

S.No.	Title	Case No.	Brief History	Status	Next date of hearing
1	Justice Anil Dev Committee Report (Division Bench of Delhi High Court)	(8147 / 2009 & 7777/2009)	<p>The Hon'ble High Court vide its Order dated 12th August, 2012 in the Writ Petition (C) Numbers 7777/2009, 8147/2009, 8610/2009, 9228/2009, 11139/2009, 10801/2009, 6952/2009 and 1727/2010 appointed the instant Committee to specially look into the aspect as to how much fee increase was required by each individual recognized unaided school on the implementation of the recommendations of the 6th Pay Commission</p> <p>Justice Anil Dev Retd. Chief Justice of Rajasthan High Court was appointed Chairman of the Committee alongwith two other members.</p>	<p>The aforementioned writ petition was listed on 9.12.2014 as item no.59 before DB-II of the Hon'ble High Court of Delhi. The case was listed on applications being filed by a Private Unaided recognised schools challenging the recommendations of the JADSC W.R.T. Development Fee and its follow up order by DOE seeking implementations of the said recommendations and refund of Fee.</p> <p>The undersigned informed the Hon'ble Bench that in a similar matter of Summerfields school, the matter has been sent back to the Single Bench as per roaster. The counsel for the applicants on being informed, withdrew his applications with liberty to approach the single judge as per roaster by filing substantive writ petition, the Hon'ble Court dismissed these applications as withdrawn with liberty.</p> <p>The Writ Petition was taken up by the court at 5:20 PM and the matter was thereafter adjourned for 27th March, 2015</p> <p>The matter was listed for hearing on 27.03.2015 has been adjourned to 10.07.2015. The matter has been further adjourned to 17.07.2015</p> <p>Matter was adjourned. The next date of hearing fixed was 24.07.2015 again on 24th July, 2015. The Hon'ble high court further decided to adjourned the case to 7.08.2015</p> <p>On 7.08.2015 the matter was again adjourned for hearing to 14.08.2015.</p> <p>On 14.08.2015 the matter was again adjourned for hearing to 28.08.2015.</p> <p>On 28.08.2015 the matter was again adjourned for hearing to 09.10.2015.</p> <p>Matter was heard on 9.10.2015. Justice Anil Dev</p>	08.07.2016

				<p>Committee has been given extension till 31.12.2015 by the court to complete the job. Further DOE has been asked to file affidavit on the present status of the recommendations of Anil Dev Committee. The affidavit is to be filed by 20.11.2015</p> <p><u>The matter was heard on 05.02.2016. The Hon'ble Court has given extension to the Justice Anil Dev Committee to complete the Audit of all the pending schools till 30.06.2016. The matter will come up for next hearing on 08.07.2016.</u></p>	
2	<u>APPLICATION FILED IN THE COURT IN REGARD TO JUSTICE ANIL DEV COMMITTEE</u>		Application filed by the Action Committee challenging some of the observations, jurisdiction etc. Application has been admitted.	<p>The matter will be heard on 05.02.2016</p> <p><u>The matter was listed before the Special Bench of Justice B. D. Ahmed and Justice S. Mridul on 5.2.2015. Mr. Rakesh Kumar, Senior Advocate expressed his inability to appear in the matter. The matter has been re-notified for 4th July 2016</u></p>	<u>04.07.2016</u>
3	UPLOADING OF ANNUAL RETURNS ON WEBSITE	WP (C) 21/11	Division of the Directorate of Education ordered that private unaided school should upload their returns - Balance Sheet, Statement of Income and Expenditure on their Websites	<p><u>Action Committee become a party and Mr. Kamal Gupta appeared at the hearing in the court of Justice Enlaw. The case is re-notified for hearing on 07.01.2016 and stay already granted will continue.</u></p> <p><u>The case is further adjourned to 30.03.2016</u></p>	<u>30.03.2016</u>
4	Nursery Admission Matter	WP (C) 177/2014	Hon'ble High Court of Delhi pronounced the judgment on 28.11.2014. In the landmark judgment private unaided schools have been given full autonomy to decide their admission criteria which should be based on the Principles of transparency and reasonability. The order of the Hon'ble High Court has been challenged by the Government of Delhi and the same has also be challenged by Abhibhavak Mahasangh through Mr. Ashok Aggarwal Social Jurist. The matter was listed for hearing on 5.12.2014	<p>The matter came up for hearing on 10.12.2014. The application for stay was dismissed. Next date of Hearing is 15.01.2015.</p> <p>No hearing was done on 15.01.2015. The matter has been adjourned to 29.01.2015.</p> <p>Sr. Advocate on behalf of Government of Delhi continued his argument on 9.02.2015. The matter is now adjourned for next hearing on 26.02.2015.</p> <p>The matter was listed for hearing on 26.02.2015 finally did not</p>	<u>17.03.2016</u>

