

**REPORT OF THE REVIEW COMMITTEE
ON THE DELHI SCHOOL EDUCATION
ACT AND RULES, 1973**

Existing and Proposed Legal Amendments
in the Delhi School Education
Act and Rules, 1973

VOLUME - II

Under the aegis of
DIRECTORATE OF EDUCATION
Government of National Capital Territory of Delhi
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REPORT OF THE REVIEW COMMITTEE ON THE DELHI SCHOOL EDUCATION ACT AND RULES, 1973

VOLUME - II

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Under the aegis of
Directorate of Education
Government of National Capital Territory of Delhi

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Chapter-I
Preliminary
Long Title

Existing: -

An Act to provide for better organisation and development of school education in Union territory of Delhi and for matters connected therewith on incidental thereto.

Proposed : -

An Act to provide for better organisation and development of school education in the National Capital Territory of Delhi and for matters connected therewith on incidental thereto.

Chapter-I

Preliminary

Short title, extent and commencement

Section 1.

Existing

1. Short title, extent and commencement- (1) This Act may be called the Delhi School Education Act, 1973.
- (2) It extends to the whole of the Union territory of Delhi.
- (3) It shall come into force on such date as the Administrator may, by notification, appoint and different dates may be appointed for different provisions of this Act, and any reference to the commencement of this Act in relation to any provision thereof shall be construed as a reference to the date on which that provision comes into force.

Proposed:

1. Short title, extent and commencement- (1) This Act may be called the Delhi School Education Act, 2012.
- (2) It extends to the whole of the National Capital Territory of Delhi.
- (3) It shall come into force on such date as the Government may, by notification, appoint and different dates may be appointed for different provisions of this Act, and any reference to the commencement of this Act in relation to any provision thereof shall be construed as a reference to the date on which that provision comes into force.

Chapter-I
Preliminary
Definitions

Section 2. Definition Clauses: -

Clause (a)

Existing:

(a) “Administrator means the Administrator of the Union territory of Delhi appointed by the President under article 239 of the Constitution.

Proposed:

“**Lt. Governor**” means the **Lt. Governor of the National Capital Territory of Delhi** appointed under article 239 and **designated as such under article 239AA of the Constitution.**”

Clause (e)

Existing

- e) “appropriate authority” means :-
- (i) in the case of a school recognised or to be recognised by an authority designated or sponsored by the Central Government, that authority;
 - (ii) in the case of a school recognised or to be recognised by the Delhi Administration, the Administrator or any other officer authorised by him in this behalf;
 - (iii) in the case: of a school recognised or to be recognised by the Municipal Corporation of Delhi, that Corporation;
 - (iv) in the case of any other school, the Administrator or any other officer authorized by him in this behalf;

Proposed:

- e) “appropriate authority” means :-
- (i) in the case of a school recognised or to be recognised by an authority designated or sponsored by the Central Government, that authority;
 - (ii) in the case of a school recognised or to be recognised by the **Government**, the **Government** or any other officer authorised by it in this behalf;
 - (iii) in the case: of a school recognised or to be recognised by the Municipal Corporation of Delhi, that Corporation;
 - (iv) in the case of a school recognised or to be recognised by the New Delhi municipal Council; that Council;**
 - (iv) in the case of any other school, the **Government** or any other officer authorized by **it** in this behalf;

Clause (f)

Existing

“Delhi” means the Union territory of Delhi.

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Proposed:

“Delhi: means the National Capital Territory of Delhi”

Clause (g)

Existing:

‘Director’ means the Director of Education, Delhi, and includes any other officer authorised by him to perform all or any of the functions of the Director under this Act.

Proposed:

‘Director’ means the Director of Education (Secondary and Senior Secondary Education) or the Director of Elementary Education, as the case may be, and includes any other officer authorised by him to perform all or any of the functions of the Director under this Act.

Clause (u):

Existing

“school” includes a pre-primary, primary, middle and higher secondary school, and also include any other institution which imparts education or training below the degree level, but does not include an institution which imparts technical education.”

Proposed:

“school” includes a recognised pre-school, primary, elementary, secondary and senior secondary school, and also include any other institution which imparts education or training below the degree level, but does not include an institution which imparts technical education.”

New Clauses proposed

“elementary education” shall have the same meaning as defined in clause (f) of section 2 of the Right of Children to Free and Compulsory Education Act, 2009 (No. 35 of 2009)

“Government” means the Government of the National Capital Territory of Delhi”

Definitions in the Rules:

Rule 2

Existing

(a) “Act means the Delhi School Education Act, 1973 (18 of 1973);

Proposed:

(a) “Act means the Delhi School Education Act, 2011;

Existing

(b) “Affiliation Board” means the concerned Board referred to in clause (s) of section 2;

(c) “Committee” means the Curriculum Committee, constituted under rule 22;

(d) “Form means a Form annexed to these rules;

(e) 2 [* * * * *]

Existing

f) “Middle stage” means a stage of school education form classes VI to VIII (both inclusive);

Proposed:

Omitted

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- (g) “Nationalise Bank” means the State Bank of India constituted under section 3 of the State Bank of India Act, 1955 (23 of 1955) or a subsidiary bank constituted under section 3 of the State Bank of India (Subsidiary Banks) Act, 1959 (38 of 1959), or a corresponding new bank constituted under section 3 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (5 of 1970) or corresponding new bank constituted under section 3 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 (40 of 1980)]

Existing

- (h) “Pre-primary stage” means a stage of school education previous to the primary stage;

Proposed:

- (h) “Pre-school stage” means a stage of school education previous to the elementary education stage;
- (i) “Primary stage” means a stage of education from classes I to V (both Inclusive);
- (j) “Scheduled Bank” means a bank referred to in the Second Schedule to the Reserve Bank of India Act, 1934 (2 of 1934);
- (jj) “Secondary stage” means a stage of a school education from Class IX to Class X (both inclusive)];
- (k) “Section” means a section of the Act;
- (kk) “Senior Secondary Stage” means a stage of school education above class X.];
- (l) “Zonal Education Officer” means the Education Officer in charge of a zone;
- (m) “Zone” means the educational region comprising the areas in Delhi, specified by the Director in this behalf, for the purpose of organisation, supervision, inspection and control of schools located therein.

Chapter-II

Establishment, Recognition, Management of, and Aid to schools.

Section 3.

Existing:

3. Power of Administrator to Regulate Education in Schools- (1) The Administrator may regulate education in all the schools in Delhi in accordance with the provisions of this Act and the rules made thereunder.

(2) The Administrator may establish and maintain any school in Delhi or may permit any person or local authority to establish and maintain any school in Delhi, subject to compliance with the provisions of this Act and the rules made thereunder.

(3) On and from the commencement of this Act and subject to the provisions of clause (1) of article 30 of the Constitution, the establishment of a new school or the opening of a higher class or the closing down of an existing class in any existing school in Delhi shall be subject to the provisions of this Act and the rules made thereunder and any school or higher class established or opened otherwise than in accordance with the provisions of this Act shall not be recognised by the appropriate authority.

Proposed: -

3. Power of Government to Regulate Education in Schools- (1) The Government may regulate education in all the schools in Delhi in accordance with the provisions of this Act and the rules made thereunder.

(2) The Government may establish and maintain any school in Delhi or may permit any person or local authority to establish and maintain any school in Delhi, subject to compliance with the provisions of this Act and the rules made thereunder.

(3) On and from the commencement of this Act and subject to the provisions of clause (1) of article 30 of the Constitution, the establishment of a new school or the opening of a higher class or the closing down of an existing class in any existing school in Delhi shall be subject to the provisions of this Act and the rules made thereunder and any school or higher class established or opened otherwise than in accordance with the provisions of this Act shall not be recognised by the appropriate authority.

Rules

<i>Rules</i>	<i>Existing</i>	<i>Proposed</i>
3. Districts and Zones	(1) Delhi shall be divided by the Director into educational divisions, to be called "Districts" and "Zones" for the purpose of regulation of education therein. (2) Every District shall consist of two or more Zones. (3) The Districts and Zones existing in Delhi at the commencement of	(1) Delhi shall be divided by the Director into educational divisions, to be called "Districts" and "Zones" for the purpose of regulation of education therein. (2) Every District shall consist of two or more Zones. (3) The Districts and Zones existing in Delhi at the

	<p>these rules shall be deemed to have been formed under sub-rule (1). (4) The Administrator may, if he is of opinion that for the better regulation of education in Delhi it is necessary so to do, alter the limits, or the number, of Districts and Zones, whether in existence at the commencement of these rules or formed thereafter.</p>	<p>commencement of these rules shall be deemed to have been formed under sub-rule (1). (4) The Government may, if it is of opinion that for the better regulation of education in Delhi it is necessary so to do, alter the limits, or the number, of Districts and Zones, whether in existence at the commencement of these rules or formed thereafter.</p>
<p>4. Classification of Schools</p>	<p>The Schools in Delhi shall be classified by the Director into any of the following categories, namely :- (a) (i) pre-primary schools, that is to say, schools imparting education below the primary stage; (ii) primary schools, that is to say, schools imparting primary stage of education, whether or not in addition to any education below the primary stage, (iii) middle schools, that is to say, schools imparting middle stage of education, whether or not in addition to any education below the middle stage, [(iv) secondary schools, that is to say, schools imparting secondary stage of education, whether or not in addition to any educational below the secondary stage. (v) senior secondary schools, that is to say, schools imparting senior secondary stage of education, whether or not in addition to education below the senior secondary stage]. Whether any such school is run by: (A) any individual, group of individuals, trust or society either with aid, or without aid, from the Administration or any local authority, or (B) any local authority or the Director; (b) Government Teachers Training Institute; (c) Government Industrial Schools; (d) Government Social Education and Community Centre in rural areas; (e) institutions which prepare candidates for such examinations in Arabic, Persian or Sanskrit as are recognised by the Central Government or which prepare candidates for examinations in such other languages as may be recognised by the Central Government;</p>	<p>The Schools in Delhi shall be classified by the Director into any of the following categories, namely :- (a) (i) pre-schools, that is to say, schools imparting education below the elementary stage which may include one year pre-primary stage or two years including one year pre-primary stage and one year nursery stage; (ii) primary schools, that is to say, schools imparting primary stage of education, whether or not in addition to any education below the primary stage, (iii) elementary schools, that is to say, schools imparting elementary stage of education, whether or not in addition to any education below the elementary stage, [(iv) secondary schools, that is to say, schools imparting secondary stage of education, whether or not in addition to any educational below the secondary stage. (v) senior secondary schools, that is to say, schools imparting senior secondary stage of education, whether or not in addition to education below the senior secondary stage]. Whether any such school is run by: (A) any individual, group of individuals, trust or society either with aid, or without aid, from the Government or any local authority, or (B) any local authority or the Director; (b) Government Teachers Training Institute; (c) Government Industrial Schools; (d) Government Social Education and Community Centre in rural areas;</p>

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	<p>(f) Government schools or aided private schools for fine arts, music, craft or physical culture.</p> <p>(2) where the Director is of opinion that as a result of—</p> <p>(a) the change in the policy of Government with regard to school education, or</p> <p>(b) a school, falling in one category, ceasing to fall in that category or the acquisition by a school of a status justifying its re-classification to a higher or lower category, it is necessary so to do, he may reclassify such school into such category as he may think fit.</p>	<p>(e) institutions which prepare candidates for such examinations in Arabic, Persian or Sanskrit as are recognised by the Central Government or which prepare candidates for examinations in such other languages as may be recognised by the Central Government;</p> <p>(f) Government schools or aided private schools for fine arts, music, craft or physical culture.</p> <p>(2) where the Director is of opinion that as a result of—</p> <p>(a) the change in the policy of Government with regard to school education, or</p> <p>(b) a school, falling in one category, ceasing to fall in that category or the acquisition by a school of a status justifying its re-classification to a higher or lower category, it is necessary so to do, he may reclassify such school into such category as he may think fit.</p>
<p>5. Free Education</p>	<p>(1) The Administrator shall make suitable arrangements for imparting free education for all children until they complete the VIIIth class or until they attain the age of fourteen years, whichever is earlier.</p> <p>(2) Save as otherwise provided in rule 149, no school maintained or aided by Government or any local authority shall levy and fee or other charge in relation to the education of the children studying up to the VIIIth class or until they attain the age of fourteen years, whichever is earlier.</p>	<p>(1) The <u>Government</u> shall make suitable arrangements for imparting free education for all children until they complete the elementary education or until they attain the age of fourteen years, whichever is <u>later</u>.</p> <p>(2) Save as otherwise provided in rule 149, no school maintained or aided by Government or any local authority shall levy and fee or other charge in relation to the education of the children studying up to the elementary stage or until they attain the age of fourteen years, whichever is <u>later</u>.</p>
<p>6. Medium of instruction at the primary stage</p>	<p>(1) Teaching in a school at the primary stage shall, as far as practicable, be in the mother-tongue of the child unless the parents or guardian of the child request otherwise in writing:</p> <p>Provided that where the medium of instruction in a school is different from the mother tongue of the child, arrangement shall be made, as far as practicable, by the Administrator for the education of that child through his mother tongue:</p> <p>Provided further that in the case of an existing primary school in which education is imparted through the medium of any language other than the mother-tongue of the child, education may continue to be imparted in that school through the medium of such</p>	<p>(1) Teaching in a school at the primary stage shall, as far as practicable, be in the mother-tongue of the child unless the parents or guardian of the child request otherwise in writing:</p> <p>Provided that where the medium of instruction in a school is different from the mother tongue of the child, arrangement shall be made, as far as practicable, by the <u>Government</u> for the education of that child through his mother tongue:</p> <p>Provided further that in the case of an existing primary school in which education is imparted through the medium of any language other than the mother-tongue of the child, education may continue to be</p>

	<p>language.</p> <p>(2) The Administrator may direct the Municipal Corporation of Delhi, New Delhi Municipal Committee or the Delhi Cantonment Board to make, as far as practicable, arrangements, within their respective jurisdiction, for imparting education in the mother-tongue of the children.</p> <p>(3) The mother-tongue of the child shall be the language declared as such, in writing, by the parent or guardian at the time of admission of the child in the school.</p> <p>(4) Hindi shall be introduced as a subject of study in a school not later than class III of the primary stage where the medium of instruction in the school is other than Hindi.</p> <p>(5) The Director and other local authorities in Delhi shall, as far as practicable, provide adequate facilities for teaching through the mother tongue, at the primary stage of education, of children belonging to any linguistic minority.</p>	<p>imparted in that school through the medium of such language.</p> <p>(2) The Government may direct the Municipal Corporation of Delhi, New Delhi Municipal Committee or the Delhi Cantonment Board to make, as far as practicable, arrangements, within their respective jurisdiction, for imparting education in the mother-tongue of the children.</p> <p>(3) The mother-tongue of the child shall be the language declared as such, in writing, by the parent or guardian at the time of admission of the child in the school.</p> <p>(4) Hindi shall be introduced as a subject of study in a school not later than class III of the primary stage where the medium of instruction in the school is other than Hindi.</p> <p>(5) The Director and other local authorities in Delhi shall, as far as practicable, provide adequate facilities for teaching through the mother tongue, at the primary stage of education, of children belonging to any linguistic minority.</p>
<p>7. Medium of instruction for children studying in the middle stage</p>	<p>For children studying in the middle stage, the Administrator shall, as far as practicable, make suitable arrangements for imparting education through the mother-tongue of such children and, for this purpose, may open, or cause to be opened, new sections or classes in any school in which education may be imparted to such children in their mother-tongue, or where the opening of new sections or classes in any school is not feasible, open or cause to be opened one or more new schools so that arrangements may be made for teaching through the mother tongue of such children:</p> <p>Provided that in the case of an existing middle school in which education is imparted through the medium of any language other than the mother tongue of the children, education may continue to be imparted in that school through the medium of such other language.</p>	<p>For children studying in the elementary stage, the Government shall, as far as practicable, make suitable arrangements for imparting education through the mother-tongue of such children and, for this purpose, may open, or cause to be opened, new sections or classes in any school in which education may be imparted to such children in their mother-tongue, or where the opening of new sections or classes in any school is not feasible, open or cause to be opened one or more new schools so that arrangements may be made for teaching through the mother tongue of such children:</p> <p>Provided that in the case of an existing elementary school in which education is imparted through the medium of any language other than the mother tongue of the children, education may continue to be imparted in that school through the medium of such other language.</p>
<p>8. Medium of</p>	<p>(1) Hindi shall be the medium of</p>	<p>(1) Hindi shall be the medium of</p>

