

**IN THE HON'BLE HIGH COURT FOR THE STATES OF PUNJAB &  
HARYANA AT CHANDIGARH**

CWP No 26027 of 2017

NISA Education

Petitioner

VERSUS

The State of Haryana and Others

Respondents

**LIST OF DATES & SYNOPSIS**

The petitioner association is aggrieved from the action of the respondents primarily the respondent no.3 which is trying to pass such type of orders which is against the provisions of the Haryana Education Rules 2003 (Annexure P-6), as well as, the affiliation rules and regulations framed by the respondent no.3 in year 2005 as well as, in year 2016 (Annexure P-7). The respondent no.3 has passed the orders on 26.10.2017 (Annexure P-4) vide which the respondent no.3 has directed the private unaided schools to not to prescribe the books of private publishers and in case any school be found using the books of private publisher for teaching purposes then the fine of Rs. 1 lacs be imposed upon them, as the rule 10 of the Haryana Education Rule 2003 and regulation 5 of the affiliation rules and regulations of 2005 and 2016 (Annexure P-7) permits the private school to prescribe the books of the private publisher, then the respondent no.3 cannot take the punitive action against the member-schools of the petitioner association even at the fag end of the academic session 2017-18. The respondent no.3 could only issue the recommendation

i.e. only in consonance to the rule 10 of the Haryana Education Rule 2003 (Annexure P-6) and affiliation regulation 2005 and 2016 (Annexure P-7). Being aggrieved from the letter dated 26.10.2017 (Annexure P-4) the petitioner association is before this Hon'ble Court to get it set aside.

**Annexure P-1 (26.10.2015)**

The association has been registered at New Delhi by getting the certificate of registration from the concerned registration authorities as the society has been registered at New Delhi for the members schools situated in all over India.

**Annexure P-2 (un-dated)**

The petitioner-association has been formed on the basis of aims and objectives mentioned in the charter of the association, so that the association could take care the rights of the members school in respect of the problems faced by them.

**Annexure P-3 (un-dated)**

The list of the members schools are being appended which are being the members of the petitioner association and the petitioner association is filing the present writ petition on their behalf.

**Annexure P-4 (26.10.2017)**

The respondent no.3 has passed the orders vide which the private un-aided schools along with other sets of the school have been forbidden from using the books of private publisher

for teaching purposes, otherwise fine of Rs.1 lac be imposed upon them for first mistaken.

**Annexure P-5 (03.03.2017)**

The respondent no.3 has circulated the annual instruction for the academic session 2017-18 in which they prescribed the books for some of the subjects and for rest of the subject the management of the schools has been given the independence to prescribe the books as per the contents prescribed the respondents.

**Annexure P-6 (30.04.2003)**

The respondent no.1 has circulated the Haryana School Education Rules 2003 and then the rules were amended in year 2007 and 2009. The rule 10 provides that the private unaided school may adopt any textbooks based upon the contents prescribed by the respondents, thus their independence could not be curtailed.

**Annexure P-7 (29.08.2005 & 5/6.12.2016)**

The respondent no.3 has circulated the affiliation regulations in 2005 and then in 2016 and according regulation 5 of the affiliation rules and regulations the private unaided school is at liberty to prescribe any books of the private publisher by getting the prior approval of the board. Which means that the respondent no.3 cannot force the private unaided school from the prescribing any particular books as per their whims

and wishes by going against the provisions of rule, hence the present petition is before this Hon'ble Court.

Petitioner through Counsel

Place: Chandigarh  
Dated: 08.11.2017

**(PANKAJ MAINI)**  
Advocate  
P-1390/2001  
Counsel for the Petitioner

Civil Writ Petition under Article 226/227 of the Constitution of India praying for the issuance of any writ, orders or directions especially in the nature of certiorari to quash the letter dated 26.10.2017 (**Annexure P-4**) issued by the respondent no. 3 according to which the respondent no. 3 has issued the letter that incase the management of any private school be found teaching from the books of private publisher then fine of Rs. 1 lac be imposed upon the respective school as it will be treated as a violation of the conditions of affiliation as the letter issued by the respondent no.3 on 26.10.2017 (**Annexure P-4**) is antithesis to the provisions of the Haryana Education Rules, 2003 which are having the statutory implications over and above the letter issued by the respondent no. 3; a writ of prohibition may kindly be issued by issuing the directions to the respondent no. 3 that the letter issued by the respondent no. 3 on 26.10.2017 (**Annexure P-4**) and the annual instructions issued by them for the academic session of 2017-2018

