



M. P. Birla Foundation H. S. School

(First School in India to be awarded ISO-45001:2018 certificate)

(Affiliated to the Council for the ISCE, New Delhi, School Code: WB 143)

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Date: 31/10/2020

Notice: Waiver in School Fees

Dear Parents / Guardians,

In terms of the order dated October 13, 2020 of the Division Bench of the Hon'ble High Court at Calcutta in WPA No. 5890 of 2020 dated October 13, 2020 read with the order dated October 28, 2020 of the Hon'ble Supreme Court in Special Leave Petitions filed against the said order including that bearing Diary No. 22811 of 2020, we wish to inform the guardians that the Hon'ble High Court at Calcutta by an order dated October 13, 2020 have issued several directions in respect of payment of fees to Schools in West Bengal arising out of the situation caused by the Covid19 pandemic and subsequent suspension of physical classes since the earlier part of this calendar year.

Several schools have filed Special Leave Petitions in the Hon'ble Supreme Court challenging the said order of Hon'ble High Court and by an order dated October 28, 2020 the Hon'ble Supreme Court while accepting the petitions and fixing the same for hearing, has ordered that some of the directions as contained in the judgment of the Hon'ble High Court are not to be implemented.

At the outset we are thankful that an overwhelmingly large majority of guardians have cleared their fees well within due date(s) resulting in the School receiving almost 94% of the fees from April-October 2020. The few who could not do so have been granted time and provided with the facility of paying the dues in a staggered manner or in installments without any late fine as well as granted waivers. This has enabled the School to meet its various financial commitments on account of operational and establishment cost, administrative cost, finance cost and other costs and expenses and in turn motivated our teachers to upskill themselves and deliver quality education through the online mode (both synchronous and asynchronous) to all of our students.

Computer Studies and Co-scholastic activities such as Art and Craft, Vocal Music, Physical Education and intra school team work related activities etc. are integral part of the curriculum. The School has been conducting these classes online, some synchronous and others asynchronous, along with the scholastic subjects. Assignments and worksheets for all classes and all subjects are being uploaded since April, 2020. Regular assessments are also being conducted online during this period. The School Counsellor has been providing group counselling to children on a regular basis. The School has thus continued to provide such facilities and/or services to the students, which are essential for and an integral part of the curriculum and holistic development.

The School, in compliance with the operational part of the directions of the Hon'ble High Court and pending the final adjudication of the appeals in the Hon'ble Supreme Court, would like to inform the guardians about various decisions taken by it with respect to school fee, in relation to their wards, as mentioned below. Kindly note that these decisions are without prejudice to the rights of the School in the pending proceedings in the Hon'ble Supreme Court and without waiving any of them in any manner whatsoever:

- 1) Guardians of students of the School are, in terms of the judgment and order dated October 13, 2020 of the Hon'ble High Court under appeal in the Hon'ble Supreme Court, and subject to the outcome of the appeal in

the Hon'ble Supreme Court and as may be ordered therein, hereby offered the option of paying reduced academic fees from April 2020 as mentioned below:

<u>Tuition Fee, p.m.</u>	<u>Amount for 2019-20</u>	<u>Amount for 2020-2021</u>	<u>Amount after reduction @ 20%</u>
LKG to V	4050	4050	3240
VI to VIII	3950	3950	3160
IX to XII	4650	4650	3720

