedure for Deciding Revision Application by Fee Revision Committee.- The Fee Revision Committee shall adopt following procedure for deciding the revision application preferred by self financed school in FORM V, namely:-

(1) On receiving the revision application from the Self financed School in the prescribed manner, the Fee Revision Committee,-

(i) shall call for the proceedings of the Fee Regulatory Committee;

- (ii) shall go through the proposal of the self financed school submitted to the Fee Regulatory Committee and relevant documents and evidences attached with such proposal;
- (iii) shall examine the grounds on which the revision application is preferred;
- (iv) may call for any information or evidences as may be necessary for deciding the application from the self financed school to be submitted within the specified time limit;
- (v) shall take into consideration the factors on which the Fee Regulatory Committee has determined the fee structure;
- (vi) consider such other matters as it may deem necessary.

(2) After considering all the relevant factors mentioned in sub-rule (1), the Fee Revision Committee shall take a decision on revision application within a period of ninety days from the date of receipt of the said revision application.

(3) The decision of the Fee Revision Committee shall be communicated to the school management and copy of the same shall be endorsed to the Fee Regulatory Committee.

(4) The order of the Fee Revision Committee shall clearly specify determination of total fees to be levied for three years and imposition of penalty in case of contravention.

17. Powers and Functions of Revision Committee.- The powers and functions of the Chairperson and of the Fee Revision Committee amongst others shall be as follows, namely:-

- (1) The Committee may call for any information or evidences as may be necessary for deciding the revision application from the self financed school.
- (2) The Committee may issue such directions as it deems necessary in order to communicate the decision with respect to matters specified in section 14 of the Act.

18. Obligations of Self Financed School.- (1) The self financed school shall submit the complete proposal for fixation of fee in accordance with the provisions of Act and the rules within prescribed time limit.

(2) The school charging amount of fee lower than the fee prescribed by State Government by notification in the *Official Gazette*, shall file an affidavit to the Fee Regulatory Committee.

(3) The school shall send the complete information or statement as may be called for by the Fee Regulatory Committee and the Fee Revision Committee within the time limit given by the Committee.

(4) The school management / authorised person shall remain present before the Committee as and when required.

(5) The school shall refund the fees as per the directions of the Committee within the time limit.

(6) It shall also inform the Fee Regulatory Committee,-

- (i) regarding any tie up, agreement, collaboration with any pre-primary school / play group either directly or indirectly;
- (ii) regarding any franchise given by the management for pre-primary school operating under functional, financial or administrative control of the same management or of relatives;
- (iii) expenditure incurred towards the related trust or affiliated / holding / subsidiary company having same trustees / directors / members or relatives;
- (iv) having tie up, agreement, understanding or franchise with pre-primary schools or playgroups.

19. Interpretation.- If any question arises as to the interpretation of any rule, the matter shall be referred to the State Government and the decision of the State Government in that behalf shall be final.

FORM I

(See rule 5 (3))

Notice for Meeting of Fee Regulatory Committee

No:

Office of the Fee Regulatory
Committee,

.....Zone,

..... City.

Date:

To,

Mr./Ms.....

Member,

Fee Regulatory Committee,

.....Zone,

.....City.

Subject: Notice of Meeting of Fee Regulatory Committee,
.....Zone.

Sir/Madam,

Notice is hereby given under the provision of rule 5 (3) of the Gujarat Self Financed Schools (Regulation of Fees) Rules, 2017, that the meeting of the Fee Regulatory Committee is to be scheduled to held on (Date:.....) (at:.....hrs.) at (Venue:.....). I am, therefore, directed to request you to attend the meeting.

Agenda of the meeting is enclosed herewith.

I am to invite your attention to the provision of sub-rule (5) of rule 5 the said rules 2017, which provides for the quorum at meeting. As per the provision of the rule, the quorum at meeting shall be at least two-third members of the total strength of the Committee.

In the event of non-attendance of the meeting, intimation to that effect may be given to the undersigned.

By order and on behalf of the Chairperson of the Committee,

()

Co-ordinator

Fee Regulatory Committee,

.....Zone.

FORM II

(See rule 6(1))

**Proposal for Fixation of Fee Structure of
_____ School.**

From:

Name of Applicant.

Address of School

With pin code.

Tel No. (o)

Mob. No.

Email Id:

Date:

To,

The Chairperson,

Fee Regulatory Committee,

_____ Zone.

(Ahmedabad/Vadodara/Rajkot/Surat).

Subject: Proposal for Fixation of Fee Structure of

_____ School for the academic years _____

Sir/Madam,

In accordance with the provision of Gujarat Self-Financed Schools (Regulation of Fees) Rules, 2017, the proposal for fixation of the fee structure of the _____ school run by _____ (name of trust/Company/body) is submitted along with Annexure – I and II annexed to the Form.

2. The management of the aforesaid self financed school vide its resolution No. _____ Dated: _____ has decided to fix / revise the fee structure for the academic years _____ to _____ and submit hereby for consideration of the Committee.
3. We have read and understood the provisions of the Gujarat Self Financed Schools (Regulation of Fees) Act, 2017 (Guj. 20 of 2017) and the rules made their under and abide by the same.
4. The copies of audited accounts, provisional accounts, certificate of Chartered Accountant and other documents and evidences as required under the said rules are attached here with.
5. An undertaking and affidavit as required under the rules is enclosed here with

Yours Faithfully,

(Name)

Principal/Head Master/

Managing Trustee

School's Name:.....

Trust's Name:.....

Date:.....

Encl: As above.

ANNEXURE – I
(Annexed to FORM II)
UNDERTAKING
(under rule 6)

(To be furnished on Rs.100/- on non-judicial stamp paper by the
authorised person of the self financed school)

I, Mr./Ms.....
undersigned residing at..... age:..... in the
capacity of Principal / Head Master / Director / Managing Trustee / authorised person, hereby state
that.....(Name of the School) has
submitted the proposal for fixation /revision of fee structure under rule 6 of the Gujarat Self
Financed Schools (Regulation of Fees) Rules, 2017, to the Fee Regulatory Committee for the
aforesaid school for the academic years (here specify the year).

(1) I undertake that –

- (i) the school management shall levy / collect the fee as per the fixation by the Fee Regulatory Committee,
- (ii) any excess fee collected shall be refunded or adjusted as per the provisions of the rules within stipulated time period.
- (iii) supply the information or statements and further evidence, if any, as may be required by the Fee Regulatory Committee,
- (iv) comply with the directions of the Fee Regulatory Committee and Act and rules.

(2) I state that the

- (i) process fee has been paid in the office of the Fee Regulatory Committee,
- (ii) copies of accounts and evidences and necessary documents as are required with the application have been provided.

Principal/Head Master/
Managing Trustee/

Place:

Authorised Officer/Person

Date:.....

School's Name:.....

Trust's Society's Name:.....
Company

AFFIRMATION

I, Mr./Ms. undersigned residing
at..... age:..... in the capacity of Principal / Head
Master / Director / Managing Trustee / authorised person, hereby-

(1) solemnly declare and affirm that –

- (i) the particulars mentioned in the proposal in Form No. II,
- (ii) accounts are duly audited by the Chartered Accountant and the provisional accounts with
certificate of Chartered Accountant,
- (iii) statement showing the income and expenditure statement on the basis of separate bank account,
- (iv) information provided and evidences produced with the proposal
are true and correct to the best of my knowledge,

(2) assure to comply with the provisions of the Act and the rules made thereunder.

(3) state that I have not suppressed any material facts and not furnished any false or incorrect information.

(4) state that I am aware that making a false affidavit is a punishable offence.

(Name)

Principal/Head Master/

Managing Trustee/

Authorized Officer/Person

School's Name:.....

Trust's /Society's Name:.....

Company

Place:

Date:.....

Affirm before

Name and Address :-

ANNEXURE II**PART – I****General Information**

1. Full name of the Trust/Society/Company/Managing Committee:
2. Whether the Trust/Society/Company/Managing Committee registered? Yes/No.
(If 'Yes' attach the copy of registration letter)
3. Date of Registration:
4. Full name and Official Address of the Managing Trustee/President/Chairman of the Management:-
Name:
Address:
Pin code:
Mobile No. : Landline No.:
Email Address:
5. Name and Address of the Person who is authorised to take final decision regarding school administration:
Name:
Address:
Pin code:
Mobile No. : Landline No.:
Email Address:
6. Date and Year of Establishment of School:
(Please give Details Section wise)
Pre Primary: Primary:
Upper Primary: Secondary:
Higher Secondary (General Stream) _____ (Science Stream) _____
7. Location of School:
Area: Urban/Rural/Tribal City/Town:
School Type-Boys/Girls/Co Education. Taluka:
District:
8. U-DISE Number:-
Primary Section: Secondary Section:
9. Name of Board with which School is Affiliated:
GSHSEB/CBSE/IB/Cambridge/Others (Please Mention Name):
10. School Affiliation Number:
In case of GSHSEB, Mention Index No.: SSC HSC

11. Medium of Instruction:

(If School is imparting education in more than one medium, please specify information (Section wise))

12. For which section you have submitted this Application? Please (✓)

Pre Primary ☐ Primary ☐ Upper Primary ☐ Secondary ☐
Higher Secondary: General ☐ Science ☐

13. Standard from to

14. Is the school runs in shifts? Yes/No

If 'Yes' mention details as below in Table . If 'No' mention provide details.

