

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

N.O.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 ^{and should} should 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 DSE, 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.D.s 6. E.O., M.C.D./NDMC
7. A.D.E.(Exam.) 8. Secretary, C.B.S. EDUCATION
9. A.W. A/C & II.

(Mrs.) S. SURI
EDUCATION OFFICER

LEKHRAJ
9.11.78

Shalika

MINISTRY OF EDUCATION, DELHI ADMIN, DELHI

No. P. 32(2)(24)/Gen/75

Dated: 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. 353 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:-

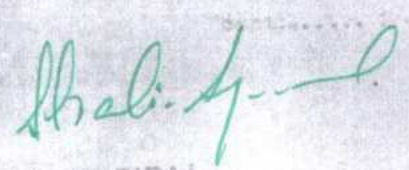
"I have given very careful consideration of all the various provisions of the Act and Rules, I am of the opinion that Rule 54(2) is ultra vires of the Act, and that recognition originally granted to the school was an absolute recognition; at any rate, the recognition granted after 31.12.75 must be treated 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-recognized. This being so, the recognition cannot be taken away from the school except in the manner contemplated by Section 4 sub-section (4) or (5)".

The Prescribed Authority (Administrator of Delhi - Lt. Governor) announced in judgement on 21.11.79 in the case of Appeal No. 143/78 D.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 be treated to be recognized school. In view of the above, the Prescribed Authority is of the opinion that the school does not satisfy any one of the conditions specified under sub-section (1) of Section 6, the school will have to follow the procedure laid down under sub-section (6) of Section 6 read with rule 54".

In view of the above cited High Court judgement and above cited pronouncement of the Prescribed Authority (Lt. Governor), recognition of any 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, as such 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


PRINCIPAL
SUMMER FIELDS SCHOOL

Laid down under sub-sec. (a) of Section 4 of the Act read with Rule 56 of Delhi School Education Rules, 1973.

The School Managements are requested to ensure that the requirements governing recognition as laid down under Section 4(a) of the Act of the Delhi School Education Act, 1973 shall be duly complied with and conditions prescribed under Rule 56 of the Delhi School Education Rules, 1973 also be duly fulfilled as well as facilities specified under Rule 56 and the said Rule should be duly provided to the school. Conditions already imposed governing recognition should be fulfilled and report thereof is submitted to the undersigned 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 required to contact through the medium from time to time of the Inspector/Department of the above mentioned statutory requirements/conditions of recognition and also a record thereof in the receipt or file. Furthermore, if any, is pointed out to the Managements for removing the same within specified period under intimation to the undersigned. In case, any violation is found, the statutory requirements mentioned above, shall be taken for withdrawal of recognition in accordance with the provisions laid down under sub-section (a) of Section 4 of the Act read with Rule 56 of Delhi School Education Rules, 1973.

Kindly advised the result of the inspection.

Yours faithfully,

(Signature)
DEPT. OF EDUCATION, DELHI
DATE: 4-1-1980

NO. 5/1973/13-7/79

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

Aided

(Signature)
ASST. DIRECTOR OF EDUCATION (GENERAL)

Shree. G. L.

PRINCIPAL
SUMMER FIELDS SCHOOL
KAILASH COLONY
NEW DELHI-110019