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<p><i>instruction at the ¹[senior secondary] stage</i></p>	<p><i>instruction at the ¹[senior secondary] stage:</i> <i>Provided that in the case of a ¹[senior secondary] class in any existing school in which education is imparted through the medium of any language other than Hindi, education may continue to be imparted in such class through the medium of such other language :</i> <i>Provided further that in the case of a ¹[senior secondary] class in a school run by a linguistic minority, education may be imparted in such class through the medium of the language of that linguistic minority.</i> <i>(2) Where for any special reason the Administrator is satisfied that education cannot be imparted in any ¹[senior secondary] class of any school through the medium of Hindi in one or more subjects or in all the subjects, he may permit that school to impart education in the said subject or subjects through the medium of any language other than Hindi for such period, as he may think fit.</i> <i>(3) Where the Administrator is satisfied that by reason of the number of students having mother tongue other than Hindi, it is necessary so to do, he may open one or more sections or classes in an existing school for imparting education to such children through the medium of their mother tongue, and, where the opening of such new sections or classes is not feasible, he may open or cause to be opened one or more new schools for imparting education to such children through the medium of their mother tongue.</i></p>	<p><i>instruction at the senior secondary stage:</i> <i>Provided that in the case of a senior secondary class in any existing school in which education is imparted through the medium of any language other than Hindi, education may continue to be imparted in such class through the medium of such other language :</i> <i>Provided further that in the case of a senior secondary class in a school run by a linguistic minority, education may be imparted in such class through the medium of the language of that linguistic minority.</i> <i>(2) Where for any special reason the Government is satisfied that education cannot be imparted in any senior secondary class of any school through the medium of Hindi in one or more subjects or in all the subjects, it may permit that school to impart education in the said subject or subjects through the medium of any language other than Hindi for such period, as he may think fit.</i> <i>(3) Where the Government is satisfied that by reason of the number of students having mother tongue other than Hindi, it is necessary so to do, it may open one or more sections or classes in an existing school for imparting education to such children through the medium of their mother tongue, and, where the opening of such new sections or classes is not feasible, it may open or cause to be opened one or more new schools for imparting education to such children through the medium of their mother tongue.</i></p>
<p>9. Three-Language formula to be followed</p>	<p><i>In the teaching of languages in classes VI to X, the three-language formula as adopted by the Central Government, shall be followed.</i></p>	<p><i>In the teaching of languages in classes VI to X, the three-language formula as adopted by the Central Government, shall be followed.</i></p>
<p>10. Right of linguistic minorities to set up school</p>	<p><i>Any linguistic minority which intends to set up school with the object of imparting education in the mother tongue of such linguistic minority, shall be entitled to do so and shall be entitled to receive grant-in-aid if the other conditions with regard to the grant-in-aid if the other conditions with regard to the grant-in-aid are fulfilled by such</i></p>	<p><i>Any linguistic minority which intends to set up a school with the object of imparting education in the mother tongue of such linguistic minority, shall be entitled to do so and shall be entitled to receive grant-in-aid if the other conditions with regard to the grant-in-aid if the other conditions with regard to the</i></p>

	<p><i>school :</i> <i>Provided that if the Administrator is satisfied that there already exist sufficient number of schools in an area providing for teaching through the concerned minority language he may not permit the opening of more schools as aided institutions in that area :</i> <i>Provided further that is shall be open to the management of a school run by a linguistic other than the language of such linguistic minority and in such case the Administrator shall not be under any obligation to give grant-in-aid to such school.</i></p>	<p><i>grant-in-aid are fulfilled by such school :</i> <i>Provided that if the Government is satisfied that there already exist sufficient number of schools in an area providing for teaching through the concerned minority language he may not permit the opening of more schools as aided institutions in that area :</i> <i>Provided further that is shall be open to the management of a school run by a linguistic other than the language of such linguistic minority and in such case the Government shall not be under any obligation to give grant-in-aid to such school.</i></p>
11. Establishment of Science Centres	<p>(1) The Administrator may establish not less than one Science Centre in a recognised school or elsewhere in a District and provide such Centre with such machinery, equipment, apparatus and appliances as may be needed to make that Centre useful for science education. (2) The Administrator may make arrangements for the sharing of facilities provided at the Science Centre by all recognised schools in the District or by any other person in accordance with such programme as he may prepare for the purpose.</p>	<p>(1) The Government may establish not less than one Science Centre in a recognised school or elsewhere in a District and provide such Centre with such machinery, equipment, apparatus and appliances as may be needed to make that Centre useful for science education. (2) The Government may make arrangements for the sharing of facilities provided at the Science Centre by all recognised schools in the District or by any other person in accordance with such programme as <u>it</u> may prepare for the purpose.</p>
12. Work experience programmes	<p>(1) The Administrator may establish not less than one workshop in a District to enable students of recognised schools to undertake various work experience programmes so that their education may be relatable to productivity. (2) The Administrator may make the arrangements for the sharing of facilities provided at the workshop in a District by all the recognised schools in the District or any other persons, in accordance with such programmes as he may prepare for the purpose.</p>	<p>(1) The Government may establish not less than one workshop in a District to enable students of recognised schools to undertake various work experience programmes so that their education may be relatable to productivity. (2) The Government may make the arrangements for the sharing of facilities provided at the workshop in a District by all the recognised schools in the District or any other persons, in accordance with such programmes as he may prepare for the purpose.</p>
13. Provisions of other facilities	<p>The Administrator shall also provide for the following facilities, namely :- (a) Adult Education Centres; (b) Bal Kendras; (c) Balawadis; (d) Education of children who have discontinued studies; (e) Literacy centres.</p>	<p>The Government shall also provide for the following facilities, namely :- (a) Adult Education Centres; (b) Bal Kendras; (c) Balawadis; (d) Education of children who have discontinued studies; (e) Literacy centres.</p>

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<p>14. Provisions for multiple entry in schools</p>	<p>Save as otherwise provided elsewhere in these rules, the Administrator may make arrangements, at any time of the year, for the admission of those students, who have discontinued studies, in any class of a recognised school to which he is, on a test, by such school, found to be suitable for admission for whole-time studies.</p>	<p>Save as otherwise provided elsewhere in these rules, the Government may make arrangements, at any time of the year, for the admission of those students, who have discontinued studies, in any class of a recognised school to which he is, on a test, by such school, found to be suitable for admission for whole-time studies.</p>
<p>15. Part-time education</p>	<p>The Administrator may also make provision for :- (a) Part-time education for functional literacy for children in the age group of 10 years (both inclusive). (b) special part-time education for functional literacy for children in the age group of 10 years to 14 years (both inclusive). (c) adult education by opening such adult education centres of education extension centres as he may think fit.</p>	<p>The Government may also make provision for :- (a) Part-time education for functional literacy for children in the age group of 10 years (both inclusive). (b) special part-time education for functional literacy for children in the age group of 10 years to 14 years (both inclusive). (c) adult education by opening such adult education centres of education extension centres as he may think fit.</p>
<p>16. Provision for remedial teaching</p>	<p>The Administrator may also make special provisions for remedial teaching in respect of students of recognised schools suffering from remedial deficiencies in studies or who have discontinued studies on account of such deficiencies.</p>	<p>The Government may also make special provisions for remedial teaching in respect of students of recognised schools suffering from remedial deficiencies in studies or who have discontinued studies on account of such deficiencies.</p>
<p>17. Establishment of autonomous schools</p>	<p>(1) The Administrator may, if he is satisfied that the circumstances so require, permit such number of schools as he may select in this behalf to function as “autonomous schools” solely for the purpose of introducing innovations and conducting new experiments with regard to curriculum, methods of teaching and evaluation. [(2) Every autonomous school shall have the freedom to have its own syllabus and curriculum, the introduce the text books and to assess its students and hold examinations upto the end of Middle stage: Provided that the Director may, if he is of opinion on scrutiny of any text book introduced by an autonomous school that such text book is prejudicial to the interest of education, prohibit use of such book as a text book in such school.] (3) Save as otherwise provided in this rule, every autonomous school shall be subject to the provisions of the Act and the rules made</p>	<p>(1) The Government may, if it is satisfied that the circumstances so require, permit such number of schools as it may select in this behalf to function as “autonomous schools” solely for the purpose of introducing innovations and conducting new experiments with regard to curriculum, methods of teaching and evaluation. [(2) Every autonomous school shall have the freedom to have its own syllabus and curriculum, the introduce the text books and to assess its students and hold examinations upto the end of elementary stage: Provided that the Director may, if he is of opinion on scrutiny of any text book introduced by an autonomous school that such text book is prejudicial to the interest of education, prohibit use of such book as a text book in such school.] (3) Save as otherwise provided in</p>

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	<p><i>thereunder in respect of all matters other than those specified in this rule.</i></p> <p><i>(4) The Administrator shall make provision for the review of the work of every autonomous school once in every five years.</i></p>	<p><i>this rule, every autonomous school shall be subject to the provisions of the Act and the rules made thereunder in respect of all matters other than those specified in this rule.</i></p> <p><i>(4) The Government shall make provision for the review of the work of every autonomous school once in every five years.</i></p>
18. Course of study	<p><i>(1) The course of study for primary and middle stages shall be such as may be specified by the Director in consultation with the Committee and the text books for such courses of study shall be such as may be recommended by the Director in consultation with the Committee :</i></p> <p><i>Provided that in suitable cases, a school may be permitted by the Director to draw its own courses of instruction for the primary or middle stage subject to such courses being approved by the Director in consultation with the committee.</i></p> <p><i>[(2) The course of study and text books for the secondary stage and senior secondary stage shall be such as may be specified or recommended by the Affiliating Board]</i></p> <p><i>(3)²[* * * * *]</i></p>	<p><i>(1) The course of study for primary and middle stages shall be such as may be specified by the Director in consultation with the Committee and the text books for such courses of study shall be such as may be recommended by the Director in consultation with the Committee :</i></p> <p><i>Provided that in suitable cases, a school may be permitted by the Director to draw its own courses of instruction for the primary or middle stage subject to such courses being approved by the Director in consultation with the committee.</i></p> <p><i>[(2) The course of study and text books for the secondary stage and senior secondary stage shall be such as may be specified or recommended by the Affiliating Board]</i></p>
19. Matters to be provided for in the syllabi and courses of study	<p><i>The Director, or as the case may be, the Affiliating Board shall, while specifying the syllabi and courses of study for the primary and middle stage or higher secondary stage, pay special attention to the inculcation of national and moral values including the sovereignty and integrity of India, secularism, humanism, faith in the dignity and equality of every human being, dignity of labour, avoidance of discrimination on grounds of religion, race, caste, sex or place of birth or any of them, and, in particular, avoidance of the practice of untouchability; and shall also include therein health education, including personal and environmental hygiene, population education and awareness of the effect of drugs and intoxicants on human system.</i></p>	<p><i>The Director, or as the case may be, the Affiliating Board shall, while specifying the syllabi and courses of study for the primary and elementary stage or higher secondary stage, pay special attention to the inculcation of national and moral values including the sovereignty and integrity of India, secularism, humanism, faith in the dignity and equality of every human being, dignity of labour, avoidance of discrimination on grounds of religion, race, caste, sex or place of birth or any of them, and, in particular, avoidance of the practice of untouchability; and shall also include therein health education, including personal and environmental hygiene, population education and awareness of the effect of drugs and intoxicants on human system.</i></p>
20. Power of Director to specify co-curricular and extra-curricular	<p><i>The Director may, in consultation with the Committee, provide for co-curricular or extra-curricular activities in recognised schools.</i></p>	<p><i>The Director may, in consultation with the Committee, provide for co-curricular or extra-curricular activities in recognised schools.</i></p>

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<i>activities</i>		
<p>21. Power of Director to specify courses of study for informal education</p>	<p>The Director may, in consultation with the Committee, specify the courses of study for imparting informal education to persons who are unable to attend any recognised school for obtaining formal education.</p>	<p>The Director may, in consultation with the Committee, specify the courses of study for imparting informal education to persons who are unable to attend any recognised school for obtaining formal education.</p>
<p>22. The Curriculum Committee</p>	<p>(1) There shall be constituted by the Administrator a Committee, to be called the Curriculum Committee, to advise the Administrator on syllabi and the specification or recommendation of books for the primary and middle stages of education.</p> <p>(2) The Committee may advise the Administrator with regard to co-curricular and extra-curricular activities to be undertaken in a recognised school and also with regard to informal education to persons who are unable to obtain formal education.</p> <p>[(3) The Committee shall consist of the following Members, namely:-</p> <p>(i) an eminent educationist to be nominated by the Administrator, who shall be the Chairman of the Committee;</p> <p>(ii) a person to be nominated by the National Council of Education Research and Training;</p> <p>(iii) two educationists having special knowledge of school education to be nominated by the Central Government;</p> <p>(iv) one representative of the Central board of Secondary Education to be nominated by the Board;</p> <p>(v) Three teachers of whom two shall be members of the Advisory Board to be nominated by the Administrator;</p> <p>(vi) two representatives of the Metropolitan Council of Delhi to be nominated by the Chairman of that Council;</p> <p>(vii) one representative of the Municipal Corporation of Delhi to be nominated by the Mayor of that Corporation;</p> <p>(viii) one representative of the Delhi Cantonment Board to be nominated by the President of that Board;</p> <p>(ix) one representative of the New Delhi Municipal Committee to be nominated by the President of that Committee;</p> <p>(x) two teachers each engaged primarily in the Primary stage,</p>	<p>(1) There shall be constituted by the Government a Committee, to be called the Curriculum Committee, to advise the Government on syllabi and the specification or recommendation of books for the primary and elementary stages of education.</p> <p>(2) The Committee may advise the Government with regard to co-curricular and extra-curricular activities to be undertaken in a recognised school and also with regard to informal education to persons who are unable to obtain formal education.</p> <p>[(3) The Committee shall consist of the following Members, namely:-</p> <p>(i) an eminent educationist to be nominated by the Government, who shall be the Chairman of the Committee;</p> <p>(ii) a person to be nominated by the National Council of Education Research and Training;</p> <p>(iii) two educationists having special knowledge of school education to be nominated by the Central Government;</p> <p>(iv) one representative of the Central board of Secondary Education to be nominated by the Board;</p> <p>(v) Three teachers of whom two shall be members of the Advisory Board to be nominated by the Government;</p> <p>(vi) two representatives of the Legislative Assembly of Delhi to be nominated by the Speaker of the Legislative Assembly;</p> <p>(vii) one representative of the Municipal Corporation of Delhi to be nominated by the Mayor of that Corporation;</p> <p>(viii) one representative of the Delhi Cantonment Board to be nominated by the President of that Board;</p> <p>(ix) one representative of the New Delhi Municipal Committee to be nominated by the President of</p>

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	<p><i>Middle stage, Secondary stage and Senior Secondary stage of education;</i></p> <p><i>(xi) The Director, ex-officio, who shall be the Secretary of the Committee.]</i></p> <p><i>(4) For the purpose of one or more meetings, the Committee may co-opt as its members such experts on education in general or in any subject as it may think fit.</i></p> <p><i>(5) A co-opted member may take part in the deliberations of the Committee but shall not have any right to vote and shall not form any part of the quorum.</i></p>	<p><i>that Committee;</i></p> <p><i>(x) two teachers each engaged primarily in the Primary stage, Elementary stage, Secondary stage and Senior Secondary stage of education;</i></p> <p><i>(xi) The Director, ex-officio, who shall be the Secretary of the Committee.]</i></p> <p><i>(4) For the purpose of one or more meetings, the Committee may co-opt as its members such experts on education in general or in any subject as it may think fit.</i></p> <p><i>(5) A co-opted member may take part in the deliberations of the Committee but shall not have any right to vote and shall not form any part of the quorum.</i></p>
23. Term of office	<p><i>Every member of the Committee shall hold office for a period of three years from the date of his nomination, and shall be eligible for re-nomination for a like period and shall, notwithstanding the expiry of the term of his office, continue to hold such office until his successor is nominated.</i></p>	<p><i>Every member of the Committee shall hold office for a period of three years from the date of his nomination, and shall be eligible for re-nomination for a like period and shall, notwithstanding the expiry of the term of his office, continue to hold such office until his successor is nominated.</i></p>
24. Meeting and quorum	<p><i>(1) The Committee shall meet at least once every year:</i></p> <p><i>Provided that such meeting shall not be held later than the 20th November every year :</i></p> <p><i>Provided further that the Chairman of the Committee may call a special meeting of the Committee to consider any matter within the purview of the Committee.</i></p> <p><i>(2) Seven members of the Committee personally present at a meeting shall be the quorum for the meeting of the Committee:</i></p> <p><i>Provided that where the meeting of the Committee is adjourned for the absence of Quorum, no quorum shall be necessary for the adjourned meeting.</i></p> <p><i>(3) A member of the Committee who has any financial or other interest in any book which is under the consideration of the Committee for a approval as a text book, shall not participate in the deliberations of the Committee with regard to the approval of that book as a text book.</i></p>	<p><i>(1) The Committee shall meet at least once every year:</i></p> <p><i>Provided that such meeting shall not be held later than the 20th November every year :</i></p> <p><i>Provided further that the Chairman of the Committee may call a special meeting of the Committee to consider any matter within the purview of the Committee.</i></p> <p><i>(2) Seven members of the Committee personally present at a meeting shall be the quorum for the meeting of the Committee:</i></p> <p><i>Provided that where the meeting of the Committee is adjourned for the absence of Quorum, no quorum shall be necessary for the adjourned meeting.</i></p> <p><i>(3) A member of the Committee who has any financial or other interest in any book which is under the consideration of the Committee for a approval as a text book, shall not participate in the deliberations of the Committee with regard to the approval of that book as a text book.</i></p>
25. Resignation	<p><i>(1) The Chairman or a member of</i></p>	<p><i>(1) The Chairman or a member of</i></p>

