

**BEFORE THE ADMINISTRATIVE SECRETARY, SCHOOL EDUCATION,  
HARYANA-CUM-APPELLATE AUTHORITY UNDER SECTION RULE  
158A OF HARYANA SCHOOL EDUCATION RULES, 2003**

Appeal No. 18 of 2015

In the matter of:

APJ SR. SECONDARY SCHOOL CHARKHI DADRI


Vs.

FEE AND FUNDS REGULATORY COMMITTEE, BHIWANI

**Present:**

1. Mr. H.L Tiku, Advocate assisted by Miss Yasmeet, Advocate  
For Appellant
2. Mr. Surjeet Singh, ADA  
For the State of Haryana

In the present appeal the appellant has challenged the order dated 26.5.2015 of District Education Officer and order dated 29.5.2015 of FFRC, District Bhiwani whereby a decision was taken to recommend to the Government for withdrawal of recognition of the appellant school, on the ground mentioned in the appeal.

 The said orders were earlier challenged by the appellant before the Hon'ble Punjab and Haryana High Court in CWP No. 12747 of 2015. The said writ petition was disposed of by the Hon'ble High Court vide order dated 01.07.2015 without issuing the notice to the respondents with an observation that under provisions of Rule 158B, remedy is available with the petitioner to file an appeal., The writ petition was disposed of with the following orders:-

“Keeping in view the facts and circumstances of the case, the present petition is hereby disposed of, relegating the

petitioner to his remedy of appeal under Rule 158B, with a further direction that if such appeal is filed within a period of 7 days from today that the question of limitation would not be arise by the other side."

During the course of argument, the counsel of appellant pointed out that the orders dated 26.5.2015 and 29.5.2015 were passed without adopting the proper procedure as laid down in the Rules and that therefore, these orders are liable to be set aside. Apart from this, it was also pointed that the interim orders passed by the Civil Judge, Bhiwani seeking action against the appellant in a civil suit were stayed by the Additional District Judge.

After hearing both the parties, I am of the considered view that under the provisions of Rule 158A, Fee and Fund Regulatory Committee is constituted under the Chairmanship of the Divisional Commissioner concerned. Therefore, the order passed by the Deputy Commissioner, Bhiwani in the capacity of Chairman of the Fee and Fund Regulatory Committee is irregular and contrary to Rules. Hence, the orders are hereby quashed with a liberty to the complainants to file their complaints before the FFRC, Hisar with regard to their grievances. If such complaint is filed, the Divisional Commissioner as Chairman may take cognizance shall examine the same in the light of provisions of the Rules and pass appropriate orders.



**(P.K. Das)**

Additional Chief Secretary School Education,  
Haryana-cum-Appellate Authority

Dated:- 31.05.2017