

(2) (21/Jan/79

Dated

All the District D.D.E.  
All the Managers of Recognized Pvt.,  
Aided and Unaided schools of Union  
Territory of Delhi.

Sir,

It has been the practice that grant recognition to schools for a limited period and when 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 passed on Rule 54(2) of that Delhi School Education Rules, 1973. In civil writ No. 353 of 1977 in the case of Digambar Jain Society, the Hon'ble High Court of Delhi delivered a judgement on 30.6.1979 holding 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. It must be deemed that the authority was satisfied that after some time 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 satisfied that the school should be given to it and the school was recognized accordingly. In the 1973 Act, the recognition should be granted to the school if the school is able to fulfil the conditions specified in the said Act and Rules. The conditions already improved governing recognition should be fulfilled and report

The Prescribed Authority (Administrators of Delhi) Government announced his judgement on 9.11.79 in the case of appeal No. 143/79 C.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 said school continued to be recognized 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 15, he will have to follow the procedure laid down under sub-section (5) of section 15 with rule 55 "

In view of the above cited 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) Recognition once granted shall be absolute.

Hence no school will be deemed recognized for a limited period, no matter whether it was recognized for a limited period, no matter whether it was recognized prior to the commencement of the Act Rules 1973, or has been granted recognition thereafter. Hence forth all recognized schools shall be deemed to be permanently recognized and recognition would be withdrawn only through the procedure laid down under sub-section 55 of section 15 of the Act read with rule 55 of Delhi School Education Rules. The school Managements are requested to ensure that requirements governing recognition as laid down under section 15 (1) (a) to (c) 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. The school Managements are requested to ensure that requirements governing recognition as laid down under section 15 (1) (a) to (c) 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. The school Managements are requested to ensure that requirements governing recognition as laid down under section 15 (1) (a) to (c) 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.

*Handwritten signature/initials*

Sukho Khalsa Sr. Govt. Recog. & Aided. and Unaided Schools, Delhi

there of be submitted to the under-signed 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 through inspections from time to time 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 and intimated to the under-signed. In case, any management fails to fulfill the statutory requirements mentioned above, action should be taken for withdrawal of recognition in accordance with procedure laid down under sub-section (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/-  
(Balashwar Rai)  
Director of Education  
Delhi

NO: R (32)(2)(21) Gen/12

copy forwarded for information and necessary action to:-

1. All Education Officers and D.R.Os
2. All the Branch Officers of the Directorate of Education
3. Principals of all recognised, private aided and unaided schools

Sd/-  
V. N. Singh  
Asstt. Director of Edu  
(Control)

*Copy*  
HOS / Principal  
Sukho Khalsa Sr. Sec. School  
Govt Recog. & Aided Minority School  
Jail Road, Jankpuri, New Delhi-50

*Master True Copy*

*Sd/-*

Principal

School