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<i>of the Chairman or a member</i>	<p><i>the Committee may, by giving notice in writing to the Administrator, resign his membership.</i></p> <p><i>(2) A resignation shall take effect from the date of communication to the person concerned of its acceptance or on the expiry of thirty days from the date of resignation, whichever is earlier.</i></p>	<p><i>the Committee may, by giving notice in writing to the Government, resign his membership.</i></p> <p><i>(2) A resignation shall take effect from the date of communication to the person concerned of its acceptance or on the expiry of thirty days from the date of resignation, whichever is earlier.</i></p>
26. Vacancy in the office of a member	<p><i>(1) A member of the Committee shall be deemed to have vacated his office :-</i></p> <p><i>(a) if he is of unsound mind and stands so declared by a competent court;</i></p> <p><i>(b) if he is an undischarged insolvent;</i></p> <p><i>(c) if he is convicted of an offence, which, in the opinion of the Administrator, involves moral turpitude;</i></p> <p><i>(d) if he does not attend three consecutive meetings of the Committee without obtaining leave of absence from the Administrator;</i></p> <p><i>or</i></p> <p><i>(e) if he ceases to represent the body by whom he was nominated.</i></p> <p><i>(2) Any vacancy in the membership of the Committee, whether caused by resignation or by any of the reasons specified in sub-rule (1), or by death, shall be filled in the same manner in which the member who has vacated office was nominated shall hold office for the remainder of the term of office of the member in whose place he is nominated.</i></p> <p><i>(3) The Committee shall function notwithstanding any vacancy in the membership thereof.</i></p>	<p><i>(1) A member of the Committee shall be deemed to have vacated his office :-</i></p> <p><i>(a) if he is of unsound mind and stands so declared by a competent court;</i></p> <p><i>(b) if he is an undischarged insolvent;</i></p> <p><i>(c) if he is convicted of an offence, which, in the opinion of the Government, involves moral turpitude;</i></p> <p><i>(d) if he does not attend three consecutive meetings of the Committee without obtaining leave of absence from the Government; or</i></p> <p><i>(e) if he ceases to represent the body by whom he was nominated.</i></p> <p><i>(2) Any vacancy in the membership of the Committee, whether caused by resignation or by any of the reasons specified in sub-rule (1), or by death, shall be filled in the same manner in which the member who has vacated office was nominated shall hold office for the remainder of the term of office of the member in whose place he is nominated.</i></p> <p><i>(3) The Committee shall function notwithstanding any vacancy in the membership thereof.</i></p>
27. Procedure of the Committee	<p><i>(1) The Committee shall regulate its own procedure.</i></p> <p><i>(2) The Committee may appoint such subject panels as it may deem necessary consisting of its own members or specialists who are not members of the Committee.</i></p>	<p><i>(1) The Committee shall regulate its own procedure.</i></p> <p><i>(2) The Committee may appoint such subject panels as it may deem necessary consisting of its own members or specialists who are not members of the Committee.</i></p>
28. Travelling and Daily Allowances	<p><i>The members of the Committee or any panel constituted by it shall be entitled to such travelling and daily allowances as are admissible to the non-official members of Committees and Boards in accordance with the orders issued by the Central Government from time to time.</i></p>	<p><i>The members of the Committee or any panel constituted by it shall be entitled to such travelling and daily allowances as are admissible to the non-official members of Committees and Boards in accordance with the orders issued by the Central Government from time to time</i></p>
29. Physical	<p><i>(1) In every school, suitable</i></p>	<p><i>(1) In every school, suitable</i></p>

<i>education etc.</i>	<p>provision shall be made for social services, physical, cultural and recreational activities.</p> <p>(2) The head of school shall organise a general system of school games so as to provide opportunities for participation by all students and shall provide the students with the equipments needed for such games.</p>	<p>provision shall be made for social services, physical, cultural and recreational activities.</p> <p>(2) The head of school shall organise a general system of school games so as to provide opportunities for participation by all students and shall provide the students with the equipments needed for such games.</p>
30. Residence of students	<p>All students shall be required to reside under one or other of the following arrangements, unless exempted by the head of school :-</p> <p>(i) with parents or guardians;</p> <p>(ii) in hostels approved by the Director; or</p> <p>(iii) at such other place as may be ¹[approved] by the Director</p>	<p>All students shall be required to reside under one or other of the following arrangements, unless exempted by the head of school :-</p> <p>(i) with parents or guardians;</p> <p>(ii) in hostels approved by the Director; or</p> <p>(iii) at such other place as may be ¹[approved] by the Director</p>
31. School hours	<p>(1) The Director shall, by order, specify the time at which all schools, other than unaided recognised private schools, shall commence and conclude the daily school hours and different timings may be specified for different seasons of the year or for schools running in one shift or multiple shifts.</p> <p>Provided that the total school hours in a year for the middle and higher secondary stage of education shall not, ordinarily, be less than 1000 hours;</p> <p>Provided further that in addition to 1000 schools hours, a teacher may be required to devote not more than 200 hours in a year for remedial or other teaching.</p> <p>(2) The unaided recognised schools may specify their own timings but, in any case, the total school hours in a year shall not be less than 1000 hours;</p> <p>Provided that in addition to 1000 school hours, a teacher may be required to devote not more than 200 hours in a year for remedial or other teaching.</p>	<p>(1) The Director shall, by order, specify the time at which all schools, other than unaided recognised private schools, shall commence and conclude the daily school hours and different timings may be specified for different seasons of the year or for schools running in one shift or multiple shifts.</p> <p>Provided that the total school hours in a year for the elementary and higher secondary stage of education shall not, ordinarily, be less than 1000 hours;</p> <p>Provided further that in addition to 1000 schools hours, a teacher may be required to devote not more than 200 hours in a year for remedial or other teaching.</p> <p>(2) The unaided recognised schools may specify their own timings but, in any case, the total school hours in a year shall not be less than 1000 hours;</p> <p>Provided that in addition to 1000 school hours, a teacher may be required to devote not more than 200 hours in a year for remedial or other teaching.</p>
32. Vacation and holidays	<p>2[(1) Save as otherwise provided in sub-rule (2), the total number of working days including examination days, for the Middle, Secondary and Senior Secondary stage of education shall not be less than 210 in a year].</p> <p>(2) Subject to the provision of sub-rule (1), the following shall be the authorised holidays for recognised schools, namely :-</p> <p>(i) All holidays notified by the Administrator;</p>	<p>(1) Save as otherwise provided in sub-rule (2), the total number of working days including examination days, for the Elementary, Secondary and Senior Secondary stage of education shall not be less than 220 in a year].</p> <p>(2) Subject to the provision of sub-rule (1), the following shall be the authorised holidays for recognised schools, namely :-</p> <p>(i) All holidays notified by the</p>

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	<p>(ii) Summer Vacation for such period of fifteen days as may be specified by the Director;</p> <p>(iii) Autumn or winter breaks for such total period of fifteen days as may be specified by the head of school, with the previous approval of the Director;</p> <p>(iv) Special holidays, not exceeding 7 days in aggregate, with the previous approval of the Director.</p> <p>(3) In addition to the holidays referred to in sub-rule (2), leave may be granted to students preparing for the examinations of the Affiliating Board for such period as may be specified by that Board:</p> <p>Provided that preparatory leave shall be given only when the head of school is satisfied that the courses of study have been completed at the school.</p>	<p>Government:</p> <p>(ii) Summer Vacation for such period (deleted) as may be specified by the Director;</p> <p>(iii) Autumn or winter breaks for such total period (deleted) as may be specified by the head of school, with the previous approval of the Director;</p> <p>(iv) Special holidays, not exceeding 7 days in aggregate, with the previous approval of the Director.</p> <p>(3) In addition to the holidays referred to in sub-rule (2), leave may be granted to students preparing for the examinations of the Affiliating Board for such period as may be specified by that Board:</p> <p>Provided that preparatory leave shall be given only when the head of school is satisfied that the courses of study have been completed at the school.</p>
<p>33. School hours and number of working days not to apply to informal education</p>	<p>School hours specified in rule 31 and the number of working days specified in rule 32 shall not apply in the case of informal, or out of school, or adult, education.</p>	<p>School hours specified in rule 31 and the number of working days specified in rule 32 shall not apply in the case of informal, or out of school, or adult, education.</p>
<p>34. Discipline, punishment, etc.</p>	<p>(1) The observance of rules of discipline and good behaviour shall be a condition essential to a student's continuance in a school.</p> <p>(2) In case of breach of discipline by a student below the age of fourteen years, if the Director is satisfied that continuance of such student in the school in which he is studying, is likely to be detrimental to the general tenor or discipline of the school, he may send such student to such special school as he may think fit.</p>	<p>(1) The observance of rules of discipline and good behaviour shall be a condition essential to a student's continuance in a school.</p> <p>(2) In case of breach of discipline by a student below the age of fourteen years, if the Director is satisfied that continuance of such student in the school in which he is studying, is likely to be detrimental to the general tenor or discipline of the school, he may send such student to such special school as he may think fit.</p>
<p>35. Striking off the name from the rolls</p>	<p>(1) The name of a student may be struck off the rolls by the head of the school on account of :</p> <p>(a) non-payment of fees and other dues for 20 days after the last day for payment:</p> <p>Provided that nothing in this rule shall apply in case students of class VIII and below, studying in Government or aided schools, or in schools run or aided by the appropriate authority, except where such students have attained the age of fourteen years;</p> <p>(b) continued absence without leave for six consecutive days by a student who has attained the age of fourteen</p>	<p>(1) The name of a student may be struck off the rolls by the head of the school on account of :</p> <p>(a) non-payment of fees and other dues for 20 days after the last day for payment:</p> <p>Provided that nothing in this rule shall apply in case students of elementary classes, studying in Government or aided schools, or in schools run or aided by the appropriate authority;</p> <p>(b) continued absence without leave for six consecutive days by a student who has attained the age of fourteen years.</p> <p>(2) In the case of absence of any</p>

	<p>years.</p> <p>(2) In the case of absence of any student who has not attained the age of fourteen years, from a school without leave for six consecutive days, the head of school shall intimate such absence to the parent or guardian of such student.</p> <p>(3) In respect of payment of fees, however the head of school may grant not more than 10 days' of grace in deserving cases on application by the parent or guardian.</p> <p>(4) Notwithstanding anything contained in sub-rule (1), no student's name shall be struck off the rolls except after giving the parent or guardian of such student a reasonable opportunity of showing cause against the proposed action.</p>	<p>student <u>who has not completed the elementary education</u>, from a school without leave for six consecutive days, the head of school shall intimate such absence to the parent or guardian of such student.</p> <p>(3) In respect of payment of fees, however the head of school may grant not more than 10 days' of grace in deserving cases on application by the parent or guardian.</p> <p>(4) Notwithstanding anything contained in sub-rule (1), no student's name shall be struck off the rolls except after giving the parent or guardian of such student a reasonable opportunity of showing cause against the proposed action.</p>
<p>36. Code of Conduct for students</p>	<p>(1) No student shall indulge in any of the following practices, namely:-</p> <p>(a) spitting in or near the school building except where the spitting is made in any spittoon provided by the school;</p> <p>(b) disfiguring or otherwise damaging any school property;</p> <p>(c) smoking;</p> <p>(d) any form of gambling;</p> <p>(e) use of drugs or intoxicants except on prescription by a registered medical practitioner;</p> <p>(f) rowdism and rude behaviour;</p> <p>(g) use of violence in any form;</p> <p>(h) casteism, communalism or practice of untouchability.</p> <p>(2) The Administrator may, on the advise of the Advisory Board, amend or add to the forms of practices forbidden under sub-rule (1).</p> <p>(3) If any student, who has not attained the age of fourteen years, indulges in any of the practices referred to in sub-rule (1), the Director may shift him to such special school as he may think fit.</p>	<p>(1) No student shall indulge in any of the following practices, namely:-</p> <p>(a) spitting in or near the school building except where the spitting is made in any spittoon provided by the school;</p> <p>(b) disfiguring or otherwise damaging any school property;</p> <p>(c) smoking;</p> <p>(d) any form of gambling;</p> <p>(e) use of drugs or intoxicants except on prescription by a registered medical practitioner;</p> <p>(f) rowdism and rude behaviour;</p> <p>(g) use of violence in any form;</p> <p>(h) casteism, communalism or practice of untouchability.</p> <p>(i) <u>any act which endangers moral life of discipline;</u></p> <p>(j) <u>ragging of any student inside the school premises or hostel;</u></p> <p>(k) <u>such other activities as may be declared as forbidden practice by the Director.</u></p> <p>(2) The Government may, on the advise of the Advisory Board, amend or add to the forms of practices forbidden under sub-rule (1).</p> <p>(3) If any student, who has not <u>completed elementary education</u>, indulges in any of the practices referred to in sub-rule (1), the Director may shift him to such special school as he may think fit.</p>
<p>37. Forms of disciplinary measures</p>	<p>(1) The following shall be the disciplinary measures which may be adopted by a school in dealing with:-</p>	<p>(1) The following shall be the disciplinary measures which may be adopted by a school in dealing with:-</p>