TABLE

A. Number of Classes in First Shift and Time, with the name of In-charge of the shift(Telephone No.).

Type	Standard from _____to_____	Number of Classes	Medium	Time From _____to_____
(1)	(2)	(3)	(4)	(5)
Pre Primary				
Primary				
Secondary				
Higher Secondary General				
Science				

B. Number of Classes in Second Shift and Time, with the name of In-charge of the shift (Telephone No.).

Type	Standard from _____to_____	Number of Classes	Medium	Time From _____to_____
(1)	(2)	(3)	(4)	(5)
Pre Primary				
Primary				
Secondary				
Higher Secondary General				
Science				

15. Name and Address of Principal/Head Master/Supervisor or person in-charge or authorised person responsible for the academic and administrative affairs of the school (Telephone No).
(Please mention details of person who is fully responsible for day to day business of school academic and administration)

Section	Name	Designation	Address	Mobile No.	Landline No.	Email
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Pre Primary						
Primary						
Upper Primary						
Secondary						
Higher Secondary						
General Stream						
Science Stream						

I certify that all the information furnished in this part of application form is true and correct to the best of my knowledge and belief and which is verified from the original records of the school.

Sign:

Name: _____

Designation: _____

Official Seal: _____

PART - II

1. Details of Students and Teachers : (Please attach separate Sheet)

Sr. No	Standards	No. of Classes Approved/sanctioned	Medium	Total Number of Students			Total Number of Teachers	Pupil/student - Teacher Ratio
				Boys	Girls	Total		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

2. Details of Teaching Staff : (Please attach separate Sheet)

Sr. No	Section	Name	Designation	Qualification with Subject	Date of Appointment in this School	Total Experience	PAN No.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

3. Details of Non-teaching Staff : (Please attach separate Sheet)

Sr. No	Section	Name	Designation	Qualification with Subject	Date of Appointment in this School	Total Experience	PAN No.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

4. Results of last Three Years:

Sr. No	Standard		Result (%)								
			2015 No. of Students			2016 No. of Students			2017 No. of Students		
			Appeared	Pass	%	Appeared	Pass	%	Appeared	Pass	%
1	8 th										
2	9 th										
3	10 th										
4	12th	General									
		Science									

5. Mention Co-Curricular Activities carried on in the school (Give the details of last academic year) : (Please attach separate Sheet)

Sr. No.	Name of the Activity	No. of Students Participate

PART – III
Information relating to Infrastructure

1. Land :

(i) Survey No.:

(ii) Total Area : _____ Sq. Meter

(iii) Built up Area _____ sq. Meters.

(iv) Area of Playground _____ sq. Meters.

(Please attach self-attested photocopy of above mentioned documents)

2. (a). Room Specifications of School:

Sr. No	Particulars	Nos.	Area	Remarks
1	Classrooms			
2	Library			
3	Laboratory			
4	Auditorium			
5	Computer Lab			
6	Common Room/Girls Room			
7	Reading Room			
8	Conference Room			
9	Principal Room			
10	Admin Room			
11	Supervisor Room			
12	Staff Room			
13	Craft Room			
14	Music Room			
15	Sports Room			
16	Drawing Room			
17	Any Other Room Facility			

(b). Sanitation Facilities:

Category	No. of Toilets	No. of Urinals	No. of Bathroom
Boys			
Girls			
Staff			

(c). Miscellaneous information :

- (i) Number of drinking water points:
- (ii) Number of Books in Library:
- (iii) Number of Magazines in Library:
- (iv) Number of Computers:
- (v) Number of Projectors:
- (vi) Number of Smart Class Equipment:
- (vii) Number of Tablets:
- (viii) Number of Benches:
- (ix) Is there BISAG Connectivity? Yes/No.
- (x) Internet connectivity..... Yes/No.

(Please attach photocopy of all the items noted in the pages of the Dead Stock Register mentioned in part (c))

PART - IV**Financial Information****1. Bank Account Details :**

- 1) Name of the Bank:
- 2) Type of Account :
- 3) Account No.:
- 4) IFSC Code:

2. Names of person authorised to operate and sign the cheques :

- (a) Name : _____ (a) Name : _____
 (b) Designation : _____ (b) Designation : _____

3. Balance on the date of Application (In figure and words):

(In figure) _____ (Inwards) _____

(If the school is having more than one account for to manage the affairs of the school, give information of all Accounts In separate sheet in the afore said proforma.)

4. Details of ownership of the school building :

- (A) Name of the owner :
 (B) Relations with the management or school :-
 (C) Total Cost of Land:
 (a) At the time of purchase: _____
 (b) As on today as per market Value: _____
 (D) Total amount of construction cost:
 (E) Total carpet area of the building: _____ Sq. meter
 (E) Year of construction:

5. Details of Rent:

- (A) Name of the owner:
 (B) Relation of owner with school management or school:
 (C) Yearly Amount of Rent of Building:
 (D) Yearly Amount of Rent of Playground:
 (E) Duration of Rent Deed:
 (F) Amount of rent paid in last three years :

2014-15	2015-16	2016-17

(G) Details of Account in which rent was credited:

- (i) Name of the Bank:
- (ii) Branch:
- (iii) Name of the Account Holder:
- (iv) Account Number:

6. Details of Income:- Academic Year _____ To _____

(Please mention below details of income of last two academic year in separate sheet, Amount should be shown on yearly bases from 1st April to 31st August, give Account Details as per C.A. Certificate)

Sr. No	Type of Income	Pre-Primary	Primary	Upper Primary	Secondary.	Higher Secondary		Other
						General	Science	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1	Tuition Fee							
2	Term Fee							
3	Library Fee							
4	Laboratory Fee							
5	Deposit							
6	Gymkhana Fee							
7	Caution money							
8	Examination Fee							
9	Admission Fee							
10	Yoga & Physical Education Fee							
11	Donation							
12	Books Selling							
13	Uniform Selling							
14	Shoes Selling							
15	Computer Fee							
16	Activity Fee							
17	Transportation Fee							
18	Break Fast Or Lunch Fee							
19	Government Grant Received if any							
20	Any other Income							
21	Any other amount collected by school not covered in the aforesaid heads							

7. Details of Salaries and Allowances:

Academic Year _____ to _____

A.

Sr. No.	Section	No. of Academic Staff/ Teaching Staff	Expenditure towards Salary and Allowances of Academic Staff/ Teaching Staff	No. of Non-Academic Staff/ Non-Teaching Staff	Expenditure towards Salary and Allowances of Non-Academic Staff/ Non-Teaching	Total Annual Expenditure towards Salary and Allowances.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	Pre Primary Section					

2	Primary Section					
3	Upper Primary					
4	Secondary					
5	Higher Secondary					
	(i) General					
	(ii) Science					
Total						

B. Average expenditure per person of academic staff per year _____

C. Average expenditure per person of non-academic staff per year _____

(Please attach separate sheet of last two academic years)

D. Detail of Total Expenditure:-

Academic Year _____ to _____

Sr. No.	Type of Expenditure	Amount Rs.	Remarks
(1)	(2)	(3)	(4)
1.	Salary and Allowances		
2.	Building and Playground Rent.		
3.	Taxes of Building		
4.	Electricity Bill		
5.	Activity Expenditure		
6.	Amount disbursed to any Agency or Company regarding School Activity		
7.	Expenditure for Maintenance		
8.	Expenditure on Books		
9.	Expenditure on Shoes		
10.	Expenditure on Transportation		
11.	Expenditure on Computers		
12.	Expenditure on Uniform		
13.	Expenditure on House keeping		
14.	Expenditure on examination		
15.	Affiliation Fee (with Board)		
16.	Miscellaneous Expenditure		
Total			

(Please attach separate sheet of last two academic years)

8. Proposed Fee Structure of academic year _____ to _____

Sr. No.	Section	Yearly Fee	If intends to increase the fee, give justification and reasons.
(1)	(2)	(3)	(4)
1.	Pre Primary		

2.	Primary		
3.	Upper Primary		
4.	Secondary		
5.	Higher Secondary General		
	Science		

Note: School may propose commuted amount of different head of fee and propose to determine total fee under a single head to be levied/collected as annual fee.

(Name)
Designation
(Applicant)

Official Seal:

FORM III

(See rule 7 (4))

Order determining the fees under the Gujarat Self Financed Schools
(Regulation of Fees) Rules, 2017.

No.....

Office of the Fee Regulatory Committee

.....Zone

..... City.

Date:

Read:-

- (1) Proposal of the Management of the self-financed (School's Namein Form II along with the documents, evidences, undertaking and affidavit dated.....
- (2) Other documents, information provided and evidences submitted by the school at the time of personal hearing on date.....

