



DECISION

Complaint No.:

POS/1014/24/Hyd/101/J/NWS-79/R

Name and address
of the complainant :

Mr. Sikandar Ali, R/o. Quarter No. ET-20(A), RBB Colony,
Jamshoro.

Name of the Agency
Complained against :

Directorate of Inspection & Registration of Private
Institutions, School Education & Literacy Department,
Government of Sindh.

Name & Designation of
Investigating Officer :

Mr. Masood Ishrat, Registrar

Subject :-

**INACTION BY AUTHORITIES ON THE COMPLAINT
MADE AGAINST MANAGEMENT OF PAK TURK
SCHOOL, LUMHS BRANCH, JAMSHORO,
ALLEGING UNJUST INCREASE IN SCHOOL FEES
AND EXPULSION OF CHILDREN OF THE
COMPLAINANT FROM THE SCHOOL.**

THE COMPLAINT

Mr. Sikandar Ali, r/o. Jamshoro filed a complaint through E-mail dated 13.02.2024 stating therein that Pak-Turk Schools are functioning under the Rules / Regulations framed by the Directorate of Inspection & Registration of Private Institutions, Government of Sindh and that his children were studying in Pak – Turk School, LUMHS Branch, Jamshoro. He alleged that the management of the said school is neither adhering to the policies of the Government in connection with school fees, nor implementing clauses of The Sindh Right of Children to Free & Compulsory Act, 2013. When he objected to these violations of law and policies, the authorities expelled his one child from the school and the other one was harassed mentally, which affected his health badly. Having failed to get response from the Agency, he solicited intervention of this Institution in the matter.

PROCEEDINGS

2. The complaint was admitted conditionally u/s. 10 of the Establishment of the Office of Ombudsman for the Province Act, 1991 (amended up to date), which will be hereinafter referred to as ‘Act’ by condoning the delay subject to submission of mandatory Affidavit on Form “A” in support of his complaint. The investigating officer took up the matter with the concerned Agency as well as with the Principal, Pak Turk School, Jamshoro and also advised the complainant to submit the mandatory Affidavit on Form “A” through notices dated 21.03.2024, 03.05.2024 and 15.05.2024.

3. The complainant, besides his failure to submit the mandatory Affidavit on Form "A" in support of his complaint as required under Section 10 (1) of the Act despite service of notices, as referred in the preceding para, expressed his dissatisfaction on the proceedings being conducted by the Investigating Officers i.e. Regional Director, Provincial Ombudsman's Regional Office, Hyderabad and Advisor J, Secretariat Provincial Ombudsman Sindh. Therefore, the matter was first transferred to Regional Director, Shaheed Benazirabad and subsequently called for hearing at Head Office.

4. During the hearings Syed Naveed Shah, Director, Regional Directorate of Inspection & Registration of Private Institutions, Hyderabad, deposed that Pak-Turk Schools have been established in pursuance of a Memorandum of Understanding (MOU) signed by Minister of Foreign Affairs, The Republic of Turkiye and Federal Minister for Education and Professional Training, The Islamic Republic of Pakistan, on 13th January, 2021.

5. Mr. Huseyin Can Coskun, Director, Pak-Turk Maarif International Schools & Colleges, Jamshoro & Hyderabad Region, filed comments dated 02.10.2024 intimating that the Turkish Maarif Foundation (TMF) is a Turkish State owned, non-profit education foundation, providing quality education to more than 50,000 students enrolled in 446 campuses in 51 countries worldwide. Whereas, in Pakistan it serves more than 13,000 students at 27 campuses in 10 cities across the country, including five (5) campuses in Sindh Province.

6. The Director, Pak Turk Schools further reported that the management is fully compliant of the judgement of the Honourable Supreme Court of Pakistan regarding mechanism for fixation of school fees and allegations of the complainant about unjust increase in tuition fee, beyond the prescribed fee, are totally incorrect. Furthermore, the School deferred increase in tuition fee from 2017 to 2021 due to Covid-19 Pandemic. He has stated that annual fee of Rs.126,600/- was maintained for three consecutive years from 2017 to 2019, followed by 10% discount on the annual fee for the year 2020 and a further 20% discount on the annual fee during pandemic for a period of five (5) months on the directions of the Honourable Court. He has further mentioned that fee structure is still below the permissible limit for 2024 and they have requested the Government for allowing them to increase the fees, which is pending approval.

7. Regarding children of the complainant, it has been reported that his two sons Mr. Sallar Ahmed Rajar and Siraj Ahmed Rajar were enrolled in classes 6 and 5 respectively at Jamhsoro Campus and during their entire tenure at junior sections, they enjoyed 50% discount in tuition fee, in addition to 10% sibling discount due to simultaneous enrolment. It has also been reported that on promotion of Mr. Sallar from junior to middle section, the discount was revised, in view of

policy of fairness, to support other deserving students. Being not satisfied with reduction in discount, the complainant chose to withdraw his son Mr. Sallar from the school. However, his other son Mr. Siraj continued his enrolment at the school with 50% discount in fees, which was discontinued after his promotion to middle section, when as per policy, fresh academic assessment was carried out and it was determined that 50% discount applicable in junior section would no longer be available to him, instead he was offered 10% discount for studies in middle section. The Director, Pak-Turk Schools concluded by stating that the complainant filed complaints with malafide intention to pressurize and harass the management for getting 100% discount for both of his sons and prayed that the complaint may be dismissed.

