

DIRECTORATE OF PUBLIC INSTRUCTION, DELHI

No. F. 52(2) (21)/C.A./79/

To

All the District D.D.
All the Managers of [redacted] Pvt.
Aided and Unaided Schools of Union Territory of Delhi.

Sir/Madam,

It has been the practice to grant recognition to schools for a limited period and such recognition used to lapse at the expiry of that period unless such recognition was renewed before the expiry of that period. This practice was based on Rule 54(2) of the Delhi School Education Rules, 1973. In the writ No. 333 of 1977 in the case of Digan Jain Society, the Hon'ble High Court of Delhi delivered a judgement on 30.8.1979 holding Rule 54(2) ultra vires of the Delhi School Education Act, 1973. The operational part of the said judgement reads here as under:-

" Thus on a very careful consideration of all the various provisions of the Act and Rules, I am of the opinion that Rule 54(2) is ultra vires of the Act, and that the recognition originally granted to the school was absolute recognition. In any case, the recognition granted after 31.12.73 must be treated as the absolute grant of recognition within the scope of Rule 54. It must be assumed that the authority was satisfied that at some time the school would be able to fulfil the requirements and conditions for grant of recognition and because of this satisfaction a visitation exemption was given to the school was not granted. This being the position, the exemption taken away from the school except in the

The prescribed Authority (Administrator of Delhi - Lt. Governor) announced his judgement on 9.11.79 in the case of Appeal No. 145/79- D.A. in the case of Bahar Education Trust Vs. State as hereunder:-

" In view of the Law laid down by the Delhi High Court in the case of Digan Jain Society, it has been held, and I hold accordingly that the appellant school cannot be recognised school. In case the Director of Education of the State is of the opinion that the school does not satisfy any of the conditions specified under Sub-section (1) of Section 4, he will have to follow the procedure laid down under Sub-section (6) of Section 4 read with rule 56 "

In view of the above High Court Judgement and above quoted Pronouncement of the prescribed Authority (Lt. Governor), recognition of no school shall lapse as specified under Rule 54(2). Condition once granted shall be absolute.

Hence no school will be deemed recognised for a limited period, no recognition of the Act/Rules, 1973 or any other rule has been granted recognition thereafter. Hence all recognised schools shall be deemed permanently recognised and recognition shall be withdrawn only through the procedure

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N. C. Jindal Public School
Punjabi Bagh, New Delhi-26

[Handwritten signature]

Principal
N.C. Jindal Public School
Punjabi Bagh, N. Delhi-26

contd..... 2/-



laid down under sub-section (8) of Section 4 of the Act read with Rule 55 of Delhi School Education Rules, 1973.

The School Managements are requested to ensure that statutory requirements governing recognition laid down under Section 4(1)(a) to (f) of the Delhi School Education Act, 1973 and conditions prescribed under Rule 55 of the Delhi School Education Rules, 1973 should be duly complied with and the said rules should be duly provided to the school. Conditions already imposed governing recognition should be the under-mentioned through Zonal Education Officers. The Managements will also continue to comply with other statutory requirements of the Delhi School Education Act and Rules 1973 as applicable to such schools.

The District Inspectors of Schools and Zonal Education Officers are required to conduct thorough inspections from time to time to ensure implementation/fulfilment of the mentioned statutory requirements/conditions of recognition and keep a record thereof in the recognition files. Deficiencies, if any, to be pointed out to the Managements for remedial action within a specified period under intimation to the undersigned. In case, any deficiency is noticed, the same should be taken for withdrawal of recognition in accordance with the procedure laid down under sub-section (8) of Section 4 of the Act read with Rule 55 of Delhi School Education Rules, 1973.

4. The Principal
N.C. Jindal Public School
Punjabi Baga, New Delhi-26.

Yours faithfully,

(BALESHWAR SAI)
DIRECTOR OF EDUCATION, DELHI:
DATE:

NO. E. 33(2)(31)/Gen/79/

- 1. Copy forwarded to All Education Officers and D.S.Os.
- 2. All the Branch Offices of the Directorate of Education, Delhi.
- 3. Principals of recognised private (and unaided) schools.

Handwritten: Said

Handwritten notes:
Mr. Khanna
24/11/80
3/11/80

(V.P. SINGH) 4120
DIRECTOR OF EDUCATION (GENERAL)

Handwritten signature: Deepak D/S
Principal
N.C. Jindal Public School
Punjabi Bagh, N. Delhi-26

Handwritten signature: [Signature]
N.C. Jindal Public School
Punjabi Bagh, N. Delhi-26