dated 03.03.2017 (**Annexure P-5**) in which the books are prescribed are only recommendatory in nature for the member school of the petitioner association in terms of the Haryana School Education Rules, 2003 (**Annexure P-6**) thus, the implication of the letter dated 26.10.2017 (**Annexure P-4**) be put under eclipse; a writ of mandamus may kindly be issued to the respondents to not to harp upon prescribing the books for the member schools of the petitioner association and by issuing the letter dated 26.10.2017 (**Annexure P-4**) vide which the respondent no. 3 has passed the orders regarding imposition of fine of Rs.1 lac for first violation for teaching the books of private publishers is having no legal sanctity in terms of the Haryana Education Rules, 2003 (**Annexure P-6**) thus, the letter dated 26.10.2017 (**Annexure P-4**) and 03.03.2017 (**Annexure P-5**) are only recommendatory in nature and are not binding upon the member schools of the petitioner association; a writ of

mandamus may kindly be issued to the respondents to quash the letter dated 26.10.2017 (Annexure P-4) issued by them vide which the private un-aided recognized schools were forbidden from using the books of private publishers, otherwise, they will be liable for imposing of Rs.1 lac for first mistake, is totally incongruous to the affiliation regulation clause 5 given the liberty to them to prescribe the books with the approval of the board, thus the respondent no.3 could not pass such type of orders which are nonest.

**RESPECTFULLY SHOWETH:**

1. That the members of the petitioner society are the citizens of India. The authorized signatory who is filing the present petition before this Hon'ble court is the citizen of India and the resident of the State of Haryana thus, fully competent to invoke the extraordinary writ jurisdiction of this Hon'ble court by way of filing the present writ petition under Article 226/227 of Constitution of India to get the grievances of its member schools be resolved with the crave indulgence of this Hon'ble court.
2. That the petitioner society has been registered in the name of NISA Education on 26.10.2015 at New Delhi and

the Registrar of Societies, South District, Government of NCT of Delhi has issued the certificate of registration under his seal and signature on 26.10.2015 by giving the legal sanctity to the society. Copy of the certificate dated 26.10.2015 is appended herewith as **Annexure P-1.**

3. That the society was registered having the aims and objectives to rake up the issues of the private schools so that the member schools of the society could carry out their functions without any problem apart from other aims and objectives for which the society was established. The copy of the memorandum of association of society is appended herewith as **Annexure P-2.**
4. That the list of the member schools situated in the State of Haryana is also enclosed with this writ petition and the society is having 227 situated in the State of Haryana are its members on behalf of which the present petition is being filed. Copy of the list of the member schools are appended herewith as **Annexure P-3.**
5. That the petitioner society is having a sphere in all the states of country and its members are not only trying to smoothen the problems of the private schools so that the management of the member schools could concentrate on the betterment of the students studying in their schools. The other objective of the petitioner society is to uplift the down trodden members of the society so that



their status could be uplifted with the light of education in the society with intention to prove them as an asset for the country.

6. That on 26.10.2017, the respondent no. 3 has issued the letter regarding the teaching of the students from the prescribed books by the board from Class IX to Class XII. In this letter the respondent no 3 has stated that they got the information that Government/Government aided and Non-Government recognized schools instead of prescribing the books printed/prescribed by the board are getting the teaching in the school from the books of the private publishers. Thus, in May 2017, the respondent no. 3 has got all the schools inspected by the flying squads constituted by the board in which it has been found that most of the schools are getting the teaching in their schools from the books published by the private publishers instead of the books printed/prescribed by the board which is a very serious issue and violation of the affiliation rules of the board thus, the instructions vide this letter has been issued by the respondent no. 3 that the books printed/prescribed by the board be used in the teaching otherwise in future any school be found that teaching in that school be done from the books of the private publishers then non government recognized schools will be liable for action as per affiliation regulations in which there is a provision for imposing of Rs. 1 lac as a fine on 1<sup>st</sup> mistake. In respect of the

Government School matter be sent to the Director School Education Department for taking the departmental action against the staff of the school. Copy of the letter dated 26.10.2017 is appended herewith as **Annexure P-4**.