	<p>(a) all students –</p> <p>(i) detention during the break, for neglect of class work, but no detention shall be made after the school hours,</p> <p>(ii) corporal punishment</p> <p>(b) students who have attained the age of fourteen years-</p> <p>(i) fine,</p> <p>(ii) expulsion,</p> <p>(iii) rustication,</p> <p>(2) For the avoidance of doubts, it is hereby declared that the disciplinary measures specified in clause (b) of sub-rule (1) shall not be imposed on any student who has not attained the age of fourteen years.</p> <p>(3) Fine may be imposed on a student who has attained the age of fourteen years in the following cases namely:</p> <p>(i) late attendance;</p> <p>(ii) absence from class without proper application from the parent or guardian;</p> <p>(iii) truancy;</p> <p>(iv) wilful damage to school property;</p> <p>(v) delay in payment of school fees and dues;</p> <p>(4) (a) Corporal punishment may be given by the head of the school in case of persisting impertinence or rude behaviour towards the teachers, physical violence, intemperance and serious form of misbehaviour with other students.</p> <p>(b) Corporal punishment shall not be inflicted on the students who are in ill health.</p> <p>(c) Where corporal punishment is imposed, it shall not be severe or excessive and shall be so administered as not to cause bodily injury.</p> <p>(d) Where cane is used for inflicting any corporal punishment, such punishment shall take the form of strokes not exceeding ten, on the palm of the hand.</p> <p>(e) Every punishment inflicted on a student shall be recorded in the Conduct Register of such student.</p> <p>(5) Expulsion shall debar a student from being re-admitted to the school from where he is expelled but shall not preclude his admission with the previous sanction of the Director to any other school.</p> <p>(6) Where a student is rusticated, he shall not be admitted to any school</p>	<p>(a) students who have completed the elementary education-</p> <p>(i) fine,</p> <p>(ii) expulsion,</p> <p>(iii) rustication,</p> <p>(2) For the avoidance of doubts, it is hereby declared that the disciplinary measures specified in clause (a) of sub-rule (1) shall not be imposed on any student who has not completed elementary education.</p> <p>(3) Fine may be imposed on a student who has completed elementary education in the following cases namely:</p> <p>(i) late attendance;</p> <p>(ii) absence from class without proper application from the parent or guardian;</p> <p>(iii) truancy;</p> <p>(iv) wilful damage to school property;</p> <p>(v) delay in payment of school fees and dues;</p> <p>(4) Expulsion shall debar a student from being re-admitted to the school from where he is expelled but shall not preclude his admission with the previous sanction of the Director to any other school.</p> <p>(5) Where a student is rusticated, he shall not be admitted to any school till the expiry of the period of rustication.</p> <p>(6) No student shall be expelled or rusticated from a school except after the giving the parent or guardian of the students a reasonable opportunity of showing cause against the proposed action.</p> <p>Notes:</p> <p>(i) Expulsion or rustication shall be resorted to only in class of grave offences where the retention of the student in the school is likely to endanger its moral tone of discipline.</p> <p>(ii) Except in the case of any expulsion or rustication from an unaided minority school, the punishments of expulsion and rustication shall not be imposed without the prior approval of the Director.</p> <p>(7) The managing body of every school shall appoint a counsellor for rendering counselling assistance to every student whenever required.</p>
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	<p>till the expiry of the period of rustication.</p> <p>(7) No student shall be expelled or rusticated from a school except after the giving the parent or guardian of the students a reasonable opportunity of showing cause against the proposed action.</p> <p>Notes:</p> <p>(i) Expulsion or rustication shall be resorted to only in class of grave offences where the retention of the student in the school is likely to endanger its moral tone of discipline.</p> <p>(ii) Except in the case of any expulsion or rustication from an unaided minority school, the punishments of expulsion and rustication shall not be imposed without the prior approval of the Director.</p>	<p><u>(8) In case of breach of Code of Conduct, the Head of school shall counsel the student in order to ensure that the student does not breach the code of conduct.</u></p> <p><u>(9) In case of repeated breach of code of conduct, the Head of school shall take up the matter with the parents of the student by written communication and by calling in person so as to ensure that the parents be informed to take responsibility of the student.</u></p> <p><u>(10) In case, the student fails to obligate the counselling given to him by the school as well as parents are unable to check the student, the matter shall be placed before the committee consisting of following,-</u></p> <p><u>a. Head of school;</u></p> <p><u>b. Vice President of the PTA;</u></p> <p><u>c. PGT to be nominated by the Head of School;</u></p> <p><u>d. Class Teacher/ Physical Education Teacher.</u></p> <p><u>e. Counsellor of school</u></p> <p><u>(11) The Committee constituted under sub-rule (9) shall inquire into the breach of the Code of Conduct by the student and after making inquiry and issuance of the show cause notice to the parents of the student and considering the pleas of the parents, submit its finding to the managing body of the school.</u></p> <p><u>(12) On receipt of the report of the committee constituted under sub-rule (9), the managing committee may impose upon the student, any of the punishment prescribed under this rule.</u></p>
<p>38. Medical Officer</p>	<p>(1) Every recognised school shall appoint a Medical Officer on such part-time or whole time basis as may be necessary for looking after the health of children of the school.</p> <p>(2) The Medical Officer shall be assisted by such Compounder or Dispenser on a part-time or whole time basis, as may be necessary.</p> <p>(3) In the case of girls' schools, only lady doctors and lady compounders or nurse shall be appointed.</p> <p>(4) In the case of co-educational schools, not less than one lady doctor or female nurse shall be appointed.</p> <p>(5) Detailed instructions in regard</p>	<p>(1) Every recognised school shall appoint a Medical Officer on such part-time or whole time basis as may be necessary for looking after the health of children of the school.</p> <p>(2) The Medical Officer shall be assisted by such Compounder or Dispenser on a part-time or whole time basis, as may be necessary.</p> <p>(3) In the case of girls' schools, only lady doctors and lady compounders or nurse shall be appointed.</p> <p>(4) In the case of co-educational schools, not less than one lady doctor or female nurse shall be</p>

	<p><i>to attendance by Medical Officers and other medical staff, remuneration and other matters shall be specified by the Administrator, on the advice of the Advisory Board.</i></p>	<p><i>appointed.</i> (5) Detailed instructions in regard to attendance by Medical Officers and other medical staff, remuneration and other matters shall be specified by the Government, on the advice of the Advisory Board.</p>
<p>39. Maintenance or establishment of hostels in schools</p>	<p>(1) The Administrator shall, to the extent necessary and practicable, establish, or assist in establishing hostels for students studying in aided schools.</p> <p>(2) Recognised unaided schools may, if they consider necessary, establish, in consultation with the Advisory Board, hostels, subject to the fulfilment of such conditions as may be specified by the Administrator.</p> <p>(3) Admission of any student to a hostel shall not be refused on grounds only of religion, cast, race, place of birth or any of them.</p> <p>(4) Adequate percentage of seats in the hostels shall be reserved, in consultation with the Advisory Board, for children belonging to the weaker sections of the society, and in particular, the Scheduled Castes and Scheduled Tribes.</p> <p>(5) (a) A hosteller shall be liable to be expelled at any time for serious misconduct or when his retention in the hostel is likely to endanger its moral tone and discipline.</p> <p>(b) Before expelling a hosteller, the head of school shall send a detailed report to his parent or guardian and to the Director for his approval of such expulsion.</p> <p>(c) On receipt of the Director's approval, orders for expulsion shall be passed by the head of school under intimation to the parent or guardian :</p> <p><i>Provided that no student shall be expelled from a hostel except after giving the parent or guardian of the student a reasonable opportunity of showing cause against the proposed action.</i></p> <p>(6) Detailed instructions regarding the scale of accommodation, scale of furniture, scale of hostel fees, facilities for the Hostel Superintendent, duties of wardens, medical and other care of the hostellers and other facilities; and conditions for admission in any hostel shall be specified by the Administrator, on the advice of</p>	<p>(1) The Government shall, to the extent necessary and practicable, establish, or assist in establishing hostels for students studying in aided schools.</p> <p>(2) Recognised unaided schools may, if they consider necessary, establish, in consultation with the Advisory Board, hostels, subject to the fulfilment of such conditions as may be specified by the Government.</p> <p>(3) Admission of any student to a hostel shall not be refused on grounds only of religion, cast, race, place of birth or any of them.</p> <p>(4) Adequate percentage of seats in the hostels shall be reserved, in consultation with the Advisory Board, for children belonging to the weaker sections of the society, and in particular, the Scheduled Castes and Scheduled Tribes.</p> <p>(5) (a) A hosteller shall be liable to be expelled at any time for serious misconduct or when his retention in the hostel is likely to endanger its moral tone and discipline.</p> <p>(b) Before expelling a hosteller, the head of school shall send a detailed report to his parent or guardian and to the Director for his approval of such expulsion.</p> <p>(c) On receipt of the Director's approval, orders for expulsion shall be passed by the head of school under intimation to the parent or guardian :</p> <p><i>Provided that no student shall be expelled from a hostel except after giving the parent or guardian of the student a reasonable opportunity of showing cause against the proposed action.</i></p> <p>(6) Detailed instructions regarding the scale of accommodation, scale of furniture, scale of hostel fees, facilities for the Hostel Superintendent, duties of wardens, medical and other care</p>

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	<i>Advisory Board.</i>	<i>of the hostellers and other facilities; and conditions for admission in any hostel shall be specified by the Government, on the advice of Advisory Board.</i>
40. Registers and records	<i>The Administrator shall specify what registers and records are to be maintained by a hostel and what return and records shall be submitted by a schooled action.</i>	<i>The Government shall specify what registers and records are to be maintained by a hostel and what return and records shall be submitted by a schooled action.</i>
41. Examination, assessment, evaluation, promotion, etc.	<i>(1) The Administrator shall, on the advice of the Advisory Board, issued detailed instructions regarding assessment, evaluation and promotion of students from one class to another. (2) He may also issue instructions for programmed learning and informal system of education.</i>	<i>(1) The Government shall, on the advice of the Advisory Board, issued detailed instructions regarding assessment, evaluation and promotion of students from one class to another. (2) He may also issue instructions for programmed learning and informal system of education.</i>
42. School libraries	<i>The Director may issue detailed instructions regarding the maintenance and use of school libraries.</i>	<i>The Director may issue detailed instructions regarding the maintenance and use of school libraries.</i>
43. Power to issue instructions	<i>The Administrator may, if he is of opinion that in the interest of school education in Delhi it is necessary so to do, issue such instructions in relation to any matter, not covered by these rules, as he may deem fit.</i>	<i>The Government may, if he is of opinion that in the interest of school education in Delhi it is necessary so to do, issue such instructions in relation to any matter, not covered by these rules, as he may deem fit.</i>
43A. Power of Government to establish special schools		<i><u>The Government may establish schools for imparting special education to the children with disabilities.</u></i>
43B. Power of Director to direct appointment of special education teachers		<i><u>For the purposes of care and need of the children with disabilities, the Director may direct the recognised private schools, aided or otherwise, to appoint Special education teachers in the school.</u></i>

Chapter-II

Establishment, Recognition, Management of, and Aid to, Schools

Section 4.

Existing.

4. Recognition of schools- (1) The appropriate authority may, on an application made to it in the prescribed form and in the prescribed manner, recognise any private school:

Provided that no school shall be recognised unless-

- a) it has adequate funds to ensure its financial stability and 1 payment of salary and allowances to its employees;
- b) it has a duly approved scheme of management as required by section 5;
- c) it has suitable or adequate accommodation and sanitary facilities having regard, among other factors, to the number, age and sex of the pupils attending it;
- d) it provides for approved courses of study and efficient instruction;
- e) it has teachers with prescribed qualifications; and
- f) it has the prescribed facilities for physical education, library service, laboratory work, workshop practice or co-curricular activities.

(2) Every application for recognition of a school shall be entertained and considered by the appropriate authority and the decision thereon shall be communicated to the applicant within a period of four months from the date of receipt of the application; and where recognition is not granted, the reasons for not granting such recognition shall also be communicated to the applicant with the said period.

(3) Where recognition to a school is refused, any person aggrieved by such refusal may, within thirty days from the date of communication to him, of such refusal, appeal against such refusal, in the prescribed manner, to the prescribed authority and the decision of the prescribed authority thereon shall be final :

Provided that the prescribed authority may, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within the said period of thirty days, extend, for reasons to be recorded by it in writing, the said period by a further period of sixty days.

(4) Where the managing committee of a school obtains recognition by fraud, misrepresentation or suppression of material particulars, or where, after obtaining recognition, the school fails to continue to comply with any of the conditions specified in the proviso to sub-section (1), the authority granting the recognition may, after giving the managing committee of the school a reasonable opportunity of showing cause against the proposed action, withdraw the recognition granted to such school under sub-section (1).

(5) The recognition granted under sub-section (1) shall not, by itself, entitle any school to receive aid.

(6) Every existing school shall be deemed to have been recognised under this section and shall be subject to the provisions of this Act and the rules made thereunder:

Provided that where any such school does not satisfy any of the conditions specified in the proviso to sub-section (1), the prescribed authority may require, the school to satisfy such conditions and such other conditions as may be prescribed, within a specified period and if any such condition is not satisfied, recognition may be withdrawn from such school.

(7) Every school, whose recognition is withdrawn under sub-section (4) or sub-section (6), may appeal to the prescribed authority, who shall dispose of the appeal within six months from the date of presentation of the appeal in such manner as may be prescribed, and if the

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appeal is not disposed of within that period, the order for the withdrawal of recognition shall, on the expiry of the said period of six months, stand cancelled.

(8) On hearing an appeal preferred under sub-section (3) or sub-section (7), the prescribed authority may, after giving the appellant a reasonable opportunity of being heard, confirm, modify or reverse an order appealed against.

Proposed:

4. Recognition of schools- (1) The appropriate authority may, on an application made to it in the prescribed form and in the prescribed manner, recognise any private school:

Provided that no school shall be recognised unless-

- a) it has adequate funds to ensure its financial stability and 1 payment of salary and allowances to its employees;
- b) it has a duly approved scheme of management as required by section 5;
- c) it has suitable or adequate accommodation and sanitary facilities having regard, among other factors, to the number, age and sex of the pupils attending it;
- d) it provides for approved courses of study and efficient instruction;
- e) it has teachers with prescribed qualifications; and
- f) it has the prescribed facilities for physical education, library service, laboratory work, workshop practice or co-curricular activities.

(2) Every application for recognition of a school shall be entertained and considered by the appropriate authority and the decision thereon shall be communicated to the applicant within a period of four months from the date of receipt of the application; and where recognition is not granted, the reasons for not granting such recognition shall also be communicated to the applicant with the said period.

(3) Where recognition to a school is refused, any person aggrieved by such refusal may, within thirty days from the date of communication to him, of such refusal, appeal against such refusal, in the prescribed manner, to the prescribed authority and the decision of the prescribed authority thereon shall be final :

Provided that the prescribed authority may, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within the said period of thirty days, extend, for reasons to be recorded by it in writing, the said period by a further period of sixty days.

(4) Where the managing committee of a school obtains recognition by fraud, misrepresentation or suppression of material particulars, or where, after obtaining recognition, the school fails to continue to comply with any of the conditions specified in the proviso to sub-section (1), the authority granting the recognition may, after giving the managing committee of the school a reasonable opportunity of showing cause against the proposed action, withdraw the recognition granted to such school under sub-section (1).

(5) The recognition granted under sub-section (1) shall not, by itself, entitle any school to receive aid.

(6) ...Omitted

(7) Every school, whose recognition is withdrawn under sub-section (4), may appeal to the prescribed authority, who shall dispose of the appeal within six months from the date of presentation of the appeal in such manner as may be prescribed, and if the appeal is not disposed of within that period, the order for the withdrawal of recognition shall, on the expiry of the said period of six months, stand cancelled.

(8) On hearing an appeal preferred under sub-section (3) or sub-section (6), the prescribed authority may, after giving the appellant a reasonable opportunity of being heard, confirm, modify or reverse an order appealed against.

Rules.

<i>Rules</i>	<i>Existing</i>	<i>Proposed</i>
44. Notices of	<i>(1) With a view to enabling the</i>	<u>May be deleted</u>

<p><i>intention to open a new school</i></p>	<p><i>Administrator to arrange for the planned development of school education in Delhi, every individual, association of individuals, society or trust, desiring to establish a new school, not being a minority school, shall, before establishing such new school, give an intimation in writing to the Administrator of his or their intention to establish such school.</i></p> <p><i>(2) The intimation, referred to in sub-rule (1), shall contain the following particulars, namely :-</i></p> <p><i>(a) the Zone in which the new school is proposed to be established, and the approximate number of students likely to be educated in such schools;</i></p> <p><i>(b) the stage of education intended to be imparted in the new school;</i></p> <p><i>(c) the number of schools of the intended stage in existence in the Zone where the new school is proposed to be established and the population of such a Zone;</i></p> <p><i>(d) whether the person proposing to establish the new school have any alternative Zone in view; and if so, the particulars of such alternative Zone with respect to the matters specified in clauses (a) and (c);</i></p> <p><i>(e) the particulars including measurements of the building or other structure in which the school is proposed to be run;</i></p> <p><i>(f) the financial resources from which the expenses for the establishment and running of the school are proposed to be met and whether any application is proposed to be made for any aid;</i></p> <p><i>(g) the composition of the managing committee of the proposed new school unit the new school is recognised and a new managing committee is constituted in accordance with the scheme of management made under the Act;</i></p> <p><i>(h) the proposed procedure, until its recognition under the Act, for the selection of the head of the school and other teachers and non-teaching staff and the minimum qualifications for their recruitment;</i></p> <p><i>(i) the proposed scales of pay for the head of the school and other teaching and non-teaching staff until the school is recognised under the Act;</i></p> <p><i>(j) admission, tuition and other fees which would be levied and collected until its recognition under the Act, from the student of the proposed new school;</i></p> <p><i>(k) any other facility which is proposed to be provided for the students of the proposed new school.</i></p> <p><i>(3) The Administrator may, after</i></p>	
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	<p><i>considering the particulars specified in the intimation given to him under sub-rule (2) and after making such inquiries as he may think fit, inform the person or person or persons by whom the intimation was given to him whether or not opening of the proposed new school would be, in the public interest:</i></p> <p><i>Provided that the Administrator shall, if he is of opinion that the number of schools existing in the Zone where the new school is proposed to be opened is sufficient to meet the needs of the Zone, inform the person or persons by whom the intimation was given to him that the opening of the new school in such Zone would be against the public interest and may indicate, to such person or persons, any other Zone which, in his opinion, needs the establishment of a new school, and thereupon it would be open to such person or persons to open a new school in the Zone indicated by the Administrator.</i></p>	
45. Opening of new classes in schools	<p><i>(1) No recognised school, not being an unaided minority school, without giving full justification, shall open any new class other than the ones which have received approval from the appropriate authority.</i></p> <p><i>(2) In the case of unaided minority schools, opening of new classes shall be subject to such norms as may be specified by the appropriate authority.</i></p>	<p><i>(1) No recognised school, not being an unaided minority school, without giving full justification, shall open any new class other than the ones which have received approval from the appropriate authority.</i></p> <p><i>(2) In the case of unaided minority schools, opening of new classes shall be subject to such norms as may be specified by the appropriate authority.</i></p>
46. Closing down of a school or any class in a school	<p><i>No managing committee shall close down a recognised school, not being an unaided minority school, or an existing class in such school without giving full justification and without the prior approval of the Director, who shall, before giving such an approval, consult the Advisory Board.</i></p>	<p><i>No Managing Body shall close down a recognised school, not being an unaided minority school, or an existing class in such school without giving full justification and without the prior approval of the Director, who shall, before giving such an approval, consult the Advisory Board.</i></p>
47. Absorption of surplus¹[employee] etc.	<p><i>(1) Where as a result of –</i></p> <p><i>(a) the closure of an aided school or any class or classes in any aided school; or</i></p> <p><i>(b) withdrawal of recognition from an aided school; or</i></p> <p><i>(c) withdrawal of aid from an aided school,</i></p> <p><i>Any student or employee becomes surplus, such student or employee, as the case may be, ²[may be absorbed] as far as practicable, in such Government school or aided school as the Administrator may specify:</i></p> <p><i>Provided that the absorption in Government service of any employee who has become surplus shall be subject to the availability of a vacancy and shall be subject further to the condition that the</i></p>	<p><i>(1) Where as a result of –</i></p> <p><i>(a) the closure of an aided school or any class or classes in any aided school; or</i></p> <p><i>(b) withdrawal of recognition from an aided school; or</i></p> <p><i>(c) withdrawal of aid from an aided school,</i></p> <p><i>Any student or employee becomes surplus, such student or employee, as the case may be, ²[may be absorbed] as far as practicable, in such Government school or aided school as the Government may specify:</i></p> <p><i>Provided that the absorption in Government service of any employee</i></p>