ORDER:

1. Whereas the Management of the self financed (School's Namehas submitted the proposal for the fixation of fee structure in Form II along with an undertaking and affidavit of the authorised person of the school on.....*..... under rule 6 of the Gujarat Self Financed Schools (Regulation of Fees) Rules, 2017 made under the Gujarat Self Financed Schools (Regulation of Fees) Act, 2017 (Guj. 20 of 2017).

2. Whereas the proposal for fixation of fees has been examined and considered on the basis of the aforesaid factors as well as proofs and documents submitted by the management of the school with reference to the relevant factors and provisions of the Act and the said rules.

3. Whereas the personal hearing was also given to the management of the self financed school.

4. Now, therefore, in exercise of the powers conferred by section 10 of the said Act read with sub-rules (3) and (4) of rule 7 of the said rules and subject to the conditions specified in this order, the Fee Regulatory Committee hereby determines the total fee which shall be levied by the self financed school per student of different standard as specified in column (9) of the Table below :

TABLE

Fee for Pre-primary / Primary / Secondary / Higher Secondary (General / Science Stream)

Sr. No.	Section	No. of Students	Total Income	Total Expenditure	Income per Student	Expenditure per Student	Fees proposed by school per student	Total fees determined per student
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1	Pre Primary							
2	Primary							
3	Upper Primary							

4	Secondary							
5	Higher Secondary General							
	Science							

Conditions:

1. The total fee determined shall be levied for three academic years commencing from the
2. The school shall not collect fee amounting to more than one quarter fee at one time from any student and collection of fee for more than one quarter at one time shall be construed as collection of capitation fee and such school shall be liable for penalty in accordance with the relevant provisions of the Act and the rules.
3. The fee determined shall be displayed by the school on its notice board and official website in Gujarati and English language.
4. The excess fee collected by the school shall be refunded to the students/parents within a period of thirty days from the date of this order.
5. In case, the fee determined by the Committee is higher than the actual fee collected by the school, then, the difference of fee shall be payable by the students/parents within reasonable time.

By order of the Fee Regulatory Committee,

(Name)

(Designation / Authorise Person)
Fee Regulatory Committee
.....Zone.



FORM IV

(See rule 11(1))

(To be furnished on Rs.100/- on non-judicial Stamp Paper by the Self finance school)

AFFIDAVIT

TheTrust/ Society / Company runs the.....(Name of the School) At:..... City:...../Town:...../Taluka:...../ District: having School Index No.....

The aforesaid school has collected / charged the fee for the academic year 2015-16 and 2016-17 from the students of different standards as per the details given in the Table below:

TABLE

**Fee for Pre-primary / Primary / Secondary / Higher Secondary
(General / Science Stream)**

Sr. No.	Standard	Medium		Fee collected/ charged		Fee collected for academic year 2017-18	Fee increased after issue of notification by the State Government
		Gujarati	English	2015-16	2016-17		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.							
2.							
3.							

I am to state that the fee collected /charged by the school is lower than the fee prescribed by the Government Notification, Education Department No.GS/HS/20/BMS/1117/83/CHH, dated the 25th April, 2017.

AFFIRMATION

I, undersigned(Name)....., (age:.....years.....), (mention occupation, name of the school / trust / company and address) residing at..... in the capacity of Principal / Head Master / Managing Trustee / Director/Authorised Person, of (Mention name of School) At:..... City...../ Town...../ Taluka...../ District having School Index No.....hereby solemnly declare that the statements made in the aforesaid paragraphs are true and correct to best of my knowledge and belief and stated on the basis the record of the school.

I have not suppressed any material facts and nor furnished any false or incorrect information. I am aware that making a false affidavit is a punishable offence.

Principal/Head Master/
Managing Trustee/
Authorised Officer/Person

School's Name:.....

Place:

Trust's Name:.....

Date:.....

..... Company

Affirm before

Name and Address :-

FORM V

(See rule 14)

**Revision Application to the Fee Revision Committee
under sub-section (3) of section 12.**

From:

Name and Address of the School.

Date:

Tele. No. (o)

Mobile No.

To,
The Chairperson,
Fee Revision Committee,
.....
.....

Subject: Revision Application against the order of the Fee Regulatory Committee under sub-rule (1) of rule 14 of the Gujarat Self Financed Schools (Regulation of Fees) Rules, 2017.

Ref.: Order of the Fee Regulatory Committee,Zone,No,
..... dated the

Sir / Madam,

The proposal of the School Management of (School Name.....
.....) School dated the _____ presented in Form No.II
before the Fee Regulatory Committee _____ Zone for approval /revision of fee structure has
been refused / rejected / partially granted by the Fee Regulatory Committee for the reasons stated in its order
No. _____ dated the _____.

Being aggrieved by the decision of the Fee Regulatory Committee, this revision application is
preferred under sub-section (3) of section 12 of the of Gujarat Self Financed Schools (Regulation of Fees)
Act, 2017 read with rule (1) of rule 14 of the Gujarat Self Financed Schools (Regulation of Fees) Rules,
2017 on the grounds as stated in the Statement annexed to this application for appropriate orders and reliefs
as also and on the basis of the statement of accounts and supported with documents and evidences which
were placed before the Fee Regulatory Committee.

The particular of the school/standard/Division etc. are as under.

1. Name of the Trust /Society / Company:
2. Name of the School:
3. Location of School-
 - (i) Area :
 - (ii) City/Town :
 - (iii) Taluka :
 - (iv) District :
4. Type of School-
 - (i) Pre- primary,
 - (ii) Primary.
 - (iii) Secondary,

- (iv) Higher Secondary
5. U- DISE No. :
6. School Affiliation No:
7. Board Type (GSHSEB or ICSE or CBSE or Other) :
8. Medium :
9. Information in the following Table :

TABLE

Sr. No.	Standard	No. of Classes	Total No. of Students.	No. of Teachers Standard Wise.	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
1.					
2.					
3.					
4.					
5.					
6.					

10. Total Students:.....

11. Class-wise proposed fee:

Sr. No	Standard	Fee for the previous academic years	Proposed Fee structure	Difference of fee (4-3)	Percentage of fee increase/hike	Reasons / Justifications for increase of fee
(1)	(2)	(3)	(4)	(5)	(6)	(7)

The detail of the proposed fee structure and justification for the same is detailed in the accompanying documents.

The prescribed fee for filing this revision application is paid in the office of the Fee Regulatory Committee. (Copy enclosed)

This Revision Application is filed within the prescribed time limit.

The application for condonation for delay is also made along with this revision application as the Revision Application could not be filed within the time limit prescribed by the Act for the reasons stated in the said application. It is requested to condone the delay.

It is respectively prayed to entertain this application and grant the reliefs as prayed for.

On behalf of School Management/ Trust/Society/ Company

Yours faithfully,

()

Principal/Head Master/
Managing Trustee

School's Name:.....

Trust's Name:.....

Date:.....

FORM VI

(See rule 15(3))

Notice for Meeting of Fee Revision Committee

No:
Office of the Fee Revision
Committee,
Address:.....,
.....
Date:

To,
Shree.....
Member,
Fee Revision Committee,
Address:.....,
.....

Subject: Notice of Meeting of Fee Revision Committee,
.....

Sir/Madam,

Notice is hereby given under the provision of rule 15 (3) of the Gujarat Self Financed Schools (Regulation of Fees) Rules, 2017 that the meeting of the Fee Revision Committee is scheduled to be held on (Date:.....) (at:.....hrs.) at (Venue:.....). I am, therefore, directed to request you to attend the meeting.

Agenda of the meeting is enclosed herewith.

I am to invite your attention to provision of sub-rule (5) of rule 15 the said rules, 2017 which provides for the quorum at meeting. As per the provisions of the said sub-rule, the quorum at meeting shall be at least two-third members of the total strength of the Committee.

You are kindly requested to attend the meeting.

In the event of non-attendance of the meeting, intimation to that effect may be given to the undersigned.

By order and on behalf of the Chairperson of the Committee,

()
Member- Secretary
Fee Revision Committee,
.....

By order and in the name of the Governor of Gujarat,

AJAY BHATT

Deputy Secretary to Government.

EDUCATION DEPARTMENT**NOTIFICATION**

Sachivalaya, Gandhinagar, 25th April, 2017.

GUJARAT SELF FINANCED SCHOOLS (REGULATION OF FEES) ACT, 2017.

No.GH/SH/17/BMS/1117/83/CHH:- In exercise of the powers conferred by clause (c) of section 2 of the Gujarat Self financed Schools (Regulation of Fees) Act, 2017 (Guj. 20 of 2017), the Government of Gujarat hereby specifies the following districts as the educational districts as shown in column (2) of the Schedule appended to this notification for the purposes of the said Act.