7. That the respondent no. 3 has issued the annual instructions on 03.03.2017 for the academic session of 2017-2018. These annual instructions contains the scheme of qualifying for secondary and senior secondary examination certificate, as well as, the scheme of studying for the session of 2017-2018 apart from that the books to be prescribed for those classes from Class IX to Class XII.

It is pertinent to mention here that to mention here that the respondent no. 3 has prescribed the books for more than 24 subjects from Class IX to Class XII and also stated that incase there are other subjects to be taught in the school then the school management could take action at their own level by prescribing the books as per the contents prescribed by the respondent no. 3. Copy of the annual instructions dated 03.03.2017 issued by the respondent no. 3 for the academic session of 2017-2018 is appended herewith as **Annexure P-5**.

8. That the Haryana Education Rules, 2003 circulated by the State of Haryana on 30.04.2013 has provided in

Rule 10 that recognized un-aided schools may adopt any text books based upon the contents prescribed by the respondents. The provision of Rule 10 is reproduced below for the kind perusal of this Hon'ble court:

**“10. Matter to be provided in the syllabi:**

*The Director or Affiliating Board as the case may be, shall, while specifying the syllabi (for the primary, middle, secondary and senior secondary stage) shall decide about the contents to be laid down. However, recognized un-aided schools may adopt any text books based upon such contents.”*

The rules provided in the Haryana Education Rules, 2003 provides the independence to the private un-aided schools to prescribe the books according to the contents prescribed by the respondents it means the contents of the letter dated 26.10.2017 (**Annexure P-4**) is in violation of the Haryana Education Rules, 2003. Copy of the Haryana Education Rules, 2003 alongwith the amended rules of 2007 & 2009 are appended herewith as **Annexure P-6**.

9. That the letter issued by the respondent no. 3 on 26.10.2017 (**Annexure P-4**) is not only in violation of the provision 10 of the Haryana Education Rules, 2003 alongwith amended rules 2007 & 2009 (**Annexure P-6**) but also the outguessing of the powers by the respondent no. 3. Once the rule 10 provides the

independence to the private un-aided schools to prescribe the books as per the contents prescribed by the respondents, in that eventuality respondent no. 3 could only issued the recommendatory guidelines regarding the books but could not pass such type of orders in which they got the power to impose the hefty fine upon the private un-aided schools. The letter issued by the respondent no. 3 on 26.10.2017 (**Annexure P-4**) is also in violation of the law laid down by the Hon'ble Supreme Court of India in the matter of **T.M.A. PIA's** case where the independence of the private institutions are upheld.

10. That while passing the such types of the orders vide letter dated 26.10.2017 (**Annexure P-4**), the respondent no. 3 has not considered this material aspect that now the session is going to complete and the students have purchased the books whatever available to them in the market and incase parents be forced to buy another set of books as directed by the respondent no. 3 then it culminates in the extra financial implication for the parents, as well as, the students would get confused due to multiplicity of same types of books.
11. That the member schools of the petitioner association never forced any student or the parents to buy the books of the private publisher including the books of the respondent no. 3, they only provide the list of the

contents of the book and parents, as well as, the students could buy the books according to their feasibility and availability of books in the market, reason being the books published by the respondent no. 3, as well as, by the NCERT are never available on time in the market. On daily basis news items are being published raising the grievances of the students and parents that even after elapsing of more than half of the academic session the books published by the NCERT are not available in the market. It shows that the respondent no. 3 is not concerned with the problem of the students to put their concentration on making the availability of books on time before the start of the next academic session, as well as, to improve the quality of the books to compete with the books of the private publishers. It is pertinent to mention here that every management of the school ensure that the contents of the books to be purchased by the students should commensurate with the contents of the syllabus prescribed by the respondents, so that the students could able to coup up with the syllabus which is going to be given in the examination by the respondent no.3. The respondents are miserably failed to primarily the (respondent no.3) to provide books to the student on time and in order to hide their failure to provide the books on time. The respondentno.3 is passing such type of orders. The books provide by the private publishers are much better in

quality, as well as, it provides the knowledge the contents to the student in much more simpler way.