8. The complainant in his rejoinder dated 17.10.2024 again alleged that the school management instead of adhering to policies, rules and regulations regarding increase of fee / allowing 10% free-ship in view of provisions of The Sindh Right to Children to Free and Compulsory Education Act, 2013 as well as clauses of MOU signed with LUMHS, expelled his children to penalise him for pointing out these irregularities.

9. To thrash out the issue, the matter was finally heard by me on 07.11.2024. The complainant reiterated his earlier stances and alleged that Directorate of Inspection and Registration of Private Institutions Sindh, Hyderabad has failed to take appropriate action on his complaints. Syed Naveed Shah, Director, Inspector & Registration of Private Schools, Hyderabad Region in his reply, submitted during hearing, stated that management of the school, as per policy, allowed 50% discount to both sons of the complainant, besides 10% sibling discount when they studied at junior sections. However, the discount given to them was discontinued on their promotions to middle sections. The complainant was not satisfied with this action and has been demanding 100% discount for both the children, whereas the school management during hearing held before the Provincial Ombudsman's Regional Director Nawabshah (Shaheed Benazirabad) consented for allowing 25% discount to both of his sons. Regarding implementation of 10% free-ship policy of the Government, it has been reported that same was being complied with by the school and the list of beneficiaries of this policy was submitted to them by the school. He further reported that 100% free-ship is only allowed to needy students in consideration of low income of their parents, which is fixed at minimum wages (Rs.37,500/- Per month) whereas the complainant has a higher income than that. The representatives of Pak-Turk Schools again emphasized that Turkish Maarif Foundation is Turkish State sponsored non-profit organization operating on the basis of a MOU executed between Governments of Pakistan and Turkiye and is providing quality education to more than 13,000 students in Pakistan with huge foreign investment. It has been denied in toto that the management of the school has violated any law of the land or rules and regulations prescribed by the registration authority / government. They pointed out that in fact the management deferred the

increases of fee for five years from 2017 to 2021 besides allowing discounts during Covid-19 Pandemic. Further, sons of the complainant were allowed 50% discount, besides 10% sibling discount during their entire stay at junior section, which was discontinued on their respective promotions to middle section. Consequently, the complainant has been pressurizing and forcing them to allow 100% discount to both of his sons and to achieve this objective, he is filing baseless complaints to pressurize the management.

FINDINGS

10. I have examined the case file, documents on record and heard the parties. It was an admitted fact that both sons of the complainant were allowed 50% discount with additional 10% sibling discount throughout their stay at junior section of the school. Initially the 50% discount was withdrawn on promotion of his son namely Mr. Sallar Ahmed Rajar from junior to middle section and being dissatisfied with this action he withdrew enrolment of his child from the school. However, his other son Mr. Siraj Ahmed Rajar was continuously getting benefit of 50% discount in fees till his promotion to middle section, when it was discontinued and as per fresh assessment, he was offered 10% discount, which was not accepted by the complainant. Being dissatisfied with said action of the management of the school, he started making complaints alleging unjust increase of fee and non-adherence to policy of 10% free-ship as provided in The Sindh Right of Children to Free and Compulsory Education Act, 2013.

11. The Directorate of Inspection & Registration of Private Institutions, Hyderabad Region reported that the Pak-Turk Schools were established throughout the province in pursuance of a MOU signed by the Government of Pakistan with Government of Turkiye in January, 2021 and management of the school, as per policy in vogue, provided discount of 50% in school fees to both the sons of the complainant till their promotion to middle section. They further reported that the complainant has been demanding 100% free-ship for both of his sons though such facility is only applicable for wards of those earning minimum wages presently fixed at Rs.37,500/- per month, whereas the complainant does not fall within said income category and hence, is not entitled to this concession.

12. The complainant was neither able to substantiate his allegations regarding illegal increase of fee nor submitted the mandatory Affidavit / solemn affirmation in support of his complaint, as required under Section 10 (1) of the Act. Besides, Pak-Turk Schools have been established in pursuance of Memorandum of Understanding (MOU) signed by two Governments i.e. Government of Pakistan and Government of Turkiye hence the mandate of this Institution is restricted by Sub Section (b) of Section 9 of the Act.

(5)

DECISION

13. In view of the above and in exercise of powers vested in me under Section 11 of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991 (amended up to date), I hereby dismiss the instant complaint due to non-solemn affirmation, as required under Section 10(1) of the Act. Moreover, no case of mal-administration has been established against the concerned Government Agency.

Given under my sign and seal of this office.

Sd/-

(MUHAMMAD SUHAIL RAJPUT)

Sitare-e-Imtiaz.PAS

OMBUDSMAN SINDH

Karachi, dated 15th November, 2024