SCHEDULE

Sr. No.	Name of District	Sr. No.	Name of District
(1)	(2)	(1)	(2)
1.	Ahmedabad City	18.	Kachchh
2.	Ahmedabad District(Rural)	19.	Kheda
3.	Amreli	20.	Mahisagar
4.	Anand	21.	Mehsana
5.	Arvalli	22.	Morbi
6.	Banaskantha	23.	Narmada
7.	Bharuch	24.	Navsari
8.	Bhavnagar	25.	Panchmahal
9.	Botad	26.	Patan
10.	Chhotaudepur	27.	Porbander
11.	Dahod	28.	Rajkot
12.	Dang	29.	Sabarkantha
13.	Devbhumi Dwarka	30.	Surat
14.	Gandhinagar	31.	Surendranagar
15.	Gir Somnath	32.	Tapi
16.	Jamnagar	33.	Vadodara
17.	Junagadh	34.	Valsad

By order and in the name of the Governor of Gujarat,

AJAY BHATT

Deputy Secretary to Government.

EDUCATION DEPARTMENT**NOTIFICATION**Sachivalaya, Gandhinagar, 25th April, 2017.**GUJARAT SELF FINANCED SCHOOLS (REGULATION OF FEES) ACT, 2017.**

No.GH/SH/18/BMS/1117/83/CHH:- In exercise of the powers conferred by sub-sections (1), (2) and (4) of section 3 read with section 4 of the Gujarat Self financed Schools (Regulation of Fees) Act, 2017 (Guj. 20 of 2017), the Government of Gujarat hereby,-

- (i) constitutes a Fee Regulatory Committee consisting of the following members for each Zone, namely:-
1. Retired District and Sessions Judge or
retired member of All India Service
not below the rank of Principal Secretary or
retired member of Indian Police Service
not below the rank of Additional Director
General of Police..... Chairperson,
 2. a Chartered Accountant,..... Member,
 3. a Civil Engineer or Government Approved Valuer Member,
 4. a representative of the self financed school
management of the respective zone..... Member,
 5. a academician of repute..... Member;

(ii) directs that the District Education Officer or the District Primary Education Officer of the concerned district shall act as the Co-ordinator of the Fee Regulatory Committee; and

(iii) specifies that the Fee Regulatory Committee for each Zone and its headquarters shall be as specified in columns (2) and (3) of the Schedule appended to this notification, respectively; and also specifies that the jurisdiction of each Zone shall be comprising of the districts as specified in column (4) of the said Schedule.

SCHEDULE

Sr. No	Name of Zone	Headquarters of Committee		Name of District
(1)	(2)	(3)		(4)
1.	Fee Regulatory Committee, Ahmedabad Zone	Ahmedabad	(1)	Ahmedabad City
			(2)	Ahmedabad District(Rural)
			(3)	Gandhinagar

Sr. No	Name of Zone	Headquarters of Committee		Name of District
(1)	(2)	(3)		(4)
			(4)	Mehsana
			(5)	Patan
			(6)	Sabarkantha
			(7)	Banaskantha
			(8)	Arvalli
			(9)	Botad
			(10)	Kachchh
2.	Fee Regulatory Committee, Vadodara Zone	Vadodara	(1)	Vadodara
			(2)	Kheda
			(3)	Anand
			(4)	Mahisagar
			(5)	Panchmahal
			(6)	Dahod
			(7)	Chhotaudepur
3.	Fee Regulatory Committee, Rajkot Zone	Rajkot	(1)	Rajkot
			(2)	Surendranagar
			(3)	Junagadh
			(4)	Gir Somnath
			(5)	Jamnagar
			(6)	Devbhumi Dwarka
			(7)	Amreli
			(8)	Porbander
			(9)	Bhavnagar
			(10)	Morbi
4.	Fee Regulatory Committee, Surat Zone	Surat	(1)	Surat
			(2)	Valsad
			(3)	Tapi
			(4)	Narmada
			(5)	Dang
			(6)	Bharuch
			(7)	Navsari

By order and in the name of the Governor of Gujarat,

AJAY BHATT

Deputy Secretary to Government.

EDUCATION DEPARTMENT
NOTIFICATION

Sachivalaya, Gandhinagar, 25th April, 2017.

GUJARAT SELF FINANCED SCHOOLS (REGULATION OF FEES) ACT, 2017.

No.GH/SH/19/BMS/1117/83/CHH:- In exercise of the powers conferred by sub-sections (1) and (2) of section 12 of the Gujarat Self financed Schools (Regulation of Fees) Act, 2017 (Guj. 20 of 2017), the Government of Gujarat hereby constitutes Fee Revision Committee, for the purpose of this Act, consisting of the following members as follows, namely:-

- | | | |
|----|---|-----------------------|
| 1. | Retired Judge of the High Court.... | Chairperson, |
| 2. | Secretary to Government,
Education Department
(Primary and Secondary) <i>ex-officio</i> | Member, |
| 3. | Secretary to Government, Finance Department or
his representative not below the rank of
Deputy Secretary- <i>ex-officio</i> ... | Member, |
| 4. | Secretary, Secondary and Higher Secondary,
Education Board or
Director of Primary Education,
Gujarat State - <i>ex-officio</i> | Member-
Secretary, |
| 5. | One representative from the self financed
school management..... | Member, |
| 6. | A Chartered Accountant,..... | Member. |

By order and in the name of the Governor of Gujarat,

AJAY BHATT

Deputy Secretary to Government.

EDUCATION DEPARTMENT**NOTIFICATION**

Sachivalaya, Gandhinagar, 25th April, 2017.

GUJARAT SELF FINANCED SCHOOLS (REGULATION OF FEES) ACT, 2017.

No.GH/SH/20/BMS/1117/83/CHH:- In exercise of the powers conferred by sub-section (1) of section 9 of the Gujarat Self financed Schools (Regulation of Fees) Act, 2017 (Guj. 20 of 2017), the Government of Gujarat,-

- (i) hereby specifies that the self financed schools specified in column (2) charging the fee lower than the fee specified in column (3) of the Table shown below, shall be exempted from the determination of fee;
- (ii) directs that the schools which are charging the fee more than the fees specified in column (3) of the said Table shall require to submit the proposal for approval and fixation of fee in accordance with provisions of the said Act.

TABLE

Sr. No.	Category of self financed school	Amount of fee (per annum)
(1)	(2)	(3)
1.	Pre-Primary and Primary Schools	Rs. 15,000/-
2.	Secondary and Higher Secondary Schools (General Stream)	Rs. 25,000/-
3.	Higher Secondary Schools (Science Stream)	Rs. 27,000/-

The fee shall be applicable from the academic year 2017-18.

By order and in the name of the Governor of Gujarat,

AJAY BHATT

Deputy Secretary to Government.



IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CIVIL APPLICATION (FOR LEAVE TO APPEAL) NO. 1240 of 2023

In R/LETTERS PATENT APPEAL NO. 334 of 2024

With
R/LETTERS PATENT APPEAL NO. 334 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 18076 of 2019
With
R/LETTERS PATENT APPEAL NO. 335 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 6185 of 2021
With
CIVIL APPLICATION (FOR STAY) NO. 2 of 2023
In R/LETTERS PATENT APPEAL NO. 334 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 18076 of 2019
With
R/CIVIL APPLICATION NO. 1263 of 2024
In
R/LETTERS PATENT APPEAL NO. 332 of 2024
With
R/LETTERS PATENT APPEAL NO. 332 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 7232 of 2021
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2023
In R/LETTERS PATENT APPEAL NO. 332 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 7232 of 2021
With
R/CIVIL APPLICATION NO. 1266 of 2024
In
R/LETTERS PATENT APPEAL NO. 333 of 2024
With
R/LETTERS PATENT APPEAL NO. 333 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 18895 of 2019
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2023
In R/LETTERS PATENT APPEAL NO. 333 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 18895 of 2019
With
R/CIVIL APPLICATION NO. 1185 of 2024
In
R/LETTERS PATENT APPEAL NO. 335 of 2024
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2023
In R/LETTERS PATENT APPEAL NO. 335 of 2024
In



R/SPECIAL CIVIL APPLICATION NO. 6185 of 2021
With
R/CIVIL APPLICATION NO. 1186 of 2024
In
R/LETTERS PATENT APPEAL NO. 336 of 2024
With
R/LETTERS PATENT APPEAL NO. 336 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 21384 of 2019
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2023
In **R/LETTERS PATENT APPEAL NO. 336 of 2024**
In
R/SPECIAL CIVIL APPLICATION NO. 21384 of 2019
With
R/CIVIL APPLICATION NO. 1187 of 2024
In
R/LETTERS PATENT APPEAL NO. 337 of 2024
With
R/LETTERS PATENT APPEAL NO. 337 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 4395 of 2022
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2023
In **R/LETTERS PATENT APPEAL NO. 337 of 2024**
In
R/SPECIAL CIVIL APPLICATION NO. 4395 of 2022
With
R/CIVIL APPLICATION NO. 1189 of 2024
In
R/LETTERS PATENT APPEAL NO. 338 of 2024
With
R/LETTERS PATENT APPEAL NO. 338 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 6186 of 2021
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2023
In **R/LETTERS PATENT APPEAL NO. 338 of 2024**
In
R/SPECIAL CIVIL APPLICATION NO. 6186 of 2021
With
R/CIVIL APPLICATION NO. 1202 of 2024
In
R/LETTERS PATENT APPEAL NO. 339 of 2024
With
R/LETTERS PATENT APPEAL NO. 339 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 20881 of 2019
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2023
In **R/LETTERS PATENT APPEAL NO. 339 of 2024**
In
R/SPECIAL CIVIL APPLICATION NO. 20881 of 2019
With
R/CIVIL APPLICATION NO. 1203 of 2024