12. That the respondent no.3 is passing the orders dated 26.10.2017 (Annexure P-4) and instruction dated 03.03.2017 (Annexure P-5) qua the private un-aided schools which they own affiliation regulations dated 29.08.2005 and new regulations adopted by the respondent no.3 in year 2016 does not permit them. Once the regulations of respondent no.3 gives the liberty to the private unaided schools regarding prescription of the books of the private publishers then any orders passed by the respondent no.3 in respect of private unaided schools being the member of the associations are nonest and having no legal sanctity. The regulation 5 of the affiliation of the regulation is to be read alongwith rule 10 of the Haryana Education Rules 2003 in harmonious way. The regulations 5 of the affiliation regulations which deal with the condition of affiliation are reproduced for the kind perusal of this Hon'ble Court. However regulation 5 be deals with the prescription of the books of the private publishers:-

5. CONDITION FOR AFFILIATION :

- (a). The institution applying for affiliation should have obtained recognition from the competent authority of Department of Education, of the state.

- (b). The institution shall make use of the syllabus and Text books published, printed and approved by the Board for study by its students. However, recognized unaided schools may adopt any text books based upon the contents of the syllabi of the Board withy prior approval of the Board.
- (c) The management committee of private aided/unaided schools/colleges recognized by education department be formed in accordance with the rule 32 of Haryana School Education Rule 2003.
- (d) The institution shall undertake to make available all records/registers of students and teachers for verification of any fact by the Board on demand.
- (e) The institution shall undertake to make available the building/furniture and the services of its staff to the Board for conducting the examinations without charging any rent for the building/furniture.
- (f) The institution shall render all co-operation to the Board in conducting the examinations and checking the menace of copying impersonation & other irregularities.
- (g) The institution shall implement all directions issued by the BOARD OF SCHOOL EDUCATION HARYANA, BHIWANI 7/83 State Govt. or by Board from time to time for conducting the courses of study and examinations at various levels.

- (h) The institution shall accept the responsibility to conduct the courses for the students of 'Open School' & for running of study centres.
- (i) The institution shall be open to inspection by any Officer of the Board or any committee constituted for the purpose by the Chairman/Secretary,
- (j) No institution which has been affiliated by the Board shall add to the Courses of Instructions in respect of which it is not affiliated to the Board or suspend/stop any course of instructions for which it has been affiliated without the prior permission of the Board.
- (k) The Head of the institution while granting admission to the students migrating from other institutions irrespective of whether the migration is from within the State or outside the State, shall ensure authenticity of the documents produced before him/her in support of the claim for admission and shall be personally responsible for the same.
- (l) The verification so made shall be produced in the form of attested photocopy with the enrolment return to be submitted to the Board's office. An undertaking to the effect that the Head of the institution owns responsibility for the verification so made will be intimated to the Board along with Enrolment Return by him/her and shall be liable for disciplinary action in case anything adverse on the part of the institution is found against the



rules/regulations of the Board and the Govt. The Students seeking admission in class X or XII after passing IX and XI from any other state or Central Board of Secondary Education must get enrolled within 20 days after getting SLC from the previous school. The head of the institution shall be responsible for making the admission well in time & within the prescribed dates of all the candidates who are eligible as per rules/regulations and instructions issued by the Board from time to time.

- (m) The school running in the same building and premises shall not be affiliated with another board concurrently.
- (n) The medium of instructions-Hindi shall be the preferred BOARD OF SCHOOL EDUCATION HARYANA, BHIWANI 8/83 medium of instructions in all schools however the school may impart education through the medium of any language other than Hindi such as English, Punjabi, Urdu etc.
- (o) The Branch of the school running in a separate building shall be treated as a new school for affiliation purpose.
- (p) Transfer/Sale of school–The Department/Board would not allow to transfer/sale of any property of school by one Society/ Management/ Trust/ Individual or Individual Association to another Society/Management /Trust/Individual or individual association through agreement/sale deed, shall be necessary”

However, the affiliations regulations provided for prescription of the books though with the prior approval of the board, the right of the private unaided institution could not be taken away by the respondent no.3 by out rightly forbidding their rights.

Copy of the affiliation regulation dated 29.08.2005 and new regulations adopted by the respondent no.3 in Dec.2016 are appended herewith as **Annexure P-7**.

