

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, should acquire the necessary qualifications within three years.
  1. Sh. G.D.Shatri - M.A.
  2. Mrs. M.B.Sachdeva
  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. qualifications within three years.
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 Books 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.

*[Signature]*  
PRINCIPAL  
SUMMER FIELDS SCHOOL  
KAILASH COLONY  
NEW DELHI-110048

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SUMMER FIELDS SCH  
KAILASH COLONY  
NEW DELHI-110048

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, the Department will be constrained to disallow further recognition of the school.

N.J.F.I-1(19)/VIII-G/76/4504-4A Dated:- 15/11/78

- copy forwarded to the following for information and necessary action:-  
1. P.A.O. to D.E. 2. I.D., D.E.(Gen) 3. A.P.E. (Plg) 4. P.D.B.E. (Distt. North, West, East and South) 5. All E.D.s 6. E.O., M.C.D./NDMC 7. A.D.E. (Exam.) 8. Secretary, C.D.S.E. 9. A.O., A/C & II.

(Mrs.) S. SUJI  
EDUCATION OFFICER

LEKHRAJ  
9-11-78

PRINCIPAL  
SUMMER FIELDS SCHOOL  
KAILASH COLONY  
NEW DELHI-110048

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DISTRICT EDUCATION DEPTT. ADDL. REUL;  
No. F. 32(2) (2A)/G-7/79

Dated: 4-1-1980

To

All the District D.E.P.

All the Managers of recognized P.T.O.

Allied 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 end of that period. This practice was based on Rule 54(2) of the Delhi School Education Rules, 1977. In Civil Writ No. 333 of 1977 in the case of Digamber 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, 1977. The operational portion 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 so long as 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 recognized. This being so the recognition can not be taken away from the school except in the manner contemplated by Section 4 sub-sec. (1) or (6)."

The Prescribed Authority (Administrator of Delhi - Lt. Governor) announced its judgement on 3.11.79 in the case of Appeal No. 143/79 C.L. in the case of Dagarbar Jain Society v. Lt. Govt. State as hereunder:-

"In view of the Law laid down by the Delhi High Court in the case of Dagarbar Jain Society, it has been held, and I hold accordingly that appellants 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 conditions specified under Sub-section (1) of Section 4, he will have to follow the procedure laid down under Sub-section (6) of Section 40A with Rule 52".

In view of the above cited High Court Judgement and above quoted pronouncement of the Prescribed Authority (Lt. Governor), recognition of no school will be given as provisional 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/made or has been granted recognition thereafter. Henceforth all recognised schools shall be deemed to permanently remain as recognised until recognition will be withdrawn only through due procedure.

contd..... 2/-

  
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laid out under sub-sec. (6) of Section 4 of the Act read with Rule 58 of  
High School Education Rules, 1973.

The School Managements are requested to observe the following requirements governing recognition as laid down under Section 12(1) of the Delhi School Education Act, 1973 should be fully observed and no concession or exemption will be granted. The Management of each school is permitted under Rule 50 of the Delhi School Education Rules, 1973 to be fully satisfied as well as facilities provided under Rule 51 under the said rules should be fully provided to the school. Conditionally or otherwise, the governing recognition should be fulfilled and report thereof is submitted 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.

To District Deputy Directors and Head Station Officers  
etc required to conduct investigation from time to time on the  
application/placement of the above mentioned statutory requirements/  
condition of recognition and keep a record thereof in the document on file.  
Duration of recognition is subject to the maximum of 6 months. If no  
duration is specified period after estimation is the maximum of 6 months. Within  
6 months of issue of certificate of recognition by station or head station officer  
the concerned set the date of recognition in accordance with the period  
of validity of the certificate. P.M.D. 4 of the L.D. dated 10-10-1971  
Sect 10 of the Act No. 81 in, 1971.

Figure 1. A typical example of the results of the simulation.

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U. S. GOVERNMENT  
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Principals of all Recognised private and unaided schools.

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*[Signature]* PRU

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