<p>concerned employee possess the requisite qualifications for the post and has not been retrenched by the management of the aided school on any ground other than the ground of closure of the school or any class or classes of the school, or withdrawal of recognition or aid from the school:</p> <p>Provided further that where any such surplus employee is absorbed in a Government school, he shall be treated as junior to all the persons of the same category employed in the Government Schools on the date immediately preceding the date on which he is so absorbed, and where such surplus employee is absorbed in an aided school, he shall rank as junior to all the persons of the same category employed in that school on the date immediately preceding the date on which he is so absorbed.</p> <p>(2) Where any surplus ¹[employee] is absorbed sub-rule (1) :-</p> <p>(a) the salary and other allowance last drawn by him at the school from which he has become surplus shall be protected;</p> <p>(b) his provident fund account shall be transferred to the school in which he is so absorbed, and thereupon such provident fund shall be governed in accordance with the rules and regulations in force that school in relation to provident fund; and</p> <p>(c) the period of his qualifying service in the school in which he had worked before such absorption and any previous period of qualifying service, if any, in any recognised aided school in Delhi shall be taken into account for the purpose of computing his pension and other retirement benefits.</p> <p>(3) Without prejudice to the provisions of sub-rules (1) and (2), where an ¹[employee] becomes surplus by reason of the closure of any class or section thereof or the discontinuance of the teaching of any subject, such ¹[employee] ²[may be absorbed] in the first instance, as far as practicable, in such Government or aided school as the Administrator may specify, and if the class or section which was closed is reopened by the former school or if any new class or section thereof is opened by such school or if the subject, the teaching of which was discontinued, is re-introduced by such school, or strength of the ³[staff] of the former school is increased, such ¹[employee] shall be reabsorbed in the former school; but if such re-absorption does not take place</p>	<p>who has become surplus shall be subject to the availability of a vacancy and shall be subject further to the condition that the concerned employee possess the requisite qualifications for the post and has not been retrenched by the management of the aided school on any ground other than the ground of closure of the school or any class or classes of the school, or withdrawal of recognition or aid from the school:</p> <p>Provided further that where any such surplus employee is absorbed in a Government school, he shall be treated as junior to all the persons of the same category employed in the Government Schools on the date immediately preceding the date on which he is so absorbed, and where such surplus employee is absorbed in an aided school, he shall rank as junior to all the persons of the same category employed in that school on the date immediately preceding the date on which he is so absorbed.</p> <p>(2) Where any surplus ¹[employee] is absorbed sub-rule (1) :-</p> <p>(a) the salary and other allowance last drawn by him at the school from which he has become surplus shall be protected;</p> <p>(b) his provident fund account shall be transferred to the school in which he is so absorbed, and thereupon such provident fund shall be governed in accordance with the rules and regulations in force that school in relation to provident fund; and</p> <p>(c) the period of his qualifying service in the school in which he had worked before such absorption and any previous period of qualifying service, if any, in any recognised aided school in Delhi shall be taken into account for the purpose of computing his pension and other retirement benefits.</p> <p>(3) Without prejudice to the provisions of sub-rules (1) and (2), where an employee becomes surplus by reason of the closure of any class or section thereof or the discontinuance of the teaching of any subject, such employee may be absorbed in the first instance, as far as practicable, in such Government or aided school as the Government may specify, and if the class or section which was closed is reopened by the former school or if any new class or section thereof is opened by such school or if the subject, the teaching of which was</p>
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	<p>within a period of five years from the date of absorption of such ¹[employee] in the Government or aided school, such ¹[employee] shall be regularly absorbed in such Government or aided school, as the case may be.</p> <p>(4) Re-absorption of a ¹[employee] in a former school shall not affect his continuity of service or his seniority in relation to that school or his emoluments, provident fund, gratuity and other retirement benefits.</p> <p>Explanation: For the purposes of sub-rule (3) and (4), "former school" means the school form which an ¹[employee] had become surplus.</p>	<p>discontinued, is re-introduced by such school, or strength of the staff of the former school is increased, such employee shall be reabsorbed in the former school; but if such re-absorption does not take place within a period of five years from the date of absorption of such employee in the Government or aided school, such employee shall be regularly absorbed in such Government or aided school, as the case may be.</p> <p>(4) Re-absorption of a employee in a former school shall not affect his continuity of service or his seniority in relation to that school or his emoluments, provident fund, gratuity and other retirement benefits.</p> <p>Explanation: For the purposes of sub-rule (3) and (4), "former school" means the school form which an employee had become surplus.</p>
48. Transfer of provident fund and other money in certain cases	<p>Where a ²[employee] leaves an aided school, whether in Delhi or outside and joins any other aided school in Delhi, it shall be lawful for the managing committee of school left by such ²[employee] to transfer to the aided school joined by such ²[employee] the money standing in the provident fund to the credit of such ²[employee] on the date when he had left the school and any other amount due to him by way of contribution towards pension and other retirement benefits, and it shall be lawful for the managing committee of the aided school so joined by the ²[employee] to credit the said amounts to the provident fund and other account of the ²[employee] and to take into account the period of approved service rendered by the ²[employee] in the first mentioned school for the purpose of computation of his pension and other retirement benefits.</p>	<p>Where an employee leaves an aided school, whether in Delhi or outside and joins any other aided school in Delhi, it shall be lawful for the Managing Body of school left by such employee to transfer to the aided school joined by such employee the money standing in the provident fund to the credit of such employee on the date when he had left the school and any other amount due to him by way of contribution towards pension and other retirement benefits, and it shall be lawful for the Managing Body of the aided school so joined by the employee to credit the said amounts to the provident fund and other account of the employee and to take into account the period of approved service rendered by the employee in the first mentioned school for the purpose of computation of his pension and other retirement benefits.</p>
49. Form and Manner of application for recognition	<p>Every private school seeking recognition shall make an application, if Form I, to the appropriate authority, and every such application shall either be delivered to the appropriate authority through any individual or sent to that authority by registered post acknowledgement due.</p>	<p>Every private school seeking recognition shall make an application, if Form I, to the appropriate authority, and every such application shall either be delivered to the appropriate authority through any individual or sent to that authority by registered post acknowledgement due.</p>
50. Conditions for recognition	<p>No private school shall be recognised, or continue to be recognised, by the appropriate authority unless the school fulfils the following conditions, namely:-</p> <p>(i) the school is run by a society registered under the Societies Registration Act, 1860 (21 of 1860), or a</p>	<p>No private school shall be recognised, or continue to be recognised, by the appropriate authority unless the school fulfils the following conditions, namely:-</p> <p>(i) the school is run by a society</p>

	<p><i>public trust constituted under any law for the time being in force and is managed in accordance with a scheme of management made under these rules;</i></p> <p><i>(ii) Subject to the provisions of clause (1) of article 30 of the Constitution of India, the school serves a real need of the locality and is not likely to effect adversely the enrolment in a nearby school which has already been recognised by the appropriate authority;</i></p> <p><i>(iii) the school follows approved courses of instructions as provided elsewhere in these rules;</i></p> <p><i>(iv) the school is not run for profit to any individual, group of association of individuals or any other persons;</i></p> <p><i>(v) admission to the school is open to all without any discrimination based on religion, caste, race, place of birth or any of them;</i></p> <p><i>(vi) the managing committee observes the provisions of the Act and the rules made thereunder;</i></p> <p><i>(vii) the building or other structure in which the school is carried on, its surroundings, furniture and equipment are adequate and suitable for an educational institution and, where there is any business premises in any part of the building in which such school is run, the portion in which the school is run adequately separated from such business premises;</i></p> <p><i>(viii) the arrangements in the building or other structure and in the furnishings thereof meet adequately the requirements of health and hygiene;</i></p> <p><i>(ix) the school buildings or other structures or the grounds are not used during the day of night for commercial or residential purposes (except for the purpose of residence of any employee of the school) or for communal, political or non-educational activity of any kind whatsoever;</i></p> <p><i>(x) the accommodation is sufficient for the classes under instruction in the school;</i></p> <p><i>(xi) there is no throughfare or public passage through any part of the school premises;</i></p> <p><i>(xii) sanitary arrangements at the school are adequate and are kept in good order and a certificate from the Health Officer of the local authority having jurisdiction over the area in which the school is located as to the health and sanitary conditions of the school and its surroundings has been furnished, and will also be furnished as and when required by the appropriate authority;</i></p>	<p><i>registered under the Societies Registration Act, 1860 (21 of 1860), or a public trust constituted under any law for the time being in force and is managed in accordance with a scheme of management made under these rules;</i></p> <p><i>(ii) Subject to the provisions of clause (1) of article 30 of the Constitution of India, the school serves a real need of the locality and is not likely to effect adversely the enrolment in a nearby school which has already been recognised by the appropriate authority;</i></p> <p><i>(iii) the school follows approved courses of instructions as provided elsewhere in these rules;</i></p> <p><i>(iv) the school is not run for profit to any individual, group of association of individuals or any other persons;</i></p> <p><i>(v) admission to the school is open to all without any discrimination based on religion, caste, race, place of birth or any of them;</i></p> <p><i>(vi) the Managing Body observes the provisions of the Act and the rules made thereunder;</i></p> <p><i>(vii) the building or other structure in which the school is carried on, its surroundings, furniture and equipment are adequate and suitable for an educational institution and, where there is any business premises in any part of the building in which such school is run, the portion in which the school is run adequately separated from such business premises;</i></p> <p><i>(viii) the arrangements in the building or other structure and in the furnishings thereof meet adequately the requirements of health and hygiene;</i></p> <p><i>(ix) the school buildings or other structures or the grounds are not used during the day <u>and</u> night for commercial <u>(except for running vocational courses for skill development)</u> or residential purposes (except for the purpose of residence of any employee of the school) or for communal, political or non-educational activity of any kind whatsoever;</i></p> <p><i>(x) the accommodation is sufficient for the classes under instruction in the school;</i></p> <p><i>(xi) there is no throughfare or public passage through any part of the school premises;</i></p> <p><i>(xii) sanitary arrangements at the school are adequate and are kept in</i></p>
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	<p>(xiii) arrangements are made for the supply of good drinking water to the students and suitable facilities are provided to enable them to take refreshment, lunch or the like;</p> <p>(xiv) the school is so conducted as to promote discipline and orderly behaviour and to maintain a high moral tone;</p> <p>(xv) no teacher or student of the school is compelled to attend a class in which religious instruction is given or take part in any religious activity, no teacher or student or student absenting himself from religious instruction or religious activity is made to suffer any disability on that account and student is refused admission to the school because exemption from attendance at religious exercises or religious instruction has been claimed by him or his parent or guardian;</p> <p>(xvi) facilities are provided for teaching of languages in accordance with the three language formula, adopted by the Central Government;</p> <p>(xvii) the school is open to inspection by any of the following officers, namely:-</p> <p>(a) any official authorised by the appropriate authority or the Director;</p> <p>(b) Director of Medical Services or Health Officer of the local authorised concerned;</p> <p>(c) Civil Surgeon, Assistant Civil Surgeon or Head Officer authorised by the appropriate authority or the Director to examine the health of students or the sanitary conditions of the school and surroundings;</p> <p>(xviii) the school furnishes such reports and information as may be required by the Director from time to time and complies with such instructions of the appropriate authority or the Director as may be issued to secure the continued fulfilment of the condition of recognition or the removal of deficiencies in the working of the school;</p> <p>(xix) all records of the school are open to inspection by any officer authorised by the Director or the appropriate authority at anytime, and the school furnishes such information as may be necessary to enable the Central Government or the Administrator to discharge its or his obligations to Parliament or to the Metropolitan Council of Delhi, as the case may be.</p>	<p>good order and a certificate from the Health Officer of the local authority having jurisdiction over the area in which the school is located as to the health and sanitary conditions of the school and its surroundings has been furnished, and will also be furnished as and when required by the appropriate authority;</p> <p>(xiii) arrangements are made for the supply of good drinking water to the students and suitable facilities are provided to enable them to take refreshment, lunch or the like;</p> <p>(xiv) the school is so conducted as to promote discipline and orderly behaviour and to maintain a high moral tone;</p> <p>(xv) no teacher or student of the school is compelled to attend a class in which religious instruction is given or take part in any religious activity, no teacher or student or student absenting himself from religious instruction or religious activity is made to suffer any disability on that account and student is refused admission to the school because exemption from attendance at religious exercises or religious instruction has been claimed by him or his parent or guardian;</p> <p>(xvi) facilities are provided for teaching of languages in accordance with the three language formula, adopted by the Central Government;</p> <p>(xvii) the school is open to inspection by any of the following officers, namely:-</p> <p>(a) any official authorised by the appropriate authority or the Director;</p> <p>(b) Director of Medical Services or Health Officer of the local authorised concerned;</p> <p>(c) Civil Surgeon, Assistant Civil Surgeon or Head Officer authorised by the appropriate authority or the Director to examine the health of students or the sanitary conditions of the school and surroundings;</p> <p>(xviii) the school furnishes such reports and information as may be required by the Director from time to time and complies with such instructions of the appropriate authority or the Director as may be issued to secure the continued fulfilment of the condition of recognition or the removal of deficiencies in the working of the school;</p> <p>(xix) all records of the school are open to inspection by any officer authorised</p>
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		<p>by the Director or the appropriate authority at anytime, and the school furnishes such information as may be necessary to enable the Central Government or the Government to discharge its or his obligations to Parliament or to the Legislative Assembly of Delhi, as the case may be. <u>(xix) fire safety measures at the school are adequate and are kept in good order and a certificate from the Fire Officer of Delhi Fire Services as to the fire safety conditions of the school and its surroundings has been furnished, and will also be furnished as and when required by the appropriate authority.</u></p>
<p>51. Facilities to be provided by a school seeking recognition</p>	<p>(1) Every private school seeking recognition shall provide for the following facilities, namely :- (i) Physical education : (a) suitable playground for the purposes of games, sports, and materials for such games and sports; (b) where no such playground is available due to the location of the school in an area where no suitable open space is available, the school shall make arrangement for a playground in a nearby area where students could be provided the facilities for games and sports; (c) where no such arrangement as is referred to in clause (b) is possible, the school shall make arrangements for gymnastics or any other physical exercises; (ii) Library service: (a) (i) adequate library facilities, in the case of primary school, and (ii) in the case of other school, a separate room for the Library, to be used exclusively for the purpose and on no account such room shall be considered as accommodation available for class-teaching; (b) a reading room attached or adjacent to the library, wherever possible; (c) the library has a stock of books specified by the Director as also books specified by the Affiliating Board and such other books as may meet the needs of the students and of the teachers; (d) the library has also books suitable for the use of teachers in their professional work and reference work; (iii) Laboratory work: (a) in the case of a school up to the middle level, a laboratory for teaching science, equipped according to such specifications as may be laid down from time to time, by the appropriate</p>	<p>(1) Every private school seeking recognition shall provide for the following facilities, namely :- (i) Physical education : (a) suitable playground for the purposes of games, sports, and materials for such games and sports; (b) where no such playground is available due to the location of the school in an area where no suitable open space is available, the school shall make arrangement for a playground in a nearby area where students could be provided the facilities for games and sports; (c) where no such arrangement as is referred to in clause (b) is possible, the school shall make arrangements for gymnastics or any other physical exercises; (ii) Library service: (a) (i) adequate library facilities, in the case of primary school, and (ii) in the case of other school, a separate room for the Library, to be used exclusively for the purpose and on no account such room shall be considered as accommodation available for class-teaching; (b) a reading room attached or adjacent to the library, wherever possible; (c) the library has a stock of books specified by the Director as also books specified by the Affiliating Board and such other books as may meet the needs of the students and of the teachers; (d) the library has also books suitable for the use of teachers in their professional work and reference work; (iii) Laboratory work: (a) in the case of a school up to the elementary level, a laboratory for teaching science, equipped according</p>

