



सत्यमेव जयते



Fair Competition
For Greater Good

COMPETITION COMMISSION OF INDIA

(Case No. 14 of 2014)

In Re:

Shri Budh Ram Mahala,
Sarpanch, Gram Panchayat Doomra, Tehsil Nawalgarh, District Jhunjhunu

...Informant

And

Mr. Ramgopal Jangid
Ex-Sarpanch, Gram Panchayat Doomra, Tehsil Nawalgarh, District Jhunjhunu

...Opposite Party

CORAM

Mr. Ashok Chawla

Chairperson

Mr. Anurag Goel

Member

Mr. M. L. Tayal

Member

Mr. Sudhir Mital

Member

Present: None for the Informant



Order under Section 26(2) of the Competition Act, 2002

The present information was filed by Mr. Budh Ram Mahala, the Sarpanch of Gram Panchayat Doomra, Tehsil Nawalgarh, District Jhunjhunu (hereinafter referred to as '**the Informant**') under Section 19(1) (a) of the Competition Act, 2002 (hereinafter referred to as "**the Act**") against Mr. Ramgopal Jangid (hereinafter referred to as '**OP**'), alleging, *inter alia*, contravention of the provisions of the Act with respect to carrying out operation of the educational institutions (hereinafter referred to as 'OP Institutions').

2. Briefly, as per the information, the OP, the Ex-Sarpanch of Gram Panchayat Doomra, Tehsil Nawalgarh, District Jhunjhunu, was running various educational institutions in District Jhunjhunu, namely Shrimati Jankidevi Shikshan Prashikhsan Mahavidyalay Doomra, Shrimati Jankidevi Mahila Mahavidyala Doomra, Bal Niketan Uchh Madhyamik Vidyalal Doomra, Gandhi Vidya Mandir Uchh Madhyamik Vidyalaya Mukundgarh and Mukundgarh Public School, Mukundgarh, all in District Jhunjhunu.
3. The Informant alleged that OP through these institutions has amassed property worth crores of rupees by way of fraud and forgery. As per the Informant, the Opposite Party had connived with higher rank officials in conducting these irregularities.
4. Briefly, the Informant alleged that there had been a violation of norms laid down by National Council for Teacher Education (NCET) by various institutions of OP. As per the NCET norms, the institutions running B.Ed courses should appoint well qualified M.Ed teachers which the OP institutions did not have. It was alleged that the OP institutions were not depositing Provident Fund of the employees under the employee future fund scheme. Further, the employees were not made members of the ESI because of which they were not entitled to any health facilities in the ESI hospitals. It was also contended that the employees' salaries were not paid by cheque and bogus documents were made to show payment of full salaries. In this way, the OP



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institutions allegedly disregarded the Rajasthan Private Education Act 1993 and NCET norms while also exploiting the employees'. It was further alleged that income and expenses were not maintained in a proper manner which remained unaudited to avoid financial scrutiny. The OP institutions were also alleged to be guilty of understating its income to evade taxes in a comprehensive manner.

5. The Informant also alleged that the OP institutions were extracting from the students a fee higher than what was fixed without giving them any receipt. The students were also forced to avail the bus services, hostel services, purchase of reading books and uniform from the OP institution. The students were forced to pay hostel fee even when there was no hostel in the OP institution. As per the Informant, OP connived with higher officials to flout registration rules and established the OP institutions on the agricultural land without undergoing conversion of the same for institution which led to revenue losses to the government.
6. Based upon the above facts, the Informant prayed before the Commission that the OP institutions run by OP should be closed and that all the properties of these institutions may be seized; and that penalty may be imposed on OP.
7. The Commission has examined the information on record. The Informant did not appear before the Commission on the scheduled date of hearing to substantiate his case nor did he highlight in the information about the relevant provisions which were contravened by the OP. From the facts present before the Commission, it appears that Informant was aggrieved by OP's conduct and practices in running the OP institutions which according to him were abusive vis-à-vis the students as well as the employees. In the opinion of the Commission, the subject matter of the present information does not fall within the domain of the competition law. In light of aforesaid observations, an assessment of the alleged abusive conduct of the OP is not required.



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8. For the reasons stated above, the Commission finds that no, *prima facie*, case is made out in the matter. Therefore, the case deserves to be closed down under section 26(2) of the Act. The Secretary is directed to send a copy of the order to all concerned.

Sd/-

(Ashok Chawla)

Chairperson

Sd/-

(Anurag Goel)

Member

Sd/-

(M. L. Tayal)

Member

Sd/-

(Sudhir Mital)

Member

New Delhi

Dated: 13/05/2014