13. That the following questions of law have been enumerated in the present writ petition for the kind perusal and adjudication by this Hon'ble court:
  - i. Whether the letter dated 26.10.2017 (Annexure P-4) issued by the respondent no. 3 could sustained in the eyes of law where the provision 10 of the Haryana Education Rules, 2003 (Annexure P-6) provides the independence to the un-aided private schools to prescribe the books of any publisher as per the contents prescribed by the respondents, in that eventuality respondent no. 3 could only issue the recommendatory guidelines only and could not take the punitive action against the member schools of the petitioner association?
  - ii. Whether the respondent no. 3 could issue such type of orders at the fag-end of the academic session by outguessing its powers by violating the law laid down in **T.M.A. PIA's** case?
  - iii. Whether the respondent no.3 could passed the orders dated 26.10.2017 (Annexure P-4), which provides the provision in rule 5 of the affiliation regulations dated 29.08.2005 (Annexure P-7) of the

respondent no.3 regarding the adoption of any textbook by the recognized un-aided schools as per the syllabus of the board.

14. That the petitioner association has left with no other efficacious remedy except to approach this Hon'ble court by way of filing the present writ petition to get its rights be protected as no revision or appeal is maintainable.
15. That no such or similar petition has been filed by the petitioner before this Hon'ble court or before the Hon'ble Supreme Court of India on the same cause of action except CWP No. 12694 of 2016 which is pending before this Hon'ble court for 29.11.2017.

#### **PRAYER CLAUSE**

- i. It is, therefore, respectfully prayed that a writ of certiorari may kindly be issued to quash the letter dated 26.10.2017 (**Annexure P-4**) issued by the respondent no. 3 according to which the respondent no. 3 has issued the letter that incase the management of any private school be found teaching from the books of private publisher then fine of Rs. 1 lac be imposed upon the respective school as it will be treated as a violation of the conditions of affiliation as the letter issued by the respondent no.3 on 26.10.2017 (**Annexure P-4**) is antithesis to the provisions of the Haryana Education Rules, 2003 which are having the statutory implications over and above the letter issued by the respondent no. 3;
- ii. a writ of prohibition may kindly be issued by issuing the directions to the respondent no. 3 that the letter issued by the respondent no. 3 on 26.10.2017 (**Annexure P-4**) and the annual instructions issued by them for the academic session of 2017-2018 dated 03.03.2017

(**Annexure P-5**) in which the books are prescribed are only recommendatory in nature for the member school of the petitioner association in terms of the Haryana School Education Rules, 2003 (**Annexure P-6**) thus, the implication of the letter dated 26.10.2017 (**Annexure P-4**) be put under eclipse;

- iii. a writ of mandamus may kindly be issued to the respondents to not to harp upon prescribing the books for the member schools of the petitioner association and by issuing the letter dated 26.10.2017 (**Annexure P-4**) vide which the respondent no. 3 has passed the orders regarding imposition of fine of Rs.1 lac for first violation for teaching the books of private publishers is having no legal sanctity in terms of the Haryana Education Rules, 2003 (**Annexure P-6**) thus, the letter dated 26.10.2017 (**Annexure P-4**) and 03.03.2017 (**Annexure P-5**) are only recommendatory in nature and are not binding upon the member schools of the petitioner association in the interest of justice.
- iv. a writ of mandamus may kindly be issued to the respondents to quash the letter dated 26.10.2017 (**Annexure P-4**) issued by them vide which the private un-aided recognized schools were forbidden from using the books of private publishers, otherwise, they will be liable for imposing of Rs.1 lac for first mistake, is totally incontrary to the affiliation regulation clause 5 given the liberty to them to prescribe the books with the approval of the board, thus the respondent no.3 could not pass such type of orders which are nonest.
- v. The petitioner may kindly be granted the exemption from serving the advance notice upon the respondents before filing the present writ petition before this Hon'ble Court.

- vi. The petitioner association may kindly be granted exemption from filing the certified copies of the Annexure P-1 to Annexure P-7, without appending the certified copies of the aforesaid annexure, as well as the permission be also granted to append the photocopies of the Annexure P-1 to P-7 alongwith this petition.

**AD-INTERIM PRAYER**

It is, further prayed that till the pendency of the present writ petition before this Hon'ble court, the implication of the letter issued by the respondent no. 3 on 26.10.2017 (**Annexure P-4**) may kindly be stayed in the interest of justice.