before the Division Bench. However, since the Government appeal is coming up for hearing on Wednesday 10.12.2014. Both the appeals are clubbed and to be heard on 10.12.2014.

come up on account of the absence of the Sr. Advocate appearing on behalf of the Directorate of Education.

The matter which was listed for hearing on 13.03.2015 could not be taken up since the Court was closed on account of sudden and sad demise of the Mother of Chief Justice of Delhi High Court. The next hearing of the matter is fixed on 10.04.2015.

The matter was listed for hearing but finally not heard adjourned to 21.04.2015

The matter was listed for hearing on 21.04.2015, however, the counsel appearing on behalf of the Government did not turn up. The matter has been adjourned to 15.05.2015.

Mr. Kamal Gupta Advocate and Mr. Rakesh Khanna Sr. Advocate both were present in the court. The Government counsel requested for adjournment on the advise of the Government. The High Court accordingly adjourned the case till 4th August 2015

The matter was listed on 4.08.2015 but the bench hearing it would be assemble only on 07.08.2015

The matter was listed for hearing on 7.08.2015, however the court decided to adjourn the hearing of the matter till 21.08.2015

The matter came up for hearing on 21.01.2016 and adjourned to 04.02.2016

The matter further adjourned to 17.03.2016

5	RTI Matter Rita Sen Vs. GNCTD	WP (C) 7016/2011 & M NO. 16085/2011 (FOR STAY)	This pertains to the applicability of the RTI Act to private unaided schools. In this case, challenging the order passed by CIC holding DPS, Rohini to be a Public Authority, an application was recently filed by the DoE, alongwith a detailed counter affidavit, requesting the court to condone the delay in filing of the counter affidavit. Since the courts are very liberal in condoling any delay of time on the part of government authorities, the delay was condoned. However, Hon'ble Judge agreed with our appeal to file an additional affidavit responding to the counter affidavit of the DoE. Date of 12.5.2014 has been postponed to 19.8.2014. The matter was last heard on 31.03.2014 by a single judge.	<p>The matter came for hearing on 19.08.2014. The Hon'ble High Court has given the time for filing the rejoinder to the Petitioner and respondents</p> <p>The matter was listed for hearing on 05.11.2014, however, the same has been adjourned to 23.03.2015.</p> <p>The matter was listed for hearing on 23.03.2015 has been further adjourned to 13.07.2015.</p> <p>The matter was listed for hearing on 13.07.2015. Some parties requested for adjournment. The Hon'ble High Court agreed and now the case has been adjourned to 24.11.2015</p> <p><u>The matter came up for hearing and adjourned to 14.03.2016</u></p>	<u>14.03.2016</u>
6	ACTION COMMITTEE V/S DIRECTORATE OF EDUCATION	WP (C) 3616/2013 LATE FEE FINE		<p>The matter was listed for hearing on 19. 01. 2015, however, the court did not take up the matter and adjourned to 7.04.2015.</p> <p>The matter was listed on 7.04.2015 and has been re notified for hearing on 18.08.2015.</p> <p>The case was listed before Justice Endlaw on 18.08.2015. It was submitted before the court that the action committee has challenged the constitutionality of rule 166 of DSEAR which prescribes a maximum fine of 5 paise per day for late fee payment. The Hon'ble Court immediately agreed with the submission made by the counsel of Action Committee and sent the matter to the division bench for hearing on 23.09.2015</p> <p><u>On 23rd September, 2015 the matter was taken up for hearing. No specific date has been notified. However, the matter will come up in February, 2016</u></p>	<u>February 2016</u> <u>No date has been fixed.</u>
7	Seats for Disabled children in Private Unaided Schools Matter	WP (C) 1225/2014	In pursuance of the order of the court to inspect the facilities claimed by the schools for teaching the disabled, the DoE informed the court that they have inspected the schools and the filled up questionnaire of each such school is put on	The matter was heard by a division bench on 4.3.2015. The Division bench has directed the DoE to file an affidavit to giving the update and status of admissions of disabled children made under the centralized online system. The next date in the matter is 25.3.2015.	