	<p>authority;</p> <p>(b) in the case of a school above the middle level, intending to run either science course or courses in subjects which involve practical work, accommodation, equipment and apparatus according to such specifications as may be laid down, from time to time, by the Affiliating Board or the Director for the laboratory for each subject;</p> <p>(iv) Workshop practice:</p> <p>(a) a room or a workshop for conducting workshop practice or such other vocational activities as may be specified by the appropriate authority for different classes;</p> <p>(b) the workshop is equipped according to such specifications as may be laid down, from time to time, by the appropriate authority for each subject;</p> <p>(v) Co-curricular activities:</p> <p>As many co-curricular activities, as may be possible, so as to give to every student an opportunity of participating in one or more of the following activities, namely:</p> <p>(a) debates;</p> <p>(b) recitation or elocution;</p> <p>(c) dramatics;</p> <p>(d) music (including folk songs), dancing (including folk dances);</p> <p>(e) hobbies of different types;</p> <p>(f) model parliament;</p> <p>(g) house system;</p> <p>(h) prefectorial system;</p> <p>(i) class competition;</p> <p>(j) junior wing of the National Cadet Corps;</p> <p>(k) scouting and guiding;</p> <p>(l) activities providing for social service; and</p> <p>(m) any other co-curricular activity.</p>	<p>to such specifications as may be laid down from time to time, by the appropriate authority;</p> <p>(b) in the case of a school above the elementary level, intending to run either science course or courses in subjects which involve practical work, accommodation, equipment and apparatus according to such specifications as may be laid down, from time to time, by the Affiliating Board or the Director for the laboratory for each subject;</p> <p>(iv) Workshop practice:</p> <p>(a) a room or a workshop for conducting workshop practice or such other vocational activities as may be specified by the appropriate authority for different classes;</p> <p>(b) the workshop is equipped according to such specifications as may be laid down, from time to time, by the appropriate authority for each subject;</p> <p>(v) Co-curricular activities:</p> <p>As many co-curricular activities, as may be possible, so as to give to every student an opportunity of participating in one or more of the following activities, namely:</p> <p>(a) debates;</p> <p>(b) recitation or elocution;</p> <p>(c) dramatics;</p> <p>(d) music (including folk songs), dancing (including folk dances);</p> <p>(e) hobbies of different types;</p> <p>(f) model parliament;</p> <p>(g) house system;</p> <p>(h) prefectorial system;</p> <p>(i) class competition;</p> <p>(j) junior wing of the National Cadet Corps;</p> <p>(k) scouting and guiding;</p> <p>(l) activities providing for social service; and</p> <p>(m) any other co-curricular activity.</p>
52. Power to grant exemption	The appropriate authority may, for good and sufficient reason, exempt provisionally any private school seeking recognition from one or more of the provisions of rule 50 or rule 51 or both for such period as it may consider necessary, provided that the appropriate authority is satisfied that the school will be in a position to fulfil in the near future, the requirements from which it is provisionally exempted.	The appropriate authority may, for good and sufficient reason, exempt provisionally any private school seeking recognition from one or more of the provisions of rule 50 or rule 51 or both for such period as it may consider necessary, provided that the appropriate authority is satisfied that the school will be in a position to fulfil in the near future, the requirements from which it is provisionally exempted.
53. Date of recognition	The recognition given to a school shall be effective from the date decided upon by the appropriate authority and ordinarily recognition shall be given	The recognition given to a school shall be effective from the date decided upon by the appropriate authority and ordinarily recognition shall be given

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	<i>from the date of commencement of the school year.</i>	<i>from the date of commencement of the school year.</i>
54. Recognition to lapse if not availed of within a year	<p>(1) The recognition granted to a school shall lapse unless it is availed of within a year from the date on which it is to be effective.</p> <p>(2) ¹[* * * * *]</p> <p>Provided that no recognition shall be renewed unless an application for such renewal has been made, in Form I, not less than six months before the date on which the recognition is to expire and unless the school continues to fulfil the conditions specified in sub-section (1) of section 4, and rule 50:</p> <p>Provided further that the appropriate authority may, on sufficient cause being shown by the managing committee of the school, relax the time-limit for making an application for the renewal of recognition.</p>	<p>(1) The recognition granted to a school shall lapse unless it is availed of within a year from the date on which it is to be effective:</p> <p>Provided that no recognition shall be renewed unless an application for such renewal has been made, in Form I, not less than six months before the date on which the recognition is to expire and unless the school continues to fulfil the conditions specified in sub-section (1) of section 4, and rule 50:</p> <p>Provided further that the appropriate authority may, on sufficient cause being shown by the Managing Body of the school, relax the time-limit for making an application for the renewal of recognition.</p>
55. Lapse of recognition in other cases	<p>(1) If a recognised school ceases to function or is shifted to a different locality or is transferred to a different trust, society, individual or a group of individuals without the previous approval of the appropriate authority, its recognition shall lapse on such ceasing, shifting or transfer, as the case may be, and it shall, for the purpose of future recognition, be treated, as a new school.</p> <p>(2) Where one or more of the conditions of recognition, specified in sub-section (1) of section 4 or in rule 50, are not complied with by any recognised school, ²[the appropriate authority shall], by a written notice, draw the attention of the school to such non-compliance; and, if within ³[sixty] days from the date of service of such notice, any such condition for the recognition is not complied with, the recognition granted to such school shall, on the expiry of the said period of ³[sixty days], stand lapsed.</p>	<p>(1) If a recognised school ceases to function or is shifted to a different locality or is transferred to a different trust, society, individual or a group of individuals without the previous approval of the appropriate authority, its recognition shall lapse on such ceasing, shifting or transfer, as the case may be, and it shall, for the purpose of future recognition, be treated, as a new school.</p> <p>(2) Where one or more of the conditions of recognition, specified in sub-section (1) of section 4 or in rule 50, are not complied with by any recognised school, ²[the appropriate authority shall], by a written notice, draw the attention of the school to such non-compliance; and, if within ³[sixty] days from the date of service of such notice, any such condition for the recognition is not complied with, the recognition granted to such school shall, on the expiry of the said period of ³[sixty days], stand lapsed.</p>
56. Suspension or withdrawal of recognition	<p>(1) If a school ceases to fulfil any requirement of the Act or any of the conditions specified in rule 50 or fails to provide any facility specified in rule 51, the appropriate authority may, after giving to the school a reasonable opportunity of showing cause against the proposed action, withdraw for reason to be recorded in writing, recognition from the school:</p> <p>Provided that where the appropriate authority is satisfied that the deficiencies or defects are capable of immediate or early removal, it may, instead of withdrawing the recognition suspend the recognition for such period as it may</p>	<p>(1) If a school ceases to fulfil any requirement of the Act or any of the conditions specified in rule 50 or fails to provide any facility specified in rule 51, the appropriate authority may, after giving to the school a reasonable opportunity of showing cause against the proposed action, withdraw for reason to be recorded in writing, recognition from the school:</p> <p>Provided that where the appropriate authority is satisfied that the deficiencies or defects are capable of immediate or early removal, it may, instead of withdrawing the recognition suspend the recognition for such</p>

	<p>think fit to enable the managing committee of the school to remedy the deficiencies or defects to the satisfaction of the appropriate authority:</p> <p>Provided further that where the recognition of a school has been withdrawn or suspended, no appropriate authority shall grant recognition of such school whether run by the name by which it was known at the time of such withdrawal or suspension or by any other name, unless the school has removed the deficiencies or defects for which the recognition has been withdrawn or suspended.</p> <p>(2) A recognised school which provides for hostel facilities shall comply with the provisions of rule 39 and the instructions made thereunder, and in case of any default in complying with such provisions or instructions, the appropriate authority may for reasons to be recorded in writing, withdraw the recognition in relation to the school itself.</p> <p>(3) Where recognition of any school is withdrawn, the reasons for withdrawal of such recognition shall be communicated to the managing committee within seven days from the date on which the recognition is withdrawn.</p> <p>(4) Any managing committee aggrieved by the withdrawal of recognition of the school managed by it may, within thirty days from the date of communication to it of the withdrawal of recognition, prefer an appeal against such withdrawal to the authority specified in rule 58.</p>	<p>period as it may think fit to enable the Managing Body of the school to remedy the deficiencies or defects to the satisfaction of the appropriate authority:</p> <p>Provided further that where the recognition of a school has been withdrawn or suspended, no appropriate authority shall grant recognition of such school whether run by the name by which it was known at the time of such withdrawal or suspension or by any other name, unless the school has removed the deficiencies or defects for which the recognition has been withdrawn or suspended.</p> <p>(2) A recognised school which provides for hostel facilities shall comply with the provisions of rule 39 and the instructions made thereunder, and in case of any default in complying with such provisions or instructions, the appropriate authority may for reasons to be recorded in writing, withdraw the recognition in relation to the school itself.</p> <p>(3) Where recognition of any school is withdrawn, the reasons for withdrawal of such recognition shall be communicated to the Managing Body within seven days from the date on which the recognition is withdrawn.</p> <p>(4) Any Managing Body aggrieved by the withdrawal of recognition of the school managed by it may, within thirty days from the date of communication to it of the withdrawal of recognition, prefer an appeal against such withdrawal to the authority specified in rule 58.</p>
<p>57. Restoration of recognition</p>	<p>Recognition once withdrawn or lapsed shall not be restored until the appropriate authority is satisfied that the reasons which led to the withdrawal or lapse or recognition have been removed and that in all other respects the school complies with the provisions of the Act and the rules made thereunder.</p>	<p>Recognition once withdrawn or lapsed shall not be restored until the appropriate authority is satisfied that the reasons which led to the withdrawal or lapse or recognition have been removed and that in all other respects the school complies with the provisions of the Act and the rules made thereunder.</p>
<p>58. Authorities to which appeals may be preferred</p>	<p>(1) Every appeal against refusal by the appropriate authority to accord recognition to a school or withdrawing recognition from an existing school shall be preferred to the following authorities, namely :-</p> <p>(a) 'where' the appropriate authority is an authority designated or sponsored by the Central Government, to that Government;</p> <p>(b) where the appropriate authority is the</p>	<p>(1) Every appeal against refusal by the appropriate authority to accord recognition to a school or withdrawing recognition from an existing school shall be preferred to the following authorities, namely :-</p> <p>(a) 'where' the appropriate authority is an authority designated or sponsored by the Central Government, to that Government;</p> <p>(b) where the appropriate authority is</p>

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	<p><i>Administrator, to the Central Government;</i></p> <p><i>(c) where the appropriate authority is an officer authorised by the Administrator, to the Administrator;</i></p> <p><i>(d) where the appropriate authority is a local authority, to the Administrator.</i></p> <p><i>(2) Every such appeal shall be made in writing and shall be accompanied by a copy of the reasons for the refusal to accord recognition or withdrawal or recognition, as the case may be, communicated to the appellant:</i></p> <p><i>¹[Provided that every such appeal shall be made in writing within a period of thirty days from the date of the receipt of such communication].</i></p>	<p><i>an officer authorised by the Government, to the Government;</i></p> <p><i>(d) where the appropriate authority is a local authority, to the Government.</i></p> <p><i>(2) Every such appeal shall be made in writing and shall be accompanied by a copy of the reasons for the refusal to accord recognition or withdrawal or recognition, as the case may be, communicated to the appellant:</i></p> <p><i>¹[Provided that every such appeal shall be made in writing within a period of thirty days from the date of the receipt of such communication].</i></p>
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Chapter-II

Establishment, Recognition, Management of, and Aid to, Schools

Section 5.

Existing

5. Scheme of management- (1) Notwithstanding anything contained in any other law for the time being in force or in any instrument having effect by virtue of any such law, the managing committee of every recognised school shall make, in accordance with the rules made under this Act and with the previous approval of the appropriate authority, a scheme of management for such school:

Provided that in the case of a recognised private school which does not " receive any aid, the scheme of management shall apply with such variations and modifications as may be prescribed:

Provided further that so much of this sub-section as relates to the previous approval of the appropriate authority, shall not apply to a scheme of management for an unaided minority school.

(2) A scheme may be made, in like manner, to add, to vary or modify any scheme made under sub-section (1).

Proposed:

5. Scheme of management- (1) Notwithstanding anything contained in any other law for the time being in force or in any instrument having effect by virtue of any such law, the **Managing Body** of every recognised school shall make, in accordance with the rules made under this Act and with the previous approval of the appropriate authority, a scheme of management for such school:

Provided that in the case of a recognised private school which does not " receive any aid, the scheme of management shall apply with such variations and modifications as may be prescribed:

Provided further that so much of this sub-section as relates to the previous approval of the appropriate authority, shall not apply to a scheme of management for an unaided minority school.

<i>Rules</i>	<i>Existing</i>	<i>Proposed</i>
59. Scheme of management of recognised schools	(1) The scheme of management in relation to a recognised school shall provided that :- (a) the managing committee of a recognised aided school shall consist of a recognised unaided school shall consist of not more than twenty one members; (b) subject to the total number of members specified in clause (a), every managing committee shall include the following, namely :-	(1) The scheme of management in relation to a recognised school shall provided that :- (a) the <u>Managing Body</u> of a recognised aided school shall consist of a recognised unaided school shall consist of not more than twenty one members; (b) subject to the total number of members specified in clause (a), every <u>Managing Body</u> shall include the following, namely :-