In
R/LETTERS PATENT APPEAL NO. 340 of 2024
With
R/LETTERS PATENT APPEAL NO. 340 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 15325 of 2019
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2023
In R/LETTERS PATENT APPEAL NO. 340 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 15325 of 2019
With
R/CIVIL APPLICATION NO. 1204 of 2024
In
R/LETTERS PATENT APPEAL NO. 341 of 2024
With
R/LETTERS PATENT APPEAL NO. 341 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 5302 of 2020
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2023
In R/LETTERS PATENT APPEAL NO. 341 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 5302 of 2020
With
R/CIVIL APPLICATION NO. 1205 of 2024
In
R/LETTERS PATENT APPEAL NO. 342 of 2024
With
R/LETTERS PATENT APPEAL NO. 342 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 15866 of 2019
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2023
In R/LETTERS PATENT APPEAL NO. 342 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 15866 of 2019
With
R/CIVIL APPLICATION NO. 1206 of 2024
In
R/LETTERS PATENT APPEAL NO. 343 of 2024
With
R/LETTERS PATENT APPEAL NO. 343 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 1341 of 2021
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2023
In R/LETTERS PATENT APPEAL NO. 343 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 1341 of 2021
With
R/CIVIL APPLICATION NO. 1209 of 2024
In
R/LETTERS PATENT APPEAL NO. 344 of 2024
With



R/LETTERS PATENT APPEAL NO. 344 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 6854 of 2020
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2023
In **R/LETTERS PATENT APPEAL NO. 344 of 2024**
In
R/SPECIAL CIVIL APPLICATION NO. 6854 of 2020
With
R/CIVIL APPLICATION NO. 1210 of 2024
In
R/LETTERS PATENT APPEAL NO. 345 of 2024
With
R/LETTERS PATENT APPEAL NO. 345 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 11813 of 2020
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2023
In **R/LETTERS PATENT APPEAL NO. 345 of 2024**
In
R/SPECIAL CIVIL APPLICATION NO. 11813 of 2020
With
R/CIVIL APPLICATION NO. 1247 of 2024
In
R/LETTERS PATENT APPEAL NO. 346 of 2024
With
R/LETTERS PATENT APPEAL NO. 346 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 10083 of 2019
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2023
In **R/LETTERS PATENT APPEAL NO. 346 of 2024**
In
R/SPECIAL CIVIL APPLICATION NO. 10083 of 2019
With
R/CIVIL APPLICATION NO. 1248 of 2024
In
R/LETTERS PATENT APPEAL NO. 347 of 2024
With
R/LETTERS PATENT APPEAL NO. 347 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 454 of 2022
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2023
In **R/LETTERS PATENT APPEAL NO. 347 of 2024**
In
R/SPECIAL CIVIL APPLICATION NO. 454 of 2022
With
R/CIVIL APPLICATION NO. 1249 of 2024
In
R/LETTERS PATENT APPEAL NO. 348 of 2024
With
R/LETTERS PATENT APPEAL NO. 348 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 15640 of 2019



With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2023
In R/LETTERS PATENT APPEAL NO. 348 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 15640 of 2019
With
R/CIVIL APPLICATION NO. 1251 of 2024
In
R/LETTERS PATENT APPEAL NO. 349 of 2024
With
R/LETTERS PATENT APPEAL NO. 349 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 18068 of 2019
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2023
In R/LETTERS PATENT APPEAL NO. 349 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 18068 of 2019
With
R/CIVIL APPLICATION NO. 1252 of 2024
In
R/LETTERS PATENT APPEAL NO. 350 of 2024
With
R/LETTERS PATENT APPEAL NO. 350 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 17821 of 2021
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2023
In R/LETTERS PATENT APPEAL NO. 350 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 17821 of 2021
With
R/CIVIL APPLICATION NO. 1274 of 2024
In
R/LETTERS PATENT APPEAL NO. 351 of 2024
With
R/LETTERS PATENT APPEAL NO. 351 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 15656 of 2019
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2023
In R/LETTERS PATENT APPEAL NO. 351 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 15656 of 2019
With
R/CIVIL APPLICATION NO. 1298 of 2024
In
R/LETTERS PATENT APPEAL NO. 352 of 2024
With
R/LETTERS PATENT APPEAL NO. 352 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 3341 of 2022
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2023
In R/LETTERS PATENT APPEAL NO. 352 of 2024

In
R/SPECIAL CIVIL APPLICATION NO. 3341 of 2022
With
R/CIVIL APPLICATION NO. 1340 of 2024
In
R/LETTERS PATENT APPEAL NO. 353 of 2024
With
R/LETTERS PATENT APPEAL NO. 353 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 7985 of 2021
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2023
In R/LETTERS PATENT APPEAL NO. 353 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 7985 of 2021
With
R/CIVIL APPLICATION NO. 1357 of 2024
In
R/LETTERS PATENT APPEAL NO. 354 of 2024
With
R/LETTERS PATENT APPEAL NO. 354 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 7983 of 2021
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2023
In R/LETTERS PATENT APPEAL NO. 354 of 2024
In
R/SPECIAL CIVIL APPLICATION NO. 7983 of 2021

FOR APPROVAL AND SIGNATURE:

HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA AGARWAL

and
HONOURABLE MR. JUSTICE ANIRUDDHA P. MAYEE

=====

1	Whether Reporters of Local Papers may be allowed to see the judgment ?	
2	To be referred to the Reporter or not ?	
3	Whether their Lordships wish to see the fair copy of the judgment ?	
4	Whether this case involves a substantial question of law as to the interpretation of the Constitution of India or any order made thereunder ?	

=====

STATE OF GUJARAT



Versus
SHREYAS SCHOOL THROUGH ITS PRINCIPAL ARTI VENKATESH
TRIVEDI & ORS.

=====

Appearance:

Letters Patent Appeal No. 334 of 2024

MS MANISHA LAVKUMAR SHAH, ADDITIONAL ADVOCATE GENERAL
with MR SIDDHARTH RAMI. AGP for the Applicant(s) No. 1
MR MIHIR JOSHI, SR. ADV. with MR MITUL K. SHELAT and MS DISHA N
NANAVATY(2957) for the Respondent(s) No.1& 2
NOTICE NOT RECD BACK for the Respondent(s) No. 1,3
NOTICE UNSERVED for the Respondent(s) No. 4
MR KM ANTANI, Advocate for Respondents No.3 and 4

Letters Patent Appeal No.332 of 2024

MS MANISHA LAVKUMAR SHAH, ADDITIONAL ADVOCATE GENERAL
with MR SIDDHARTH RAMI. AGP for the Applicant(s) No. 1
MR KM ANTANI, Advocate for Respondents No.1 and 2.
MR SATYAM CHHAYA with MS GARIMA MALHOTRA for Respondent No.3

Letters Patent Appeal No.333 of 2024

MS MANISHA LAVKUMAR SHAH, ADDITIONAL ADVOCATE GENERAL
with MR SIDDHARTH RAMI. AGP for the Applicant(s) No. 1
MR KM ANTANI, Advocate for Respondents No.1 and 2.

Letters Patent Appeal No.335 of 2024

MS MANISHA LAVKUMAR SHAH, ADDITIONAL ADVOCATE GENERAL
with MR SIDDHARTH RAMI. AGP for the Applicant(s) No. 1
MR SATYAM CHHAYA with MS GARIMA MALHOTRA for Respondent No.3

Letters Patent Appeal No.336 of 2024

MS MANISHA LAVKUMAR SHAH, ADDITIONAL ADVOCATE GENERAL
with MR SIDDHARTH RAMI. AGP for the Applicant(s) No. 1
MR KM ANTANI, Advocate for Respondents No.1 and 2.
MR NIKUNT K RAVAL for Respondent No.3.