			<p>the DoE website. The Court taking note of this has closed the contempt proceedings against the Chief Secretary. However, the question as to whether 3% admissions can also be made out of 75% general category seats and not be confined to the 25% EWS seats, will be considered on the next date. The order shall be sent as soon as the same is made available.</p>	<p>The matter came up for hearing before the Hon'ble Court on 25.03.2015, the same has adjourned to 06.05.2015. The matter came up for hearing before the Hon'ble Court on 06.05.2015, the same has adjourned to 02.07.2015. The matter came up for hearing before the Hon'ble Court on 02.07.2015, the same has adjourned to 29.07.2015. The matter was listed on 29.07.2015 was adjourned to 20.08.2015</p> <p>There was no hearing on 20.08.2015, however the court decided to adjourn the hearing of the matter till 22.09.2015</p> <p>The petitioner has submitted that he will file a brief note and will argue the matter finally. The matter is now been re notified on 24.11.2015 for hearing</p> <p><u>The matter came up for hearing on 28.1.2016</u> The case came to be finally disposed of by the Division Bench on 28.1.2016 without any further directions, besides those contained in earlier detailed judgment passed by another Division Bench in the same matter.</p>	
8	<u>APPLICABILITY OF RTE ACT TO THE 75% GENERAL CATEGORY ADMISSIONS</u>		<p>The matter Social Jurist is likely to come up on 09.01.2015, it is an appeal against the Division Bench of Delhi High Court that held that RTE does not apply to the children below the age of 6 years.</p>	<p>The matter came up for hearing before the court of Chief Justice on 09.01.2015. The Writ Petition has been admitted, however, the date of hearing will be notified. The matter is likely to come up not before the beginning of next year 2016.</p>	<u>NO CHANGE IN THE STATUS</u>
9	<u>Fee Hike Matter</u>	<u>WP Civil No. 4109 of 2013</u>	<p>PIL filed by Abhibhavak Mahasangh seeking a direction to the effect that the Director of Education (DOE) shall fix the fees of Private Unaided schools and that such schools shall not be allowed to increase the fees without the prior sanction of DOE. Action Committee is a party and has filed Writ Petition before Hon'ble High Court of Delhi</p>	<p>Matter is listed for hearing on 21.01.2015. The court has posted the matter for 25.03.2015 for hearing. Mr. Rakesh Khanna Sr. Advocate appeared alongwith Mr. Kamal Gupta Advocate on record.</p> <p>The matter pertaining to taking prior approval of the Department of Education for fixing the fee was listed for final hearing on 25.03.2015. However the matter was adjourned by the Chief Justice to 15.07.2015.</p> <p>On 15th July none appeared for the petitioner. In the interest of justice, the matter will come up for hearing on 17.09.2015</p> <p>Mr. Rakesh Khanna, Sr. Advocate appeared alongwith</p>	<u>11.03.2016</u>

			<p>Advocate Kamal Gupta before the Chief Justice of the Court.</p> <p>The argument concluded. We have to file Written Synopsis of Arguments as desired by the Bench.</p> <p><u>The judgment has been pronounced on 19.01.2016</u></p> <p><u>in accordance with the judgment the schools having been allotted land by DDA with stipulation will be required to obtain prior approval from the Department of Education for the enhancement of fees.</u></p> <p><u>Action Committee has decided to file SLP against the judgment in the Supreme Court.</u></p> <p><u>As a strategy it was decided that forum of Quality School will file a review petition before the Division Bench and thereafter as per the development. The Action Committee shall file the SLP against the Judgment in the Supreme Court. Review Petition has been filed the Forum of Quality School which is likely to come up for hearing on Friday 04.03.2016. The matter is further adjourned to 11.03.2016.</u></p>	
10	Free Uniform and Text Books Distribution for EWS:		<p>The matter came up for hearing on 4.12.2014 and same has been adjourned to 11.12.2014.</p> <p>The hearing of the matter concluded today. Hon'ble Judge has categorically observed that the State Government has to reimburse the actual amount to the schools for the Uniform and the Text Books. Further the Hon'ble Court observed the schools having been allotted land by the Government agencies, 5% of the Tuition Fees shall be reimbursed to the schools. Copy of the judgment will come soon</p> <p>The matter is expected to come for pronouncement of judgment on 22.01.2016</p>	08.04.2016

The matter was listed on 22.01.2016 for final pronouncement of the judgment. However on the request of the Government counsel, the matter has been adjourned to 29.01.2016.

