

Office of the Education Officer
Zone-XI(B_{oys}) Distt: West Old Rajinder Nagar
New Delhi.

No.F.22(53)/Z-XI(B)/DW/II/79/ 1704-1734 Dated the 18th June, 79

The Principal,
Hans Raj Model School,
Panjabi Bagh, New Delhi.

Subject:- Extension in recognition of the school beyond 30.4.79
without aid.

Sir,

I have been directed to convey you the approval of the Director of Education, Delhi to the extension of recognition of Hans Raj Model School, Panjabi Bagh, New Delhi for Class-Pre-Primary to Twelfth Class from 1.5.1979 to 30.4.1981 without aid subject to the condition that services of those staff who do not fulfil the conditions of "age" and "qualifications" as per recent rules approved by the Lt. Governor, Delhi, should be terminated forthwith-Smt. Rakesh Malik is one of the cases.

The cases of those staff members who are eligible for relaxation should be finalized as per recent orders and reference be made with specific proposals for consideration.

Besides the above the extension of recognition is granted subject to the fulfilment of other conditions as may be prescribed from time to time and applicable under the DSE-Rules/Act-1973.

Compliance report regarding fulfilment of the conditions as mentioned in paras I & II above may be submitted within three months of the date of issue of this letter.

Yours faithfully,

(Bhagwan Das)
Education Officer

No.F.22 (53)/Z-XI(B)/DW/II/79/

Dated the 18th June, 79.

Copy forwarded for information to:-

1. The PA to the Director of Education, Delhi.
2. The Dy. Director of Education (Act) and (Gen)
3. The DDES of all the Districts.
4. All E.Os.

(Bhagwan Das)
Education Officer

DIRECTORATE OF EDUCATION: DELHI ADMN: DELHI:

No. F.32(2A)/Gen./79/

Dated:

To

All the District D.D.Es.
All the Managers of Recognised 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 on 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 Civil Writ No. 333 of 1977 in the case of Digambar 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 portion 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 recognition; at any rate, 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 deemed that the authority was satisfied that after some time the school will be able to fulfil the requirements and conditions for grant of recognition and because of this satisfaction a provisional exemption was given to it and the school was recognised. This being so, the recognition cannot be taken away from the school except in the manner contemplated by Section 4 Sub-sec. (4) or (6)".

The Prescribed Authority (Administrator of Delhi -Lt. Governor) announced his judgement on 9.11.79 in the case of Appeal No. 143/79 G.A. in the case of Bahar Education Trust Vs. State as here under:-

" In view of the Law laid down by the Delhi High Court in the case of Digambar Jain Society, it has been held, and I hold accordingly that the appellant - school continued to be recognised school. In case the Director of Education is of the opinion that the school does not satisfy any one of the condition 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 cited High Court Judgement and

recognition of no school shall lapse as specified under Rule 54(2). Recognition once granted shall be absolute.

Hence no school will be deemed recognised for a limited period, no matter whether it was recognised prior to the commencement of the Act/Rules, 1973 or has been granted recognition thereafter. Hence-forth all recognised schools shall be deemed to be permanently recognised and recognition should be withdrawn only through the procedure laid down under sub-sec. (6) of Section 4 of the Act read with Rule 56 of Delhi School Education Rules, 1973.

The school Managements are requested to ensure that statutory requirements governing recognition is laid down under Section 4(1) (a) to (f) of the Delhi School Education Act, 1973 should be duly complied with and conditions prescribed under Rule 50 of the Delhi School Education Rules, 1973 should be duly fulfilled as well as facilities specified under Rule 51 under the said Rule should be duly provided to the school. Conditions already imposed governing recognition should be fulfilled and report thereof ~~the~~ be submit to the undersigned through Zonal Education Officer. The Managements will also continue to comply with other relevant requirements of the Delhi School Education Act and Rules, 1973 as applicable to their schools.

The District Deputy Directors and Zonal Education Officers are required to conduct thorough inspections from time to time on the implementation/fulfilment/ of the above mentioned statutory requirements/ conditions of recognition and keep a record thereof in the recognition files. Deficiencies, if any, be pointed out to the Managements for removing the same within specified period under intimation to the undersigned. In case, any Management fails to fulfil the statutory requirements mentioned above, action should be taken for withdrawal of recognition in accordance with the procedure laid down under subsection (6) of Sec. 4 of the Act read with Rule 56 of Delhi School Education Rules, 1973.

Kindly acknowledge receipt of the circular.

Yours faithfully,
Sd/-

(BALESHWAR RAI)
DIRECTOR OF EDUCATION: DELHI:
DATED:

Wahi/