Letters Patent Appeal No.337 of 2024

MS MANISHA LAVKUMAR SHAH, ADDITIONAL ADVOCATE GENERAL
with MR SIDDHARTH RAMI. AGP for the Applicant(s) No. 1
MR KM ANTANI, Advocate for Respondents No.1 and 2.
MR MITUL K. SHELAT and MS DISHA N NANAVATY(2957) for the
Respondent(s) No.3& 4

Letters Patent Appeal No.338 of 2024

MS MANISHA LAVKUMAR SHAH, ADDITIONAL ADVOCATE GENERAL
with MR SIDDHARTH RAMI. AGP for the Applicant(s) No. 1
MR KM ANTANI, Advocate for Respondents No.1 and 2.
MR SATYAM CHHAYA with MS GARIMA MALHOTRA for Respondent No.3

Letters Patent Appeal No.339 of 2024

MS MANISHA LAVKUMAR SHAH, ADDITIONAL ADVOCATE GENERAL
with MR SIDDHARTH RAMI. AGP for the Applicant(s) No. 1
MR KM ANTANI, Advocate for Respondents No.1 and 2.
MR MITUL K. SHELAT and MS DISHA N NANAVATY(2957) for the
Respondent(s) No.3& 4

Letters Patent Appeal No.340 of 2024

MS MANISHA LAVKUMAR SHAH, ADDITIONAL ADVOCATE GENERAL
with MR SIDDHARTH RAMI. AGP for the Applicant(s) No. 1
MR KM ANTANI, Advocate for Respondents No.1 and 2.
MR NIKUNT K RAVAL for Respondent No.3 & 4.

Letters Patent Appeal No.341 of 2024

MS MANISHA LAVKUMAR SHAH, ADDITIONAL ADVOCATE GENERAL



with MR SIDDHARTH RAMI. AGP for the Applicant(s) No. 1
MR KM ANTANI, Advocate for Respondents No.1 and 2.
MR MITUL K. SHELAT and MS DISHA N NANAVATY(2957) for the
Respondent(s) No.3& 4.

Letters Patent Appeal No.342 of 2024

MS MANISHA LAVKUMAR SHAH, ADDITIONAL ADVOCATE GENERAL
with MR SIDDHARTH RAMI. AGP for the Applicant(s) No. 1
MR KM ANTANI, Advocate for Respondents No.1 and 2.
MR DIPAK B PATEL for Respondent No.3.

Letters Patent Appeal No.343 of 2024

MS MANISHA LAVKUMAR SHAH, ADDITIONAL ADVOCATE GENERAL
with MR SIDDHARTH RAMI. AGP for the Applicant(s) No. 1
MR KM ANTANI, Advocate for Respondents No.1 and 2.
MR MITUL K. SHELAT and MS DISHA N NANAVATY(2957) for the
Respondent(s) No.3& 4.

Letters Patent Appeal No.344 of 2024

MS MANISHA LAVKUMAR SHAH, ADDITIONAL ADVOCATE GENERAL
with MR SIDDHARTH RAMI. AGP for the Applicant(s) No. 1
MR KM ANTANI, Advocate for Respondents No.1 and 2.
MR MITUL K. SHELAT and MS DISHA N NANAVATY(2957) for the
Respondent(s) No.3& 4.

Letters Patent Appeal No.345 of 2024

MS MANISHA LAVKUMAR SHAH, ADDITIONAL ADVOCATE GENERAL
with MR SIDDHARTH RAMI. AGP for the Applicant(s) No. 1
MR KM ANTANI, Advocate for Respondents No.1 and 2.
MR BAHVYARAJ K GOHIL for Respondents No.3 and 4.

Letters Patent Appeal No.346 of 2024

MS MANISHA LAVKUMAR SHAH, ADDITIONAL ADVOCATE GENERAL
with MR SIDDHARTH RAMI. AGP for the Applicant(s) No. 1
MR KM ANTANI, Advocate for Respondents No.1 and 2.
MR MITUL K. SHELAT and MS DISHA N NANAVATY(2957) for the
Respondent(s) No.3& 4.

Letters Patent Appeal No.347 of 2024

MS MANISHA LAVKUMAR SHAH, ADDITIONAL ADVOCATE GENERAL
with MR SIDDHARTH RAMI. AGP for the Applicant(s) No. 1
MR KM ANTANI, Advocate for Respondents No.1 and 2.
MR MITUL K. SHELAT and MS DISHA N NANAVATY(2957) for the
Respondent(s) No.3& 4.

Letters Patent Appeal No.348 of 2024

MS MANISHA LAVKUMAR SHAH, ADDITIONAL ADVOCATE GENERAL
with MR SIDDHARTH RAMI. AGP for the Applicant(s) No. 1
MR KM ANTANI, Advocate for Respondents No.1 and 2.
MR DIPAK B PATEL for Respondent No.3.

Letters Patent Appeal No.349 of 2024

MS MANISHA LAVKUMAR SHAH, ADDITIONAL ADVOCATE GENERAL
with MR SIDDHARTH RAMI. AGP for the Applicant(s) No. 1
MR KM ANTANI, Advocate for Respondents No.1 and 2.
MR MITUL K. SHELAT and MS DISHA N NANAVATY(2957) for the
Respondent(s) No.3& 4.

Letters Patent Appeal No.350 of 2024

MS MANISHA LAVKUMAR SHAH, ADDITIONAL ADVOCATE GENERAL
with MR SIDDHARTH RAMI. AGP for the Applicant(s) No. 1
MR KM ANTANI, Advocate for Respondents No.1 and 2.
MR MITUL K. SHELAT and MS DISHA N NANAVATY(2957) for the
Respondent(s) No.3& 4.

**Letters Patent Appeal No.351 of 2024**

MS MANISHA LAVKUMAR SHAH, ADDITIONAL ADVOCATE GENERAL
with MR SIDDHARTH RAMI. AGP for the Applicant(s) No. 1
MR KM ANTANI, Advocate for Respondents No.1 and 2.
MR DIPAK B PATEL for Respondent No.3.

Letters Patent Appeal No.352 of 2024

MS MANISHA LAVKUMAR SHAH, ADDITIONAL ADVOCATE GENERAL
with MR SIDDHARTH RAMI. AGP for the Applicant(s) No. 1
MR KM ANTANI, Advocate for Respondents No.1 and 2.
MR MITUL K. SHELAT and MS DISHA N NANAVATY(2957) for the
Respondent(s) No.3& 4.

Letters Patent Appeal No.353 of 2024

MS MANISHA LAVKUMAR SHAH, ADDITIONAL ADVOCATE GENERAL
with MR SIDDHARTH RAMI. AGP for the Applicant(s) No. 1
MR KM ANTANI, Advocate for Respondents No.1 and 2.
MR SATYAM CHHAYA with MS GARIMA MALHOTRA for Respondent No.3

Letters Patent Appeal No.354 of 2024

MS MANISHA LAVKUMAR SHAH, ADDITIONAL ADVOCATE GENERAL
with MR SIDDHARTH RAMI. AGP for the Applicant(s) No. 1
MR KM ANTANI, Advocate for Respondents No.1 and 2.
MR SATYAM CHHAYA with MS GARIMA MALHOTRA for Respondent No.3

CORAM:**HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
SUNITA AGARWAL**

and

HONOURABLE MR. JUSTICE ANIRUDDHA P. MAYEE

Date : 03/04/2024

ORAL JUDGMENT

**(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA
AGARWAL)**

1.The delay occurred in filing the Civil
Applications seeking leave to Appeal, has been
explained to the satisfaction of the Court.
Hence, all Civil Applications in the connected
matters for condonation of delay are,
accordingly, allowed.

2.The Civil Applications for leave to appeal in
all the connected matter are allowed,



accordingly.

3.The appeals, in this bunch, have been filed by the State through the Secretary, Education Department, Government of Gujarat challenging the judgement and order dated 22.07.2022 passed by the learned Single Judge in remitting the matter for fresh consideration to the Fee Regulatory Committee (in short as "FRC") to decide on the fee proposal of self-financed schools in the State of Gujarat as per the Gujarat Self-Financed Schools (Regulation of Fees) Act, 2017 (in short as "the Act'2017) and the Gujarat Self Financed Schools (Regulation of Fees) Rules, 2017(in short as "the Rules' 2017").

4.The directions issued by the learned Single Judge are primarily on the quorum of the Fee Regulatory Committee as also the method adopted by the Committee in determination of fee on the proposal submitted by the institutions.



5.The main grounds of challenge agitated by Ms. Manisha Lavkumar Shah, learned Additional Advocate General appearing for the State appellants are that the validity of the Act'2017 is under consideration of the Apex Court in Special Leave to Appeal No.314 of 2018. The intervention by the learned Single Judge on the challenge to the order passed by the Fee Regulatory Committee (in short as "the FRC") and Fee Revision Committee would cause prejudice to and materially affect the scrutiny into the legality of the provisions of the Act.

6.It was argued that on the lease rent, the learned Single Judge has directed the FRC to consider and verify the transactions of lease rent by conducting an inquiry as per Section 8 of the Act' 2017 read with Rule 7 of Rule' 2017 and has set aside the decision of the Committee where the lease rent was determined by calculating the same on the basis of Jantri



value. It was urged that no error can be found in the decision of the FRC in determination of the lease rent as per the Jantri value, which is a relevant factor to determine the lease rent. Similarly, on depreciation, the learned Single Judge has committed illegality in holding that the depreciation would form part of the reasonable surplus to be provided in the proposed fee to be charged by the schools from the students and, as such, the depreciation claimed by the schools would not be allowed under separate Head.