- 2) In terms of the direction of the Division Bench of the Hon'ble High Court, guardians are requested not to avail of the reduction in fees as laid down above if their financial situation does not merit such reduction. This will also help and enable the School to continue to run and manage its affairs smoothly and provide quality education without any interruption
- 3) However, in case any guardian wishes to obtain the benefit of reduction as stated in para 1 above, they are required to make the payment of the reduced amount towards tuition fee upto the month of November 2020 as mentioned in para 1 above latest by 30.11.2020, through a Demand Draft or Pay Order only in favour of "M. P. Birla Foundation Higher Secondary School". Guardians are requested to drop the DD/PO at the drop box placed at the main gate of the School, on all working days from Monday to Friday, between 10 A.M. to 3 P.M. with the name, class, section and student ID no. of their ward clearly mentioned on the reverse of the DD/PO. Guardians must also forward a scanned copy of the same DD/PO by an email to concession.mpb@gmail.com from their registered email ID. The email should clearly mention the name of the child, class, section and student ID No. and should also clearly mention that payment of reduced fees has been made with an intention to obtain the benefit of reduction as provided by the order of the Hon'ble High Court. Emails sent to any other email ID of the School and not to the above email ID may not be considered as a valid intimation and emails received after 30th November 2020 will also not be considered as a valid intimation. Receipt of each email will be acknowledged individually. The above mode of payment has been necessitated in view of the limitation of the School's existing fee payment mechanism to be customized at this point of time, to comply with the deadlines as required by the order of the Hon'ble High Court.
- 4) Guardians, whose fee amount for any part of the period from April to October 2020 is yet to be cleared, are required to pay the same by 30th November 2020. They need to visit the School office on any working day after 9th November 2020, from Monday to Friday 10 am to 3 pm, and find out the exact amount payable in respect of their wards. Such payment will then need to be tendered at the School office by way of a DD/PO within 30.11.2020. Please note that such payment SHOULD NOT be deposited by the guardians in the drop box.
- 5) For guardians not making the payment by DD/PO as per para 3 above and not sending such emails thereby choosing not to obtain the reduction in fees as offered above and thus agreeing to the option of paying the fees at full amount, the existing fee structure charged in October 2020 will continue to be applicable. These guardians are not required to take any action for the time being. The fee for the months of November 2020 in respect of their wards will be collected by the School on or around 7th December 2020 through NACH as per the usual practice (for which intimation will be sent to them) at the rates as applicable to each class as mentioned in para 1 above. They are requested to maintain balance in their designated account to the extent of existing fees.

- 6) In terms of the order of the Hon'ble High Court, the various directions as contained therein shall continue till physical functioning of the School resumes in the normal course, subject to further order(s) being passed by the Hon'ble High Court or the Hon'ble Supreme Court.
- 7) Guardians who have already paid fee at the existing rate and wish to obtain the reduction in the manner as indicated above, will not be entitled to any refund for the fees already paid from April-October 2020. However, the excess amount paid by them after giving effect of the order of Hon'ble High Court will be adjusted against payment of fees for the subsequent period/months of the current financial year, subject to their agreeing otherwise, for which intimation will be given by the School later, and subject to the outcome of the appeal before the Hon'ble Supreme Court.
- 8) The fees as prescribed above, at the existing or reduced amount as applicable, for the period commencing from April 1, 2020 up to November 30, 2020 is required to be tendered by all guardians by November 30, 2020, as directed by the Hon'ble High Court. In case the fees for the mentioned period are not paid within 30th November 2020 (or 7th December 2020 for those paying by NACH), the School, in terms of the order of Hon'ble High Court, shall be entitled at its discretion to debar any students from attending classes (both online and physical, as the case may be) from 8th December 2020 onwards and withdraw all other facilities which are currently being availed by them.
- 9) Parents who have not opted for NACH payment process, and do not want to avail reduced fee can pay the original fees "online" from 1st to 7th December 2020.

The order of the Hon'ble High Court at Calcutta dated October 13, 2020 and the order of the Hon'ble Supreme Court dated 28th October, 2020 are available on the website of the Hon'ble High Court at Calcutta and the Hon'ble Supreme Court respectively and guardians are requested to access the same for their own understanding of the directions of the Hon'ble High Court and the Hon'ble Supreme Court.

The School has already preferred a Special Leave Petition before the Hon'ble Supreme Court of India challenging the order passed by the Hon'ble High Court at Calcutta. The above information and decision are subject to any further orders that may be passed by the Hon'ble High Court and/or the Hon'ble Supreme Court of India, as the case may be.

Regards



S. K. Singh

General Manager