

DIRECTORATE OF EDUCATION: GENERAL BRANCH: Delhi:

No. E.32(2)(6)/Gen/79/12323

Dated: 8.11.79

To

The Manager,

St. Anthony's Girls Higher Secondary School
Paharganj New Delhi

Subject: Recognition of the school.

Sir/Madam,

As your school enjoys permanent recognition granted by the Central Board of Secondary Education, New Delhi, on the commencement of the Delhi School Education Act/Rules, 1973, the Director of Education has been pleased to declare your school as an existing school as defined under section 2(j) of the Act. The recognition of the school shall be subject to the provision of the Delhi School Education Act, 1973 and the rules made thereunder.

Yours faithfully,

(Mrs. G. Chawla)

Additional Director of Education (Gen)

Dated: 8.11.79

E. 32(2)(6)/Gen/79/

Copy forwarded for information and necessary action to:-

1. Secretary to Hon'ble Lt. Governor, Delhi.
2. P.S. to Chief Executive Councillor, Delhi.
3. Secretary (Education).
4. P.S. to Chief Secretary, Delhi Admn., Delhi.
5. All E.Os / DDEs of the districts.

(MRS. G. CHAWLA)

Additional Director of Education (Gen)

DK

H.O.S.

St. Anthony's G. Sr. Sec. School
(Govt. Aided & Recognised)
Paharganj, New Delhi-110055

St. Anthony's G. Sr. Sec. School

Manager,
St. Anthony's Girls Higher Sec. School,
Paharganj, New Delhi-110055

The School Managements are requested to ensure that statutory requirements governing recognition as laid down under Section 4(1)(a) to (f) of the DSEA, 1973 should be duly complied with and conditions prescribed under Rules 51 to 58 of Delhi School Education Rules, 1973 should be duly fulfilled as well as facilities specified under Rule 51 under said Rules should be duly provided to the school. Applications already received governing recognition should be filled and report thereof be submit to the undersigned Zonal Education Officer. The Managements will continue to comply with other relevant requirements of Delhi School Education Act and Rules, 1973 as applicable to their schools.

The District Dny Directors and Zonal Education Officers are requested to conduct through inspections from time to time on the compliance of recognition and statutory requirements/conditions of recognition and keep record thereof in the recognition files. Deficiencies, if be pointed out to the Managements for removing the within specified period under intimation, to the undersigned. In case management fails to fulfill the statutory requirements as mentioned above, action should be taken for withdrawal of recognition in accordance with the procedure laid down under sub-section (6) of sec. 4 of the Act read with Rule 58 of Delhi School Education Rules, 1973.

Kindly acknowledge receipt of the circular.

Yours faithfully

Sd/- 4/1/80

(Balachmar Rai)

Director of Education,

Dated: 4.1.1980

32(2)(21)/Gen/79/

Copy forwarded for information and necessary action to:
1. Education Officer and D.E.O.,
2. the Branch Officer of the Director of Edn, Delhi.
Principal of all recognised private, aided and unaided schools.

Sd/- 4.1.80

(V.P. SINGH)

Asstt. Director of Edn. (Gen)

/Attested - Copy /

P 10.2.80

Handwritten signature

Handwritten signature

St. Anthony's School
Govt. Aided
110055

St. Anthony's School
Govt. Aided
110055

Dated: 4.1.1980

As the Director D. DE.
 The Manager of Recognized Pvt.
 and Unaided Schools of Union Territory of Delhi.
 It has been the practice 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
 followed till Rule 54(2) of the D.E.R. 1973. In Civil writ No.
 553 of 1977 in the case of Dhanraj Jain Society, the Honl.
 High Court of Delhi delivered a judgement on 20.1.1979
 regarding Rule 54(2) ultra vires of the Delhi School Education
 Act, 1973. The operative portion of the said judgement read
 as under:-

"Thus on a very careful consideration of all the va-
 rious provisions of the Act and Rules, I am of the opinion
 that Rule 54(2) is ultra vires of the Act, and that recog-
 nition originally granted to the school was an absolute
 recognition, at any rate, the recognition granted after
 31.12.73 must be treated as the absolute grant of recog-
 nition within the scope of Rule 54. It must be deemed that
 the authority was satisfied that after some time the school
 would be able to fulfil the requirement and conditions for
 grant of recognition and because of this satisfaction a
 conditional 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 Described Authority (Administrator of Delhi
 Government) sanctioned his judgement on 9.11.79 in the case
 Appeal No. 745/79-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 Dhanraj Jain Society, it has been
 held and held accordingly, that the Appellant School
 should be recognised school. In case the Director of
 Education of the opinion that the school does not satisfy
 one of the conditions specified under sub-section (1)
 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
 the quoted pronouncement of Described Authority (L.
 Government), recognition of school shall lapse as specified
 in Rule 54(2). Recognition once granted shall be absolute.

Hence no school will be deemed recognised for a
 limited period, whether it was recognised prior
 to the commencement of the Act, 1973 or has been granted
 recognition thereafter. Hence forth all recognised schools
 will be deemed to be permanently recognised and recog-
 nition could 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.

mpu

Signature

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 Manager