7. Similarly, on the aspect of interest on loan, the learned Single Judge has forbidden the disallowance of interest on loan by amortizing the same over the life of an asset for which the loan may have been incurred. Such prohibition by the learned Single Judge would be contrary to the interest sought to be secured under the provisions of the Act for the reason that the school management will be



free to determine the terms of loan at its whims and fancies and, accordingly, pass on the burden of exorbitant loan repayment and fasten its liability on the students by charging higher fee, showing such interest payable on loan secured by the management as expenditure. It was vehemently argued that the FRC is a statutory Committee framed under Section 3(4) of the Act' 2017. Due opportunity of hearing has been granted to the institutions and fee structure has been determined in accordance with the provisions of the Act' 2017.

8. The FRC has fixed fee by disallowing the lease rent earned by the Trust, which amounted to profiteering as per Section 8(2). As per the provisions of the Act, the FRC is to scrutinize the proposals and give opportunity of being heard before taking the decisions which had duly been granted to the concerned institutions. Two statutory authorities,



namely the Fee Regulatory Committee and Fee Revision Committee had conducted the proceedings for determination of fee and there was no occasion for the learned Single Judge to interfere in the decision when no fault in the decision making process could be found.

9. The attention of the Court is invited to Rule 5 of the Rules framed under the Act to submit that it is open for the FRC to decide its quorum to deal with the business of the Committee. The only business of the Committee is to determine the fee for the self-financed schools and, as such, the decision cannot be faulted by holding that the quorum was not complete.

10. Mr. Mihir Joshi, learned Senior Advocate appearing for the original petitioner, in defence, of the order of the learned Single Judge dated 22.07.2022 would submit that the judgement of the learned Single Judge is extremely calibrated. Fixing or determining



the fee is a right of the institutions, subject to the rider that they cannot 'profiteer'. There cannot be, however, a fixed formula for the determination of fee for institutions. The FRC has to decide on a case to case basis. It cannot decide a common fee zone-wise. The error committed by the FRC to decide fee zone-wise has been highlighted before us. It was argued that the direction issued by the learned Single Judge that the FRC being a quasi-judicial authority which determines the fee, when consists of five persons as its constituents, any hearing of decision has to be undertaken jointly, cannot be said to suffer from any error of law. The FRC consists of domain experts and, as such, non-inclusion of such persons in the decision making process would cause prejudice to the institutions.

11. The attention of the Court is further invited to Section 2(g) of the Act' 2017,

wherein different heads of the fee structure are to be included for determination of the aggregate, as stated hereunder.

"2(g) Fee or Fee Structure" means any amount, by whatever name called, collected, directly or indirectly, by a school for admission of a student to any Standard or course of study and includes,-

- (i) Tuition fee;
- (ii) Term fee, which shall not exceed one month tuition fee per term;
- (iii) Library fee and deposit;
- (iv) Laboratory fee and deposit;
- (v) Gymkhana fee;
- (vi) Caution money;
- (vii) Examination fee;
- (viii) Admission fee, which shall not exceed one month tuition fee;
- (ix) Yoga AND Physical Education fee;
- (x) any other fee as determined by the Fee Regulatory Committee;"

12. Considering the said submissions, we may record that the adjudication of fee proposals for the respective Fee Regulatory Committees and Fee Revision Committees constituted under the Act' 2017 is regulated by the provisions of the Act and the Rules made thereunder. As per the procedure prescribed therein, Section 8 which empowers FRC to determine the fee



payable by students in the self-financed schools provides that the Committee shall require each self-financed school to place before it the proposed fee structure of such school along with all relevant documents and books of accounts for scrutiny; it shall verify whether the fee proposed by the self-financed school is justified and whether it amounts to profiteering or charging of exorbitant fee; it shall approve the existing fee structure or determine the fee which can be charged by the self-financed schools. The FRC has power to hear complaints or initiate *suo motu* hearing with regard to calculation of excess fee by self-financed school, recall the fee charged by the school and initiate penal action as per the provisions of the Act.

13. Clause (a) of sub-section (3) of Section 8 confers power, on the FRC, of a Civil Court under the Code of Civil Procedure, while holding inquiry in the matters of summoning

and enforcing the attendance of any witness; examining him on oath; for discovery and production of any document, receive evidence on affidavit and issue commission for examination of witnesses. Section 8(3)(b) further provides that all inquiries and revisions under the Act by the Committee shall be deemed to be judicial proceedings.

14. Section 10 provides the factors for determination of fee leviable by the self-financed schools, which include the following:-

- (i) location of the self financed school i.e. village, town, or city in which the school is situated;
- (ii) investment incurred to setup the school;
- (iii) infrastructure made available to the students for the qualitative education, facilities provided as mentioned in the prospectus or website of the school;
- (iv) expenditure on administration, maintenance of services and utilities of the school;
- (v) excess fund generated from Non-Resident Indians, as a part of charity by the management and contribution by the Government for providing free-ship in fee or for

other items under various Government schemes given to the school for the students.

(vi) students strength in the self financed school;

(vii) classes of study and courses of study offered by the school;

(viii) qualification of teaching, and non-teaching staff (as per the relevant norms) their salary components, and reasonable amount for yearly salary increments;

(ix) expenditure incurred on the students against total income of the school which shall include profit earned from school by the trust or company associated with such school;

(x) reasonable revenue surplus for the purpose of development, education and expansion of the school;

(xi) any other factors which may be prescribed by the Government from time to time."

15. Section 10, thus, provides that the FRC shall determine the total fee which shall be leviable by considering of different heads of fees charged by the school. Fee structure so determined by the FRC shall be binding on the self-financed schools for a period of three years.

16. Section 11 prohibits collection of fee in excess of the fee fixed by the FRC for



admission of the students to any standard or course of study in that school.

17. Remedy of filing revision against the order passed by the FRC is provided under Section 12, which prescribes constitution of Fee Revision Committee headed by a retired High Court Judge.

18. The learned Single on a detail analysis of the provisions of the Act and the Rules made thereunder as also the decision of the Apex Court in the matter of determination of fee to be charged by self-financed institutions, has come to the conclusion that from a perusal of the decision of the FRC, in majority of the writ petitions, it is evident that it has not given any reason as to why the lease rent paid by the school is required to be disallowed and as to whether the rent paid by the school for ground as well as building has, in any manner, resulted into profiteering by the trust or the company associated with the running of the



school. No inquiry appears to have been made by the FRC to verify the genuineness of the transaction though the lease rent was paid through the banking channel and the same is duly recorded in the books of accounts or the accounts audited by the Chartered Accountant, so as to arrive at a specific finding that the payment of lease rent would amount to profiteering as per Section 2(r) of the Act' 2017. Contrary to the procedure prescribed under the Act' 2017 and the Rules' 2017 made thereunder, the FRC has recalculated the lease rent on the basis of the Jantri value of the property to disallow the lease rent claimed by the institutions in their proposal.

19. It is noted by the learned Single Judge that the FRC can calculate the market value of the property in an attempt to ascertain as to what rent would be duly payable by the school, if it comes to the conclusion with the cogent reasons in view of the oral and documentary



evidence on record that the transaction of lease has resulted in diversion of funds collected as fees by the schools as profiteering. However, without holding any inquiry, in complete disregard to the documents submitted by the school, the FRC could not have reduced the rent on its own that too without giving any reasons in support thereof, in complete ignorance of the factors provided under Section 10 of the Act' 2017, such as location of the school, infrastructure of the school etc. It has further been noted that the fixation of standard lease rent and reduction of lease rent mentioned in the proposal of the school by applying the Jantri value of the property or valuation report was without any opportunity of hearing granted to the school to examine such report or to cross-examine the valuer. Such a decision was taken without conducting any inspection of the property in question by an approved valuer nor



the schools were permitted to rely upon their valuer's report to justify the rent actually paid by the school.

20. It is noted by the learned Single Judge that the schools shall have a right to offer such facilities as they consider appropriate for standards of education which they profess to meet. It was also noted that the FRC has failed to consider that when either the trustee or the management of the school has given the property on rent to run the school and reasonable rent is required to be granted, whether reasonable return on investment is to be calculated and to be considered as expenditure by the school to be part of the fee structure. In any case, the decision for reduction of rent in the proposal submitted by the schools was based on the Jantri value, without holding any inquiry in accordance with the provisions of the Act and the Rules.

21. Learned Additional Advocate General could not



dispute the aforesaid findings returned by the learned Single Judge and insisted that the reduction of rent was made by the FRC on consideration of the fact that the higher rates of rent have been included in the proposal given by the schools. The Jantri value is one of the reasonable factors for determination of the market value of the property and, thus, determination of rent.