Petitioner through Counsel

Place: Chandigarh  
Dated: 08.11.2017

**(PANKAJ MAINI)**  
Advocate  
P-1390/2001  
Counsel for the Petitioner

**VERIFICATION:**

Verified that all the contents mentioned in the writ petition are true and correct to the best of the knowledge of the petitioner and nothing have been concealed from this Hon'ble Court. In para no 1 to 12, 14 and 15 are true to the best of knowledge of the petitioner and question of law has been mentioned in para no. 13 of the writ petition.

Place: Chandigarh  
Dated: 08.11.2017

**PETITIONER**

**IN THE HON'BLE HIGH COURT FOR THE STATES OF PUNJAB &  
HARYANA AT CHANDIGARH**

CWP No 26027 of 2017

NISA Education

Petitioner

VERSUS

The State of Haryana and Others

Respondents

Affidavit of Kulbhushan Sharma son of Sh. J.P. Sharma, age 51 years, resident of House No. 52-53, Vidhya Nagar, Nanhera, P.O. Kuldeep Nagar, Ambala Cantt. President of NISA Education having registered office at A-24-D, Ground Floor, Hauz Khas, New Delhi, do hereby solemnly affirms and declare as under:-

1. That the deponent being petitioner is fully conversant with the facts and circumstances of the case.
2. That on the request of the deponent, his counsel has prepared the writ petition on the basis of information and record provided by him.
3. That the deponent has gone through the contents of the writ petition which are true and correct to his knowledge.
4. That the contents of the writ petition may kindly be treated as part and parcel of this affidavit.

Place: Chandigarh

Dated: 08.11.2017

DEPONENT

**VERIFICATION:-**

Verified that the contents of my aforesaid affidavit mentioned in paragraphs 1 to 4 are true and correct to my knowledge. No part of it is false and nothing relevant has been kept concealed therein from this Hon'ble Court.

Place: Chandigarh

Dated: 08.11.2017

DEPONENT

**Annexure P-4**

Haryana School Education Board

From

Secretary

Haryaa School Education Board,

Bhiwani-127021

To

Principal/Headmaster/Headmistress,

All Govt/Recognized/High/Middle Primary Schools

Of the Haryana State.

Memo no.5598/Education dated 26.10.2017

Subject Regarding the teaching be given to the students from class 9<sup>th</sup> to 10<sup>th</sup> from the syllabus books prescribed by the Board.

From different sources information has been received in this office that most of the Govt/Govt aided/non-govt recognized schools affiliated with this board are involved in teaching the books from the private publishers instead of getting the teaching from the books published/prescribed by the Board. According to this, in May 2007 office of board has got the inspection be done from the flaying squad constituted by the board to get the inspection be done of the schools by the board of Govt/Govt aided/non govt recognized schools. In which it was found that in many schools instead of using the books published/prescribed by the board for teaching, books of the private publishers are being used to get the teaching work be done which is a serious matter and violation of the affiliation rules of the board.

In respect of the seriousness of the matter all related schools are directed that they should use the books published/prescribed by the Haryana Education Board for teaching to the students, otherwise, in future if any school be

found by using the books of the private publisher in teaching work then the action will be taken against the non govt. recognized school as per affiliation regulation) in which there is provision for imposing the fine of Rs.1 lac on first mistake like that and matter of the govt school will be forwarded to the director school education department for taking the department action against the staff of the school for which they will be responsible themselves,

Thus direction of the board will be followed completely.

Sd/-

Assist. Secretary

(Education)

