

DIRECTORATE OF EDUCATION: ZONE VIII (GIRLS)  
DISTRICT SOUTH: DEFENCE COLONY: NEW DELHI.

NO.F.I-1 (19)/VIII-G/76/4503

Dated:- 15/11/78

To

The Manager,  
Summer Fields School,  
Kailash Colony, New Delhi.

Subject:- Grant of provisional recognition ~~upto~~ pre-primary to XII classes.

Sir,

With reference to your letter dated 6.1.78 on the above subject, I am to convey sanction of the Director of Education, Delhi to the extension of Recognition without grant-in-aid of the school for a period of Two years from 1.5.78 to 30.4.1980 subject to fulfilment of following conditions:-

1. The following teachers are not qualified <sup>and should</sup> acquire the necessary qualifications within three years.
  1. Sh. G.D.Shatri - M.A.
  2. Mrs. M.B.Sachedeva
  3. Mr. S.P.Kapoor
  4. Mrs. K. Kaul.
2. While the cases of all those teachers and other employees who were appointed before 31.12.1975 and were overage at the time of appointment stand regularised, those who were appointed after this date and were overage at the time of appointment shall be replaced by teachers/employees who fulfil the requisite age limit laid down for the posts.
3. No employee who has attained the age of superannuation shall be retained in service from now onwards.
4. The cases of those teachers/employees who were appointed before the commencement of the Delhi School Education Act and were fulfilling the qualifications then prescribed by the affiliate Board shall be referred to us for decision. Similarly, those teachers/employees who appointed after 31.12.1975 and were overage at the time of appointment but are entitled to get relaxation in age on the basis of their past experience should also be referred to the Directorate for decision.
5. The building under construction may be completed within a period of one year.
6. The Science Labs be shifted to some bigger rooms.
7. The school premises shall not be used for non-educational activities.
8. The school will maintain the Service Looks of each employee.
9. More books be added to the Library.
10. The services of any employee shall not be terminated without the prior approval of the Director of Education.

P.T.O.

11. The scheme of management be got approved.
12. The school shall comply with the provisions of DSEA, 73 and rules made there under and instructions issued by the Department from time to time.

In case the above conditions are not fulfilled/adhered to the Department will be constrained to disallow further recognition of the school.

Yours faithfully,

(Mrs.) S. SURI  
EDUCATION OFFICER.

NO.F.I-1(19)/VIII-G/76/4504/40 Dated:- 15/11/78

Copy forwarded to the following for information and necessary action:

1. P.A. to D.E.
2. D.D.E(Gen)
3. A.D.E.(Pig)
4. D.D.E.(Distt. North, West, East and South)
5. All E.O.s
6. E.O., M.C.D./NDMC
7. A.D.E.(Exam.)
8. Secretary, C.B.S.E./M.C.
9. A.W. A/C & II.

(Mrs.) S. SURI  
EDUCATION OFFICER

/LEKHRAJ/  
9.11.78

*Shalika*

MINISTER OF EDUCATION, DELHI AREA, DELHI;

No. F. 52(2)(24)/Gen/77

Date: 4-1-1980

To

All the District D.D.s,

All the Managers of Recognized P.T.  
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, 1975. In Civil Writ No. 253 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, 1975. The operational part of the said judgement reads here as under:-

"After 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 originally granted to the school was an absolute recognition; at any rate, the recognition granted after 31.12.77 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 at any time the school will be able to fulfil the requirements and conditions for grant of recognition and because of this satisfaction a provisional extension was given to it and the school was re-graded. This being so, the recognition cannot be taken away from the school except in the manner contemplated by Section 4 sub-sec. (4) or (5)".

The Prescribed Authority (Admin. Director of Delhi - Lt. Governor) announced its judgement on 3.11.79 in the case of Appeal No. 143/79 O.A. in the case of Bharat 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 ceases to be recognized school. In fact the first respondent is of the opinion that the school does not satisfy any one 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 54".

In view of the above cited High Court judgement and above quoted pronouncement of the Prescribed Authority (Lt. Governor), recognition of no school shall hence 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 prior to the commencement of the Act/Rules, 1975 or has been granted recognition thereafter. Henceforth all recognized schools shall be deemed to be permanently recognized and recognition shall be withdrawn only through the procedure

*Shali G. S.*  
PRINCIPAL  
SUMMER FIELDS SCHOOL

Laid down under sub-sec. (a) of Section 6 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 as laid down under Section 6(a) of the Act of the Delhi School Education Act, 1973 should be duly complied with and conditions prescribed under Rule 56 of the Delhi School Education Rules, 1973 should be fully fulfilled as well as facilities specified under rule 56 and the said rule should be duly provided to the school. Conditions prescribed under governing regulations should be fulfilled and report thereof is submitted to the under-mentioned through School 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 School Education Officers are requested to contact through the medium from time to time of the Inspector/Inspector-in-charge of the above mentioned statutory requirements/conditions of recognition and also a record thereof in the receipt or file. If necessary, it may be pointed out to the Managements to, wherever the time within specified period under intimation to the undersigned. In case, any Member fails to comply with statutory requirements mentioned above, the same will be taken for withdrawal of recognition in accordance with the provisions of the Delhi School Education Act, 1973.

Yours faithfully,  
[Signature]

DEPARTMENT OF EDUCATION, DELHI  
4-1-1980

NO. 3/1979/10/79

Copy forwarded for information and necessary action to:-  
1. All concerned Officers and District  
2. All the Branch Offices of the Director of Education,  
3. Principals of all recognised private and aided schools.

*Handwritten mark*

(U.P. 1979) 4-1-80  
ASST. DIRECTOR OF EDUCATION (GENERAL)

*Handwritten signature*

PRINCIPAL  
SUMMER FIELDS SCHOOL  
KAILASH COLONY  
NEW DELHI-110048