<p>(i) the head of the school;</p> <p>(ii) one parent, who is a member of the Parent-Teachers' Association of the school, constituted in accordance with such instructions as may be issued by the Administrator, and is elected by that Association;</p> <p>(iii) two teachers of that school, to be elected by the teachers of that school from amongst themselves;</p> <p>(iv) two other persons (of whom one shall be woman), who are, or have been, teachers of may other school or of any college, to be nominated by the Advisory Board;</p> <p>(v) two members, to be nominated by the Director, of whom one shall be an educationist and the other an officer of the Directorate of Education, Delhi, not below the rank of the Principal of a higher secondary school;</p> <p>(vi) the remaining members to be nominated or elected, as the case may be, in accordance with the rules and regulations of the society or trust by which the school is run:</p> <p>Provided that in the case of²[a minority school], such members of the managing committee, as are required by this rule to be elected, may, instead of being elected, be nominated by the society or trust by which such unaided minority school is run:</p> <p>Provided further that in the case of²[minority school], the educationist to be nominated by the Director shall be a non-official who shall belong to the minority by which the school is established and run.</p> <p>1[Provided also that in the case of a minority school, the managing committee shall co-opt two senior most teachers out of a panel of ten senior-most teachers of the school by rotation and in case the school works in two shifts, then, one seniormost teacher shall be co-opted from a panel of five seniormost teachers in each shift by rotation;</p> <p>Provided also that nothing in sub-clause (iv) shall apply to a minority school.</p> <p>Provided also that the members nominated under clause (v) shall not be entitled to take part in the management of the minority school and shall function as advisers and observers to put forward the views of the Government in the meeting.]</p> <p>(2) The scheme of management shall also provide for the following, namely:-</p> <p>(a) the term of office of the members of the managing committee and the manner of its reconstruction or filling of any vacancy occurring therein;</p> <p>(b) the manner of elections to the</p>	<p>(i) the head of the school;</p> <p>(ii) <u>four parents, out of which one belonging to the scheduled caste, one belonging to economically weaker section,</u> who are members of the Parent-Teachers' Association of the school, constituted in accordance with such instructions as may be issued by the <u>Government,</u> and is elected by that Association;</p> <p>(iii) two teachers of that school, to be elected by the teachers of that school from amongst themselves;</p> <p>(iv) two other persons (of whom one shall be woman), who are, or have been, teachers of may other school or of any college, to be nominated by the Advisory Board;</p> <p>(v) two members, to be nominated by the Director, of whom one shall be an educationist and the other an officer of the Directorate of Education, Delhi, not below the rank of the Principal of a higher secondary school;</p> <p>(vi) the remaining members to be nominated or elected, as the case may be, in accordance with the rules and regulations of the society or trust by which the school is run:</p> <p>Provided that in the case of a minority school, such members of the <u>Managing Body,</u> as are required by this rule to be elected, may, instead of being elected, be nominated by the society or trust by which such unaided minority school is run:</p> <p>Provided further that in the case of minority school, the educationist to be nominated by the Director shall be a non-official who shall belong to the minority by which the school is established and run.</p> <p>Provided also that in the case of a minority school, the <u>Managing Body</u> shall co-opt two senior most teachers out of a panel of ten senior-most teachers of the school by rotation and in case the school works in two shifts, then, one senior most teacher shall be co-opted from a panel of five senior most teachers in each shift by rotation;</p> <p>Provided also that nothing in sub-clause (iv) shall apply to a minority school.</p> <p>Provided also that the members nominated under clause (v) shall not be entitled to take part in the management of the minority school and shall function as advisers and observers to put forward the views of the Government in the meeting.</p> <p>(2) The scheme of management shall</p>
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<p>managing committee;</p> <p>(c) that for the purpose of elections to the managing committee, the head of the school shall be the returning officer and shall conduct, and be in charge of, the election;</p> <p>(d) that any change in the composition of the managing committee of the members referred to in sub-clauses (ii) and (iii) of clause (b) of sub-rule (1) shall be communication to the Director within seven days from the date when such change takes place;</p> <p>(d) the duties, powers and responsibilities of the managing committee, which shall include control over appointments, disciplinary action, and control on staff, and shall also provide that no financial irregularities is committed or any irregular procedure is followed;</p> <p>(f) that the managing committee shall ensure that the school gets the full complement of the ²[staff].</p> <p>(g) that the managing committee shall ensure that the school gets furniture, science equipment, library books and other teaching aids, and requisite sports materials;</p> <p>(h) the duties, power and responsibilities of the head of the school, which shall provide that he shall :-</p> <p>(i) function as the head of the school under his charge and carry out all administrative duties required of a head of office;</p> <p>(ii) be the drawing and disbursing officer for the employees of the school except that, in the case of an unaided school, he may perform only such functions as drawing and disbursing officer as may be specified in the instructions issued by the Director;</p> <p>(iii) be responsible for the proper maintenance of accounts of the school, school records, service books of teachers, and such other registers, returns and statistics as may be specified by the Director from time to time;</p> <p>(iv) handle official correspondence relating to the school and furnish, within the specified dates, the returns and informations required by the Director;</p> <p>(v) makes, in the case of unaided schools, all payments (including salaries and allowances of teachers and other non-teaching staff) in time and according to the instructions governing such payment:</p> <p>Provided that where he is so authorised by the Administrator, make, in the case of an aided school, all such payments according to the instructions governing such payments;</p> <p>(vi) ensure that the tuition fees, where levied, are realised and appropriated for</p>	<p>also provide for the following, namely:-</p> <p>(a) the term of office of the members of the Managing Body and the manner of its reconstruction or filling of any vacancy occurring therein;</p> <p>(b) the manner of elections to the Managing Body;</p> <p>(c) that for the purpose of elections to the Managing Body, the head of the school shall be the returning officer and shall conduct, and be in charge of, the election;</p> <p>(d) that any change in the composition of the Managing Body of the members referred to in sub-clauses (ii) and (iii) of clause (b) of sub-rule (1) shall be communication to the Director within seven days from the date when such change takes place;</p> <p>(d) the duties, powers and responsibilities of the Managing Body, which shall include control over appointments, disciplinary action, and control on staff, and shall also provide that no financial irregularities is committed or any irregular procedure is followed;</p> <p>(f) that the Managing Body shall ensure that the school gets the full complement of the staff.</p> <p>(g) that the Managing Body shall ensure that the school gets furniture, science equipment, library books and other teaching aids, and requisite sports materials;</p> <p>(h) the duties, power and responsibilities of the head of the school, which shall provide that he shall :-</p> <p>(i) function as the head of the school under his charge and carry out all administrative duties required of a head of office;</p> <p>(ii) be the drawing and disbursing officer for the employees of the school except that, in the case of an unaided school, he may perform only such functions as drawing and disbursing officer as may be specified in the instructions issued by the Director;</p> <p>(iii) be responsible for the proper maintenance of accounts of the school, school records, service books of teachers, and such other registers, returns and statistics as may be specified by the Director from time to time;</p> <p>(iv) handle official correspondence relating to the school and furnish, within the specified dates, the returns and informations required by the Director;</p> <p>(v) makes, in the case of unaided schools, all payments (including salaries and allowances of teachers and other</p>
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	<p><i>the purpose for which they are levied;</i> (vii) <i>make purchases of stores and other materials required for the school in accordance with the rules governing such purchases and enter all such stores in the stock register and shall scrutinize the bills and made payments;</i> (viii) <i>conduct physical verification of school property and stocks at least once a year and ensure the maintenance of stock registers neatly and accurately;</i> (ix) <i>be responsible for proper utilisation of the Pupils' Fund;</i> (x) <i>make satisfactory arrangements for the supply of goods, drinking water and provide other facilities for the pupils and ensure that the school building, its fixtures and furniture, office equipment, lavatories, play grounds, school garden and other properties are properly and carefully maintained;</i> (xi) <i>supervise, guide and control the work of the teaching and non-teaching staff of the school;</i> (xii) <i>be in a charge of admissions in the school, preparation of school timetable, allocation of duties and teaching load to the teachers, and shall provide necessary facilities to the teachers in the discharge of their duties and conduct of school examinations in accordance with the instructions issued by the Director from time to time; and he shall discharge these duties in consultation with his colleagues;</i> (xiii) <i>plan the year's academic work in advance in consultation with his colleagues and hold staff meeting at least once a month, review the work done during the month and assess the progress of the pupils;</i> (xiv) <i>help and guide the teachers and promote their professional growth and towards the end, actively encourage their participation in courses designed for in-service education;</i> (xv) <i>promote the initiative of the teachers for self-improvement and encourage them to undertake experiments which are educationally sound;</i> (xvi) <i>supervise class room teaching and secure co-operation and co-ordination amongst teachers of the same subject area as well as inter-subject co-ordination;</i> (xvii) <i>arrange for special remedial teaching of the children belonging to the weaker sections of the community as also of other children who need such remedial teaching;</i> (xviii) <i>arrange for informal and non-class room teaching;</i> (xix) <i>plan and specify a regular time-table for the scrutiny of pupils' written work and</i></p>	<p><i>non-teaching staff) in time and according to the instructions governing such payment:</i> Provided that where he is so authorised by the Government, make, in the case of an aided school, all such payments according to the instructions governing such payments; (vi) <i>ensure that the tuition fees, where levied, are realised and appropriated for the purpose for which they are levied;</i> (vii) <i>make purchases of stores and other materials required for the school in accordance with the rules governing such purchases and enter all such stores in the stock register and shall scrutinize the bills and made payments;</i> (viii) <i>conduct physical verification of school property and stocks at least once a year and ensure the maintenance of stock registers neatly and accurately;</i> (ix) <i>be responsible for proper utilisation of the Pupils' Fund;</i> (x) <i>make satisfactory arrangements for the supply of goods, drinking water and provide other facilities for the pupils and ensure that the school building, its fixtures and furniture, office equipment, lavatories, play grounds, school garden and other properties are properly and carefully maintained;</i> (xi) <i>supervise, guide and control the work of the teaching and non-teaching staff of the school;</i> (xii) <i>be in a charge of admissions in the school, preparation of school timetable, allocation of duties and teaching load to the teachers, and shall provide necessary facilities to the teachers in the discharge of their duties and conduct of school examinations in accordance with the instructions issued by the Director from time to time; and he shall discharge these duties in consultation with his colleagues;</i> (xiii) <i>plan the year's academic work in advance in consultation with his colleagues and hold staff meeting at least once a month, review the work done during the month and assess the progress of the pupils;</i> (xiv) <i>help and guide the teachers and promote their professional growth and towards the end, actively encourage their participation in courses designed for in-service education;</i> (xv) <i>promote the initiative of the teachers for self-improvement and encourage them to undertake experiments which are educationally sound;</i> (xvi) <i>supervise class room teaching and</i></p>
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<p>home assignment and ensure that the assessment and corrections are carried out timely and effectively;</p> <p>(xx) make necessary arrangements for organising special instructions for the pupils according to their needs;</p> <p>(xxi) organise and co-ordinate various co-curricular activities through the house system or in such other effective way as he may think fit;</p> <p>(xxii) develop and organise the library resources and reading facilities in the school and ensure that the pupils and teachers have access to and use of books and journals of established value and usefulness;</p> <p>(xxiii) send regularly the progress reports of the students to their parents or guardians;</p> <p>(xxiv) promote the physical well-being of the pupils, secure high standards of cleanliness and health habits, and arrange periodical medical examinations of the students and send medical reports to parents or guardians;</p> <p>(xxv) devote at least twelve periods in a week to teaching of the pupils;</p> <p>(i) the educational and other qualifications of the manager and his duties and responsibilities; the position of the manager viz-a-viz the managing committee;</p> <p>(j) no employee of an aided school (other than the head of school) shall be appointed as the manager, the head of school may be appointed the manager of a school, whether aided or unaided;</p> <p>(k) appointment of the manager; the terms and conditions of his appointment; removal of the manager; filling up of casual vacancy in the office of the manager, duties and responsibilities of the manager;</p> <p>(l) bills (including bills relating to the salaries and allowances of the teachers and non-teaching staff) shall be jointly signed by the manager and the head of the school; but where the head of the school is also the manager, such bills shall be signed jointly by the head of the school and another member of the managing committee specially authorised by that committee in this behalf;</p> <p>(m) that the administration and academic work of the school shall be attended to by the head of school, and except where the head of school is the manager, the manager shall not interfere with the day-to-day administration and academic work of the school;</p> <p>(n) members of the managing committee of an aided schools shall not be entitled to</p>	<p>secure co-operation and co-ordination amongst teachers of the same subject area as well as inter-subject co-ordination;</p> <p>(xvii) arrange for special remedial teaching of the children belonging to the weaker sections of the community as also of other children who need such remedial teaching;</p> <p>(xviii) arrange for informal and non-class room teaching;</p> <p>(xix) plan and specify a regular timetable for the scrutiny of pupils' written work and home assignment and ensure that the assessment and corrections are carried out timely and effectively;</p> <p>(xx) make necessary arrangements for organising special instructions for the pupils according to their needs;</p> <p>(xxi) organise and co-ordinate various co-curricular activities through the house system or in such other effective way as he may think fit;</p> <p>(xxii) develop and organise the library resources and reading facilities in the school and ensure that the pupils and teachers have access to and use of books and journals of established value and usefulness;</p> <p>(xxiii) send regularly the progress reports of the students to their parents or guardians;</p> <p>(xxiv) promote the physical well-being of the pupils, secure high standards of cleanliness and health habits, and arrange periodical medical examinations of the students and send medical reports to parents or guardians;</p> <p>(xxv) devote at least twelve periods in a week to teaching of the pupils;</p> <p><u>(xxvi) take all steps to prevent the menace of ragging in the school premises including hostel, if any.</u></p> <p>(i) the educational and other qualifications of the manager and his duties and responsibilities; the position of the manager viz-a-viz the <u>Managing Body</u>;</p> <p>(j) no employee of an aided school (other than the head of school) shall be appointed as the manager, the head of school may be appointed the manager of a school, whether aided or unaided;</p> <p>(k) appointment of the manager; <u>qualification for appointment of manager as specified by the Government</u>; the terms and conditions of his appointment; removal of the manager; filling up of casual vacancy in the office of the manager, duties and responsibilities of the manager;</p> <p>(l) bills (including bills relating to the</p>
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<p>any remuneration, honorarium or allowance but may be permitted to draw allowances for attending meetings of the managing committee at a rate not exceeding the rate of daily allowance or travelling allowance admissible to the non-official members of the committees, boards and the like in accordance with the orders issued by the Government of India from time to time :</p> <p>Provided that if the head of school or a teacher happens to be a member of the managing committee, he shall draw his remuneration in his capacity as the head of school or teacher, as the case may be :</p> <p>Provided further that allowances paid to the members of the managing committee for attending meetings thereof shall not be a charge on the school fund;</p> <p>(o) no member of the managing committee shall be entitled to participate in any meeting at which his personal conduct is under discussion;</p> <p>(p) in the case of an unaided minority school, the form of the contract referred to in sub-section (1) of section 15 and the manner in which every contract of service shall be preserved;</p> <p>(q) the managing committee shall be subject to the control and supervision of the trust or society by which such school is run.</p> <p>(r) manager shall not be at the same time the manager of any other school and a person shall not be at the same time the chairman of the managing committee and the manager.</p> <p>(3) The managing committee of an existing school shall make the draft of scheme of management after the commencement of these rules and shall, within 90 days from such commencement, submit such draft to the appropriate authority for its approval:</p> <p>Provided that the appropriate authority may, after giving to the managing committee a reasonable opportunity of being heard, make such alterations or modifications in the draft scheme of management as the circumstance of the case may require.</p> <p>¹[Provided further that the provisions of this sub-rule relating to the approval and alterations or modifications in the sphere of management by the appropriate authority shall not apply to a minority school in which case such approval and alterations or modifications shall be advisory and the draft scheme of management shall be valid.]</p> <p>(4) The managing committee of an existing school shall bring, within ninety days from the date of approval of the scheme of</p>	<p>salaries and allowances of the teachers and non-teaching staff) shall be jointly signed by the manager and the head of the school; but where the head of the school is also the manager, such bills shall be signed jointly by the head of the school and another member of the Managing Body specially authorised by that committee in this behalf;</p> <p>(m) that the administration and academic work of the school shall be attended to by the head of school, and except where the head of school is the manager, the manager shall not interfere with the day-to-day administration and academic work of the school;</p> <p>(n) members of the Managing Body of an aided schools shall not be entitled to any remuneration, honorarium or allowance but may be permitted to draw allowances for attending meetings of the Managing Body at a rate not exceeding the rate of daily allowance or travelling allowance admissible to the non-official members of the committees, boards and the like in accordance with the orders issued by the Government of India from time to time :</p> <p>Provided that if the head of school or a teacher happens to be a member of the Managing Body, he shall draw his remuneration in his capacity as the head of school or teacher, as the case may be :</p> <p>Provided further that allowances paid to the members of the Managing Body for attending meetings thereof shall not be a charge on the school fund;</p> <p>(o) no member of the Managing Body shall be entitled to participate in any meeting at which his personal conduct is under discussion;</p> <p>(p) in the case of an unaided minority school, the form of the contract referred to in sub-section (1) of section 15 and the manner in which every contract of service shall be preserved;</p> <p>(q) the Managing Body shall be subject to the control and supervision of the trust or society by which such school is run.</p> <p>(r) manager shall not be at the same time the manager of any other school and a person shall not be at the same time the chairman of the Managing Body and the manager.</p> <p>(3) The Managing Body of an existing school shall make the draft of scheme of management after the commencement of these rules and shall, within 90 days from such commencement, submit such draft to the appropriate authority for its</p>
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	<p><i>management by the appropriate authority the composition thereof in conformity with the scheme of management as approved by the appropriate authority.</i></p>	<p><i>approval:</i> <i>Provided that the appropriate authority may, after giving to the Managing Body a reasonable opportunity of being heard, make such alternations or modifications in the draft scheme of management as the circumstance of the case may require.</i> ¹<i>[Provided further that the provisions of this sub-rule relating to the approval and alterations or modifications in the sphere of management by the appropriate authority shall not apply to a minority school in which case such approval and alterations or modifications shall be advisory and the draft scheme of management shall be valid.]</i> <u><i>Provided further more that the managing body of a minority school shall submit a certificate issued by the Director along with the scheme of management that the school is established by a minority community.</i></u> <i>(4) The Managing Body of an existing school shall bring, within ninety days from the date of approval of the scheme of management by the appropriate authority the composition thereof in conformity with the scheme of management as approved by the appropriate authority.</i></p>

Chapter-II
Establishment, Recognition, Management of, and Aid to,
Schools

Section 6

Existing

6. Aid to recognised schools - (1) The Central Government may, after the due appropriation made by Parliament by law in this behalf and subject to such conditions as may be prescribed, pay to the Administrator, for distribution of aid to recognised private schools, not being primary schools recognised by a local authority, such sums of money as that Government may consider necessary.

Provided that no existing school receiving, immediately before the commencement of this Act, aid shall be eligible for the continuance of such aid unless it complies, within such period as may be specified by the Director, with the conditions specified in the proviso to sub-section (1) of section 4.

- (2) The authority competent to grant the aid may stop, reduce or suspend aid for violation of any of the conditions prescribed in this behalf.
- (3) The aid may cover such part of the expenditure of the school as may be prescribed.
- (4) No payment, out of the aid given for salary, allowances and pro fund of employees of the school, shall be made for any other purpose.
- (5) No aid shall be given to a school the management of which has been taken over under section 20.
- (6) No unrecognised school shall be eligible to receive any aid or any benefit made available to private schools by the Administrator or any agency of the Administrator.