Sd/- Secretary

26.10.2017



**IN THE HON'BLE HIGH COURT FOR THE STATES OF PUNJAB &  
HARYANA AT CHANDIGARH**

CWP No \_\_\_\_\_ of 2017

NISA Education

Petitioner

VERSUS

The State of Haryana and Others

Respondents

**INDEX**

Sr. No.	Particulars	Dated	Page No.	Court Fees
1.	List of Dates and Events	08.11.2017	1-4	0.00/-
2.	Civil Writ Petition	08.11.2017	5-21	50.00/-
3.	Affidavit in Support	08.11.2017	22	0.00/-
4.	<b><u>Annexure P-1</u></b> Certificate of registration	26.10.2015	23	00.65/-
5.	<b><u>Annexure P-2</u></b> Memorandum of Association/Aims & objectives	--	24-41	11.70/-
6.	<b><u>Annexure P-3</u></b> List of member schools	--	42-45	2.60/-
7.	<b><u>Annexure P-4</u></b> Letter	26.10.2017	46-47	0.00/-
9.	<b><u>Annexure P-5</u></b> Annual instructions	03.03.2017	48-58	0.00/-
10.	<b><u>Annexure P-6</u></b> Haryana Education Rules 2003	30.03.2004	59-78	13.00/-
11	<b><u>Annexure P-7</u></b> Affiliation regulations 2005 & 2016	29.08.2005 & 5/6.12.2016	79-91	8.45/-
12	<b><u>Vernacular of Annexure P-4</u></b> &	26.10.2017	92	00.65/-
13	<b><u>Vernacular of Annexure P-5</u></b> Annual instructions	03.03.2017	93-118	16.90/-

14	<b><u>Resolution</u></b>	08.11.2017	119	00
15	Power of Attorney	24.03.2017	120	2.65/-
<b>TOTAL</b>				<b>107/-</b>

**NOTE:**

1. The main law points enumerated in the present writ petition are at page No. 20 and 21 in para No 13 thereto.
2. Whether any Caveat petition has been filed or not: **-Nil-**
3. Similar case, if any: CWP No. 12694 of 2016 which is pending before this Hon'ble court for 29.11.2017.
4. Violations of the provisions of:-
  - i. Haryana Education Rule 2003 & amended rules 2007 and 2009 (Annexure P-6),
  - ii. Affiliation rules and regulations of 2005 and 2016 circulated by the respondent no.3 (Annexure P-7)

Petitioner through Counsel

Place: Chandigarh  
Dated: 08.11.2017

**(PANKAJ MAINI)**  
Advocate  
P-1390/2001  
Counsel for the Petitioner

### **Resolution**

The meeting of the association has been convened on 08.11.2017 in the present of the most of the members of the association, in which the agenda regarding the filing of the case before the Hon'ble Punjab and High Court was considered to challenge the letters issued by the Haryana School Education Bard dated 26.10.2017 and 03.03.2017 in which the private schools situated in the state of Haryana were forbidden from prescribing the books of the private publisher by way of filing the Civil Writ Petition. In this regard, the present of the NISA, Sh. Kulbhushan Sharma, has been authorised to take all necessary steps regarding the filing of the case as well as he has been authorised to append his signature on the relevant document in respect of the case on behalf of the association.

Secretary

President

Treasury

**IN THE HON'BLE HIGH COURT FOR THE STATES OF PUNJAB &  
HARYANA AT CHANDIGARH**

CWP No \_\_\_\_\_ of 2017

NISA Education

Petitioner

VERSUS

The State of Haryana and Others

Respondents

**COURT FEES PAID Rs. 107/-**

Petitioner through Counsel

Place: Chandigarh  
Dated: 08.11.2017

**(PANKAJ MAINI)**  
Advocate  
P-1390/2001  
Counsel for the Petitioner

**IN THE HON'BLE HIGH COURT FOR THE STATES OF PUNJAB &  
HARYANA AT CHANDIGARH**

CWP No \_\_\_\_\_ of 2017

**MEMO OF PARTIES**

NISA Education having registered office at A-24-D, Ground Floor, Hauz Khas, New Delhi through its President Sh. Kulbhushan Sharma son of Sh. J.P. Sharma, age 51 years, resident of House No. 52-53, Vidhya Nagar, Nanhera, P.O. Kuldeep Nagar, Ambala Cantt.

Petitioner

**VERSUS**

1. The State of Haryana through its Additional Chief Secretary (Schools), Government of Haryana, Haryana Civil Secretariat, 7<sup>th</sup> Floor, Sector 1, Chandigarh.
2. The Director Secondary Education, Haryana, Shiksha Sadan, Sector 5, Panchkula, Haryana.
3. The Chairman, Haryana School Education Board, Bhiwani, Haryana.

Respondents

Petitioner through Counsel

Place: Chandigarh  
Dated: 08.11.2017

**(PANKAJ MAINI)**  
Advocate  
P-1390/2001  
Counsel for the Petitioner