The matter was listed before the Special Bench of Justice B. D. Ahmed and Justice S. Mridul. During the hearing it has now transpired that the Bench is proposing to constitute a committee with its own names and it intends to ask the schools also to share some financial liability, in addition to that of the Govt., in relation to the provisions of free uniform, textbooks etc. Mr. Akhil Sibal, Advocate was engaged for the matter, appeared and made submissions on our behalf. The Bench has re-notified the matter for 12.2.2016 for finalization of the constitution of the committee and the terms of reference thereof. The matter was re notified on 19.02.2016

The matter pertaining to uniforms was listed today i.e. 19.02.2016 when the bench was apprised by Mr. Akhil Sibal that the Dy. CM himself has made a statement that the government is ready to foot the entire bill for providing uniforms and textbooks to EWS children in private unaided schools. The Bench was happy to note it. The Bench asked the counsel for the Delhi Government to make a statement in this regard on the next date i.e. 26.02.2016.

				Matter shall now be taken up on 8.4.2016 as the bench did not assemble on 25.02.2016.	
11	INSPECTION UNDER CONTRACT LABOUR (REGULATION & ABOLITION) ACT 1970			The office of the Deputy Labour Commissioner has issued notices under contract labour (regulation & abolition) on 11/05/2012. The hearings have been attended and have explained to them that this act is not applicable to recognized school.	The written submission has also been filed. They are not agreeable to our contention. During last hearing on 31/10/2012 the inspector was not available. Fresh notice is yet to be received.
12	Property Tax Municipal Corporation of Delhi V/s Various Schools Matters SLP at Supreme Court of India Clarification regarding the Property Tax Matter	9522 / 2013		<i>DA's 9 hundreds other agencies are contesting the matter with v-good Sr. advocates - likely to come up in April 2016.</i>	The tax matter in the Supreme Court is coming up before the Registrar (and not the Court) for completion of pleadings and service of parties in the other connected cases. Till such time the service and pleadings are not completed in all the connected matters, the cases will not be listed before the Court. As and when the Registrar would send it to court, We have already prepared and filed a detailed counter affidavit in the matter of Mahavira Jain School, which is being conducted on behalf of the Action Committee. The matter pertaining to tax (Mahavir Jain) on the SC has been re-notified for 15.1.2015. As already informed, this matter would be listed in Court only after service of respondents and pleadings are complete in all the connected appeals filed by the MCD. <u>However, as per Supreme Court rules and practice, all tagged matters will be listed before court only when all matters are complete in all respect. Thus, the registrar has refused the request of our AOR to list the matter alongwith other matters. this is something entirely procedural over which we have no control.</u> <u>The matter tagged with other four matters excepting one are complete for listing before the court</u>
13	Supreme Court of India: Social Jurist V/s Government of India order regarding Pre	WP (C) 19887/ 2013 challengi			Ashok Aggarwal has challenged the judgment passed by Division Bench of HC holding that RTE Act does not apply to children below the age of six years and it is prayed in the SLP that all admissions be done by draw of lots only.