Proposed:

6. Aid to recognised schools - (1) The **Government** may, after the due appropriation made by the **Legislative Assembly of Delhi** by law in this behalf and subject to such conditions as may be prescribed, **allocate** for distribution of aid to recognised private schools, not being primary schools recognised by a local authority, such sums of money as **the Government** may consider necessary:

- (2) The authority competent to grant the aid may stop, reduce or suspend aid for violation of any of the conditions prescribed in this behalf.
- (3) The aid may cover such part of the expenditure of the school as may be prescribed.
- (4) No payment, out of the aid given for salary, allowances and pro fund of employees of the school, shall be made for any other purpose.
- (5) No aid shall be given to a school the management of which has been taken over under section 20.

Rules

<i>Rules</i>	<i>Existing</i>	<i>Proposed</i>
60. Aid to existing schools to continue	<i>Every aided school shall, so long as it fulfils the conditions for receiving aid, continue, subject to the provisions of</i>	<i>Every aided school shall, so long as it fulfils the conditions for receiving aid, continue, subject to the provisions of</i>

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	<i>these rules, to receive such aid.</i>	<i>these rules, to receive such aid.</i>
61. Power of Administrator to determine the number of aided schools	<i>The Administrator or any other officer authorised by him in this behalf shall determine, every year, the total number of recognised unaided schools to which grant-in-aid may be given.</i>	<i>The Government or any other officer authorised by him in this behalf shall determine, every year, the total number of recognised unaided schools to which grant-in-aid may be given.</i>
62. Application for grant-in-aid	<i>Every application for grant-in-aid by a school shall be made in Form II and shall be addressed to the Administrator or any officer authorised by him in this behalf, and every application for the yearly assessment of grant shall be made in Form III.</i>	<i>Every application for grant-in-aid by a school shall be made in Form II and shall be addressed to the Government or any officer authorised by him in this behalf, and every application for the yearly assessment of grant shall be made in Form III.</i>
63. Power of Administrator to cause the school to be inspected	<i>Where an application is made for any grant-in-aid in relation to a school, the Administrator shall cause such school to be inspected by an officer authorised by him in this behalf as regards the suitability or otherwise of the school to receive such aid.</i>	<i>Where an application is made for any grant-in-aid in relation to a school, the Government shall cause such school to be inspected by an officer authorised by him in this behalf as regards the suitability or otherwise of the school to receive such aid.</i>
64. No aid to be given unless suitable undertakings are given by the managing committee	² <i>[(1) No school shall be granted aid unless its managing committee gives an undertaking in writing that : (a) it shall comply with the provisions of the Act and these rules; (b) it shall fill in the posts in the school with the Scheduled Castes and the Scheduled Tribes candidates in accordance with the instructions issued by the Central Government from time to time and also maintain the roster and other connected returns in this behalf; (c) it shall deposit its five percent share towards pay and allowances, medical facilities, pension, gratuity, provident fund and other prescribed benefits with the Administrator every month; (d) it shall disburse or cause to be disbursed the dues maintained in clause (c), within the first week of every month to the employees of the school; (e) while filling up the posts in the school, it shall give first preference to such of the employees of other aided schools as have become surplus in pursuance of the provisions of rule 47; (f) it shall comply with the directions given by the Director under sub section (3) of Section 24 of the Act; (g) it shall fill in such number of posts in the school as have been approved by the Director, in accordance with the post fixation in pursuance of rule 75, without any discrimination or delay as per the Recruitment Rules prescribed for such posts; (h) it shall ensure that the head of the school possess the necessary papers of</i>	<i>(1) No school shall be granted aid unless its Managing Body gives an undertaking in writing that : (a) it shall comply with the provisions of the Act and these rules; (b) it shall fill in the posts in the school with the Scheduled Castes and the Scheduled Tribes candidates in accordance with the instructions issued by the Central Government from time to time and also maintain the roster and other connected returns in this behalf; (c) it shall deposit its five percent share towards pay and allowances, medical facilities, pension, gratuity, provident fund and other prescribed benefits with the Government every month; (d) it shall disburse or cause to be disbursed the dues maintained in clause (c), within the first week of every month to the employees of the school; (e) while filling up the posts in the school, it shall give first preference to such of the employees of other aided schools as have become surplus in pursuance of the provisions of rule 47; (f) it shall comply with the directions given by the Director under sub section (3) of Section 24 of the Act; (g) it shall fill in such number of posts in the school as have been approved by the Director, in accordance with the post fixation in pursuance of rule 75, without any discrimination or delay as per the Recruitment Rules prescribed for such posts; (h) it shall ensure that the head of the school possess the necessary papers of</i>

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	<p><i>an employee who is due to retire from service after attaining the age of superannuation or otherwise, with a view to avoid any delay in sanctioning the pension, gratuity, provident fund to such employee of his/her family, as the case may be; and</i></p> <p><i>(i) it shall attend to all the claims of the service matters of the employees of its school as and when they become due, promptly without any delay or discrimination, strictly in accordance with the Recruitment Rules or the instructions issued by the Central Government from time to time on the subject.</i></p> <p><i>(2) The breach of any constitution specified in sub-rule (1) shall render such school liable to be removed from the grant-in-aid list.]</i></p>	<p><i>an employee who is due to retire from service after attaining the age of superannuation or otherwise, with a view to avoid any delay in sanctioning the pension, gratuity, provident fund to such employee of his/her family, as the case may be; and</i></p> <p><i>(i) it shall attend to all the claims of the service matters of the employees of its school as and when they become due, promptly without any delay or discrimination, strictly in accordance with the Recruitment Rules or the instructions issued by the Government from time to time on the subject.</i></p> <p><i>(2) The breach of any constitution specified in sub-rule (1) shall render such school liable to be removed from the grant-in-aid list.</i></p>
<p>65. Conditions for grant-in-aid</p>	<p><i>A school seeking grant-in-aid shall have –</i></p> <p><i>(a) a permanent income, whether from endowments or other sources (excluding fees and the Pupils Funds) which, when supplemented by grant-in-aid, shall be adequate to discharge its obligations under the Act and to enable it to carry it to carry on its work efficiently;</i></p> <p><i>(b) a reserve fund of an amount which shall not be less than the amount indicated in the Table below or the amount specified by rules and regulations of the Affiliating Board, whichever is higher:</i></p> <p><i>Provided that the amount specified in the Table below shall be subject to review, every five years, by the Advisory Board, whichever is higher :</i></p> <p><i>(c) the reserve fund shall be the property of the school, shall be maintained in its name and shall be kept deposited in a scheduled bank or a nationalised bank or a post office and such account shall ordinarily be operated jointly by the Director or any officer authorised by him in this behalf and the manager of the school:</i></p> <p><i>Provided that where it is urgently necessary to draw any money from the reserve fund to meet any emergent expenditure or to meet the salary and allowance of the employees of the school in the event of the omission or failure of the managing committee to discharge the obligations imposed upon it by sub-section (2) of section 10, the account may be operated by the Director alone.</i></p> <p><i>Table</i></p> <p><i>Scale of minimum obligatory reserve</i></p>	<p><i>A school seeking grant-in-aid shall have –</i></p> <p><i>(a) a permanent income, whether from endowments or other sources (excluding fees and the Pupils Funds) which, when supplemented by grant-in-aid, shall be adequate to discharge its obligations under the Act and to enable it to carry it to carry on its work efficiently;</i></p> <p><i>(b) a reserve fund of an amount which shall not be less than the amount indicated in the Table below or the amount specified by rules and regulations of the Affiliating Board, whichever is higher:</i></p> <p><i>Provided that the amount specified in the Table below shall be subject to review, every five years, by the Advisory Board, whichever is higher :</i></p> <p><i>(c) the reserve fund shall be the property of the school, shall be maintained in its name and shall be kept deposited in a scheduled bank or a nationalised bank or a post office and such account shall ordinarily be operated jointly by the Director or any officer authorised by him in this behalf and the manager of the school:</i></p> <p><i>Provided that where it is urgently necessary to draw any money from the reserve fund to meet any emergent expenditure or to meet the salary and allowance of the employees of the school in the event of the omission or failure of the Managing Body to discharge the obligations imposed upon it by sub-section (2) of section 10, the account may be operated by the Director alone.</i></p> <p><i>Table</i></p> <p><i>Scale of minimum obligatory reserve</i></p>

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	<p><i>fund</i> ¹[Senior Secondary Schools/Secondary schools] having up to 500 students Rs. 10,000 ¹[Senior Secondary Schools/Secondary schools] having 501 to 750 students Rs. 12,000 ¹[Senior Secondary Schools/Secondary schools] having up to 751 to 1000 students Rs. 15,000 ¹[Senior Secondary Schools/Secondary schools] having more than 1000 students Rs. 20,000 Middle schools, irrespective of the number of students Rs. 5,000</p>	<p><i>fund</i> ¹[Senior Secondary Schools/Secondary schools] having up to 500 students Rs. 10,000* ¹[Senior Secondary Schools/Secondary schools] having 501 to 750 students Rs. 12,000* ¹[Senior Secondary Schools/Secondary schools] having up to 751 to 1000 students Rs. 15,000* ¹[Senior Secondary Schools/Secondary schools] having more than 1000 students Rs. 20,000* Elementary schools, irrespective of the number of students Rs. 5,000*</p>
66. No grant-in-aid for for unqualified staff	<p>(1) In order to be eligible receive grant-in-aid, a school shall employ adequate number of qualified teaching and other staff as approved by the Director under the norms of post fixation or as has been specified by him from time to time. (2) Save as otherwise provided in sub-rule (5) of rule 98, the pay of unqualified teachers shall not be an admissible charge for the assessment of grant-in-aid for the school unless an exemption has been made by Director in this behalf.</p>	<p>(1) In order to be eligible receive grant-in-aid, a school shall employ adequate number of qualified teaching and other staff as approved by the Director under the norms of post fixation or as has been specified by him from time to time. (2) Save as otherwise provided in sub-rule (5) of rule 98, the pay of unqualified teachers shall not be an admissible charge for the assessment of grant-in-aid for the school unless an exemption has been made by Director in this behalf.</p>
67. Enrolment and attendance	<p>The number of students on the rolls on an aided school shall not fall below the number on the basis of which aid was initially granted to such school, and the number of working days of such school shall not fall below 210 in a year; and where the number of students fall, below seventy five per cent of the first mentioned number of the number of working days falls below 210, a appropriate reduction may be made in the grant-in-aid payable to such school.</p>	<p>The number of students on the rolls on an aided school shall not fall below the number on the basis of which aid was initially granted to such school, and the number of working days of such school shall not fall below 210 in a year; and where the number of students fall, below seventy five per cent of the first mentioned number of the number of working days falls below 210, a appropriate reduction may be made in the grant-in-aid payable to such school.</p>
68. Grant-in-aid for a stage of education	<p>Where a school receiving grant-in-aid for classes, comprising one stage wishes to secure grant-in-aid for another stage, the managing committee or the manager of such school submit a fresh application in respect of the stage for which such grant is desired.</p>	<p>Where a school receiving grant-in-aid for classes, comprising one stage wishes to secure grant-in-aid for another stage, the Managing Body or the manager of such school submit a fresh application in respect of the stage for which such grant is desired.</p>
69. Stoppage, reduction or suspension of grant-in-aid	<p>2[Subject to the provisions of rule 65 any grant-in-aid to a school may be stopped, reduced or suspended at any time by the administrator – (a) if one or more of the conditions for the recognition, discipline, organisation or instructions in school is unsatisfactory; or</p>	<p>2[Subject to the provisions of rule 65 any grant-in-aid to a school may be stopped, reduced or suspended at any time by the Government – (a) if one or more of the conditions for the recognition, discipline, organisation or instructions in school is unsatisfactory; or</p>

*In section 6 of Part-II of Volume-I of this Report the Review Committee has suggested constituting a Committee consisting of persons of financial background to review these amounts in light of the price index.

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	<p>(b) if the managing committee of the school fails, without any reasonable excuse, to comply with any provisions of the Act or these rules; or</p> <p>(c) if, as a result of lack of discipline, the academic standards are likely to be adversely affected ; or</p> <p>(d) if one more of the conditions for the recognition of school or the grant of any aid to a school have been violated;</p> <p>(e) if the managing committee of the school fails to initiate or finalise disciplinary action against an employee who has been placed and or suspension, pending contemplation of such disciplinary action, in accordance with the provisions of rule 118 and 120 within a period of one year of the date of suspension; or</p> <p>(f) if the procedure as laid down under sub-section (3) of section 8 of the Act or rule 118 or 120 have not been followed in the case of termination or dismissal from service of an employee or in the case of compulsory retirement or reduction in rank of an employee, notwithstanding that any or such employee is reinstated in service or restored to his original position as a result of the decision of the Court of Law or any Competent Authority.</p> <p>Provided that no aid shall be stopped, reduced or suspended except after giving to the managing committee of the school a reasonable opportunity of showing cause against any of the proposed action.]</p>	<p>(b) if the Managing Body of the school fails, without any reasonable excuse, to comply with any provisions of the Act or these rules; or</p> <p>(c) if, as a result of lack of discipline, the academic standards are likely to be adversely affected ; or</p> <p>(d) if one more of the conditions for the recognition of school or the grant of any aid to a school have been violated;</p> <p>(e) if the Managing Body of the school fails to initiate or finalise disciplinary action against an employee who has been placed and or suspension, pending contemplation of such disciplinary action, in accordance with the provisions of rule 118 and 120 within a period of one year of the date of suspension; or</p> <p>(f) if the procedure as laid down under sub-section (3) of section 8 of the Act or rule 118 or 120 have not been followed in the case of termination or dismissal from service of an employee or in the case of compulsory retirement or reduction in rank of an employee, notwithstanding that any or such employee is reinstated in service or restored to his original position as a result of the decision of the Court of Law or any Competent Authority.</p> <p>Provided that no aid shall be stopped, reduced or suspended except after giving to the Managing Body of the school a reasonable opportunity of showing cause against any of the proposed action.]</p>
<p>70. Managing Body to pay its share towards salary and allowances of employees, etc.</p>	<p>The Managing Body of a school, in relation to which aid has been reduced or suspended, shall, if it runs the school after such reduction or suspension of aid, discharge the obligation referred to in sub-section (2) of section 10.</p>	<p>The Managing Body of a school, in relation to which aid has been reduced or suspended, shall, if it runs the school after such reduction or suspension of aid, discharge the obligation referred to in sub-section (2) of section 10.</p>
<p>71. Power of Administrator to withdraw from the reserve fund and make payment of <u>Managing Body's</u> share of salaries and allowances</p>	<p>(1) Where the Managing Body omits or fails to deposit its share of the salaries and other allowances of the employees of the school, the Administrator may authorise the Director to draw such amount from the reserve fund as would be sufficient to meet the Managing Body's share of the salaries and allowances of the employees.</p> <p>(2) The Administrator may also authorise the Director to draw any sum from the reserve fund where such withdrawal from the reserve fund becomes necessary to make any emergent repairs in the buildings of</p>	<p>(1) Where the Managing Body omits or fails to deposit its share of the salaries and other allowances of the employees of the school, the Government may authorise the Director to draw such amount from the reserve fund as would be sufficient to meet the Managing Body's share of the salaries and allowances of the employees.</p> <p>(2) The Government may also authorise the Director to draw any sum from the reserve fund where such withdrawal from the reserve fund becomes necessary to make any emergent repairs in the buildings of</p>

	<i>the school or for any other emergent purpose.</i>	<i>the school or for any other emergent purpose.</i>
72. Payment of <u>Managing Body's</u> share of salaries and allowances where aid has been stopped, reduced or suspended	Where aid to any school has been stopped, reduced or suspended, and the <u>Managing Body</u> of the school has, by reason of such stoppage, reduction, or suspension omitted or failed to deposit its share of the salaries and allowances of the employees of the school, the Administrator shall pay, or cause to be paid, the <u>Managing Body's</u> share of the salaries and allowances of the employees of the school, the Accounts Officer of the Directorate of Education, Delhi, to draw in part or in full the aid which would have been payable to the school but for such stoppage, reduction or suspension and utilise the sum so drawn towards payment of the <u>Managing Body's</u> share of the salaries and allowances of the employees of the school, and where such withdrawal and payment is made by the Accounts Officer he shall keep separate accounts for the withdrawal and expenditure.	Where aid to any school has been stopped, reduced or suspended, and the <u>Managing Body</u> of the school has, by reason of such stoppage, reduction, or suspension omitted or failed to deposit its share of the salaries and allowances of the employees of the school, the <u>Government</u> shall pay, or cause to be paid, the <u>Managing Body's</u> share of the salaries and allowances of the employees of the school, the Accounts Officer of the Directorate of Education, Delhi, to draw in part or in full the aid which would have been payable to the school but for such stoppage, reduction or suspension and utilise the sum so drawn towards payment of the <u>Managing Body's</u> share of the salaries and allowances of the employees of the school, and where such withdrawal and payment is made by the Accounts Officer he shall keep separate accounts for the withdrawal and expenditure.
73. