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ADVOCATE

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PUNJAB & HARYANA HIGH COURT

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Dated: 11.12.2019

To,

Chief Secretary, Government of Punjab, Punjab Civil
Secretariat, Chandigarh.

**Subject:- Demand Notice – Seeking transparency in the fund collection drive
from public by the staff of Smart Schools. –Demand for investigation
into the matter**

By E-mail

Sir,

I hereby serve the following demand notice on you:-

1. That a news report has appeared in vernacular newspapers of today, which reflects the conduct of the teachers of the Smart Schools in the State of Punjab in a very poor shade. The news report exposes the teachers as running with beggar's bowl in their hands for collecting funds for the purpose of providing infrastructure in their schools or for the purpose of repair of the school building or renovation thereof. The news report further discloses that such fund collection drive by the teachers in large number of Smart Schools is being conducted at the instance of the Secretary Education, under the verbal orders issued by the latter. The teachers have been told that the State does not have any grant for renovation or modernization of their school buildings or for providing requisite infrastructure to the schools. The teachers are told that they have to arrange funds for the purpose, from various well-to-do persons of their area. In view of the aforesaid directive/ verbal directions issued by the Secretary, School Education, the teachers are running with a beggar's bowl in their hand and requesting the well-to-do persons of their area to make some donation, for their Smart School.

2. That There is no transparency in the entire exercise. The funds are being collected without issuing any receipt to the donors. The goods purchased, which includes furniture, cameras, LED, or projector or inverter etc., are not being entered in the stock registers. Thus, the charity made by the donors remains unrecognized by the Education Department.

3. That in view of the aforesaid dubious procedure being adopted by the school staff under the fear of action by the authorities, i.e. their Block Education Officers/District Education Officers/State Level Administration, the teachers, although they are collecting huge funds for benefit of their schools, but they do not issue any receipt to the donor. No bills are procured from the suppliers/business enterprises, selling the various goods, including projectors/LEDs/ cameras/inverters etc., due to which the entire exercise remains hidden under the carpet. Investment into such funds in a non-transparent manner, is resulting into revenue loss to the Government. There is huge possibility of misappropriation of the various goods purchased through investment of such undeclared funds from undisclosed donors. Otherwise too, the teachers cannot be asked to perform such duties as collection of donations from the villagers/citizens, which does not form a part of their teaching assignment. Such funds collection by the teachers of the Smart Schools is otherwise against the conduct rules as well. Besides, such staff members who are indulging into such fund collection drive for their Smart Schools, expose themselves also to the risk of complaints that may be made at a later stage against them for alleged misappropriation of part of such funds so collected from the donors. The entire exercise needs to be stopped.

4. That If at all, the Education Department of Punjab Government is of the considered view that there is no alternative for arranging funds for providing requisite infrastructure in the Smart Schools, the Department should issue clear instructions and the procedure to be followed for collection of funds for modernization of the Smart Schools. The School Management Committees can be authorized to collect such funds and to maintain a complete record thereof and to include all the infrastructure purchased with such funds in their schools in the stock registers and proper handing over of such stocks/goods should be there at the time of handing over charge by the Principal /Headmaster on transfer to some other school.

I would therefore, call upon you to immediately issue directions to the Secretary, School Education, Punjab, and through him to the District and Block Level Officer i.e. District Education Officers/Block Education Officers, to immediately issue written instructions to all the schools in the State of Punjab, to stop such fund collection drive with immediate effect, until some transparent procedure is laid down by the Education Department at the Government level.

In case the illegal fund collection drive by the staff of the Smart Schools in the State of Punjab is not brought to a halt immediately, and in any case within a period of 15 days from the date of receipt of this demand notice by you, in that event, I shall be left with no other alternative except to seek the institution of a Vigilance inquiry/CBI investigation into the fund collection drive being conducted by the staff of the Smart Schools under the verbal instructions of the DEOs/BEOs, including the Secretary, School Education.

Meanwhile, please acknowledge receipt of this demand notice.

(H.C. ARORA)

ADVOCATE

ENCLOSURE; NEWS REPORT