	School admission matter	ng the High Court		<p>An application allowing Action Committee for intervention has been filed and a Senior Advocate is to be engaged for the purpose of arguing the same.</p> <p>SLP(c) filed by Social Jurist is now listed before the Joint Registrar in SC on 24.7.2014. Action Committee shall become a party once the matter is listed before the Hon'ble Supreme Court.</p>	
14	Upgradation of lease deed from Middle School to Sr. Sec. School	WP (C) 10451/2015	<p><u>Ministry of Urban Development Government of India has permitted the upgradation of middle schools to Sr. Sec Schools without extra charges. The DDA however is demanding huge amount of fees for the revision of the Lease Deed. The matter has been taken up by the Action Committee and the Writ has been filed under WP (C) 10451/ 2015</u></p>	<p>The matter was heard on 5th November, 2015 in the court of Justice Manmohan. The court was pleased to issue notice to the DDA calling upon it to file a reply to the Petition.</p> <p><u>The matter came up for hearing on 13.01.2016 and adjourned to 16.03.2016 and 21.03.2016</u></p>	<p><u>16.03.2016 and 21.03.2016</u></p>
15	Action Committee v/s Directorate of Education	448/2016 CM Appeals 3109 - 3112/2016	<p>Directorate of Education order dated 06.01.2016</p> <p>Mr. Dushyant Dave Sr. Advocate and Mr. Kamal Gupta is our Lawyer on record</p>	<p>The nursery admission appeal was listed on 21.01.2016 before the Division Bench which was directed the Government to produce the order dated 31.12.2015 and 06.01.2016 for perusal an decision as to whether anything survives in the appeals. Since fresh orders have been issued. Mr. Dushyant Dave Sr. Advocate and Mr. Kamal Gupta advocate was appeared on behalf of the Action Committee</p> <p>The next date of hearing is 04.02.2016.</p> <p>The final judgment was pronounced by justice Manmohan on 4.02.2016. "Till the final disposal of Writ petition the impugned order of 06.01.2016 is stayed with respect to the eleven criteria mentioned in the judgment alongwith the Management Quota".</p>	<p><u>The judgment has been pronounced</u></p>

16	UPPER AGE LIMIT in Nursery Admission	WPC 962/201 6	<u>The Notification dated 18.12.2016 issued by the Delhi Govt., whereby upper age limits were sought to be fixed for nursery admissions, came to be stayed by an Order dated 5.2.2016 passed by the Hon'ble Justice Manmohan.</u>	<u>The Court has directed that the registrations will now remain open till 4.00 p.m. of 9th February 2016 and that the marks of all candidates shall be uploaded by the schools by 12.02.2016, as the last date for displaying the first list of the successful applicants is 15th February 2016.</u>	<u>18.04.2016</u>
17	Appeal by Directorate of Education against the Judgment by Justice Manmohan regarding the MANAGEMENT QUOTA		<i>The D.O.E has the case moved to Supreme Court</i>	<u>The same was listed before the Division Bench on 08.02.2016. Sr. Advocate Mr. Sunil Gupta appeared on behalf of the Action Committee. The judgment was reserved and finally the Division Bench has dismissed the appeal filed by the Directorate of Education on merit on 16.02.2016</u>	

KAMAL GUPTA

ADVOCATE

19.04.2016

Dear Sir,

The following Court is the complete list of the cases of the Action Committee:-

S.NO.	CASE	NEXT DATE
1)	SLP (c) 6144/16 -SC Nursery admission/Mgmt quota	Dismissed on 18.03.2016
2)	Justice Anil Dev Committee Matter (7777/2009) DB - DHC	08.07.2016
3)	Late fee Fine (WP (C) 3616/2013) Regular DB DHC	April, 2016 (No fixed date)
4)	Nursery Admission Matter (LPA 781/14) DB DHC	26.05.2016
5)	Free Uniform and Books for EWS DB DHC	22.04.2016 - 29/4/16
6)	Terms of Allotment -New SLP-SC @ 19.01.2016 Judgment	29.06.2016
7)	Social Jurist- RTE application to 75% Gen Category admissions (SC)	26.04.2016
8)	Seats for Disabled children (WP (C) 1225/2014)	Decided on 28.01.2016
9)	Action Comt. Vs. DDA (WP 10451/15-Upgradation of lease)	12.05.2016
10)	Rita Sen Vs. GNCTD (RTI Matter)	3.10.2016
11)	Delhi State Pub Sch Assn. Vs. GNCTD (RTI-Uploading of Returns)	11.08.2016
12)	Action Commt. Vs. DoE (Nursery Admn/Mgmt Quota)	12.07.2016 (Registrar) 26.08.2016 (Court)
13)	Property Tax Municipal Corporation (SLP 9522 / 2013) SC	April, 2016 28/4/16 13 and now
14)	Justice for all- New WP(c) 1255/16 terms of allotment-admn.	25.04.2016 2 Kay.

Yours Sincerely

KAMAL GUPTA

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