22. As regards the said submissions, suffice it to note that the FRC could not have reduced the rent indicated in the proposal of the school without giving opportunity to the school on the valuation report prepared by it on the basis of the Jantri value. In any case, there are various factors as indicated in Section 10, noted hereinabove, which were required to be considered by the FRC, for arriving at a just and reasonable decision.
23. The learned Single Judge while making the observations about the manner in which the FRC



has decided the lease rent has also noted that it is open for the FRC to examine as to whether the payment of lease rent would amount to profiteering in the hands of the Trust or the Company associated with the school and for that purpose, the school management is required to furnish all the requisite details as may be called for by the FRC, failing which the FRC would be justified to disallow such lease rent in absence of cooperation from the school as per Rule 7(1) (b) of the Rules' 2017, by either adopting the Jantri rate for the market value or substituting the same as per the comparable case as reasonable amount of rent. It is further directed that the schools are also required to justify the lease rent paid by them by providing information and justification for payment of such lease rent as may be required by the FRC so as to establish that such lease rent would not



amount to any profiteering in any manner whatsoever by the Trust or the Company associated with the school.

24. Taking note of the above, we do not find any error in the opinion drawn by the learned Single Judge that the FRC has committed an error in reducing the lease rent unilaterally without giving the schools to rebut on the determination made by it.

25. On depreciation, the findings returned by the learned Single Judge do not require any interference, inasmuch as, the learned Single Judge has decided that the separate claim of depreciation is not tenable as the same would be embedded in consideration of the reasonable revenue surplus.

26. We may further note that the learned Single Judge cannot be said to have erred in holding that the FRC could not determine the fee in a standardized format, which has been conferred with the power under the Act' 2017 to verify



the fees proposed by the school and examine whether such fees would amount to profiteering or charging exorbitant fee. In order to see that the proposed fee charged by the school is justified, the FRC was required to consider the prescribed parameters and has to consider that reasonable rate of depreciation on the assets of the school so as to see that the same can be replaced in the regular interval while considering the percentage of reasonable surplus to be considered while determining the fees or fee structure. No error can be found in the said opinion drawn by the learned Single Judge.

27. As regards the quorum, reliance placed by the learned Additional Advocate General on Rule 5 of the Rules' 2017 is found to be misconceived. Rule 5 provides for the meeting of the FRC for transaction of its business. Sub-Rule (5) of Rule 5 provides for quorum at the meeting of the Committee, which shall be



at least 2/3rd of the members of the total strength of the Committee. It, however, further provides that if there is no quorum at the meeting, the same shall be adjourned for half an hour and thereafter, the meeting shall be held for the transaction of its business. Sub-rule (1) of Rule 5 further provides that the Committee may adopt its own procedure for transaction of business as it deems fit. Both these provisions are pressed into service by the learned Additional Advocate General to vehemently urge that the learned Single Judge could not have insisted for the presence of all member of the FRC during the course of discussion for decision in the matter of determination of fee.

28. To deal with the above submission, we may note the constitution of the Committee as per Section 3(4) of the Act' 2017, which includes a retired District and Sessions Judge or such other persons as provided in clause (a) of



sub-section (4) to be the Chairperson of the Committee. The other four members are the Chartered Accountants; one Civil Engineer/ Government approved Valuer; one representative from the self-financed schools management of the respective zone; and one academician of repute all nominated by the Government. The Committee thus, comprises of domain experts to consider on all aspects of accounting, valuation of the structure and the academics in the matter of determination of fee.

29. In our considered opinion, the presence of all constituent members of the FRC is necessary to take an informed decision on consideration of all relevant factors as per Section 10(1) of the Act' 2017 for determination of fee. The learned Single Judge has categorically recorded that the impugned decision of the FRC only bears the signature of the Chief Coordinator of the Committee and during the hearing, all the



members of the Committee were not present.

30. In view of this finding, we do not find any error in the decision of the learned Single Judge that the FRC being a Quasi-Judicial authority, which determines the fee, shall hold its meeting comprising of all five members to give an effective opportunity of hearing to the school management on the fee proposal submitted by it.

31. Similarly, on the issues pertaining to future development cost, the standard formula applied by the FRC to allow 10% towards future development cost as reasonable surplus for Rajkot and 7% increase at Surat cannot be said to be justified. No error could be found in the decision of the learned Single Judge that the aspect of the reasonable surplus and future development cost would depend upon the material placed by each school to be verified by the FRC while determining the fee or fee structure.



32. The opinion formed by the learned Single Judge with regard to the term fee and admission fee that the FRC has restricted the schools from charging such fees though it is part of the fee structure as per Section 2(g) of the Act' 2017, is found to be perfectly justified. No error can be found in the decision of the learned Single Judge that the term fee and admission fee, which is one time levy by the school is provided as part of the "fee structure" as a separate head under Section 2(g) and, therefore, the FRC could not have prohibited the said fees expressly provided under the Act' 2017.

33. It has further been noted by the learned Single Judge that some of the FRCs permitted charging of admission fee and term fee, whereas the others have refused. There is, thus, no consistency amongst the FRC to permit charging of term fee as per Section 2(g) of the Act' 2017.



34. The learned Single Judge has, thus, rightly issued direction that the FRC shall not restrict the school from charging the term fee and the admission fee, which shall not be more than tuition fee of one month as per Section 2(g) of the Act' 2017. The FRC is, however, required to verify as to whether the admission fee and the term fee charged by the school is within the prescribed time limit and that the schools may not charge the admission fee and term fee in addition to the fee determined by the FRC subject to the limits prescribed in Section 2(g) of the Act' 2017.

35. Further, no error could be found in the directions on the issue of interest on loan. It has rightly been noted by the learned Single Judge that the FRC is required to determine the fee so as to justify that the same would not result in profiteering or exorbitant fees. However, at the same time, the students, who are studying in self-



financed schools are aware about the facilities which they may get together with the fact that any school which started with a financial help is required to pay the interest every year on loan and if such interest is not recovered from the fees, it would be impossible to run the school. The learned Single Judge cannot be said to have erred in holding that the interest is fixed on the cost incurred by such school, which is to be paid periodically and invariably so as to see that the school continues to impart education and in absence of non-payment of interest, the financial institution would not permit the school to run. The stand taken by the FRC that the students cannot be burdened with the cost of interest for a fixed term of repayment of loan and the same is required to be separated over the life of the asset acquired by the loan is a highly socialistic approach contrary to the law laid down by the Apex Court for



determination of fee of self-financed institution for imparting education. No error can be said to have been committed by the learned Single Judge in setting aside the decision of the FRC for amortizing of interest over the life of the asset instead of allowing claim of the interest on loan paid by the school during the year under consideration.

36. In the crux, having carefully gone through the impugned judgement and order passed by the writ Court, we do not find any error. The FRC being a quasi-judicial authority was required to follow the provisions of the Act' 2017 and the Rules' 2017 made thereunder while examining the fee proposal submitted by the schools to arrive at the conclusion, on a case to case basis, as to whether the proposal of the institution is justified on the standards prescribed under the Act' 2017 and whether the claims made by it amounts to profiteering. In any case, there cannot be any standardization



of various factors which are to be included in the matter of determination of fee as per Section 10 of the Act' 2017 and inquiry in the individual case by applying the principles of natural justice is required to be conducted. The FRC is empowered to summon witnesses, make inspections and call for the documentary evidences during the course of inquiry as per Section 8(3) of the Act' 2017.

37. In view of the above, we do not find any good ground to interfere in the decision of the learned Single Judge. The appeals in this bunch are dismissed, being devoid of merits. Consequently, connected Civil Applications also stand disposed of. No order as to costs.

(SUNITA AGARWAL, CJ)

(ANIRUDDHA P. MAYEE, J.)

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The Gujarat Government Gazette

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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV-B

Rules and Orders (Other than those published in Parts I, I-A, and I-L) made
by the Government of Gujarat under the Gujarat Acts

EDUCATION DEPARTMENT

NOTIFICATION

Sachivalaya, Gandhinagar, 17th July, 2018.

No.GH/SH/23/BMS/1217/484/Part-I/CHH:- WHEREAS, the Hon'ble Supreme Court of India in SLP(C) No.314 of 2018 vide its order dated the 11th July, 2018 has directed the State Government to immediately communicate in writing, not later than one week, to the petitioners schools, the items which the State Government considers optional for the purpose of charging fees and the petitioners schools shall submit their proposals in compliance within two weeks thereafter;

AND WHEREAS, the Government of Gujarat has carefully considered the issue of extra-activities in terms of the directions given by the Hon'ble Supreme Court of India;

NOW, THEREFORE, the Government of Gujarat,-

- (i) hereby specifies that the following items shall be the optional activities/facilities which may be offered or provided by the Schools to the students, namely:-
 - (1) Transport facilities;
 - (2) Boarding facilities;
 - (3) Mess or Dining facilities;
 - (4) Excursions/Field Trips;
 - (5) Horse-riding;
 - (6) Swimming;
 - (7) Club activities;
 - (8) Books and Stationary;
 - (9) Any other activity/facility which is not part of the co-scholastic activities/ facilities of the concerned Board;
 - (10) Such other activities/facilities as may be specified by the Government from time to time;
- (ii) directs that the above referred activities/facilities shall be optional and no student shall be compelled to avail and pay the charges/fees for the same.

By order and in the name of the Governor of Gujarat,

AJAY S. BHATT,
Deputy Secretary to Government.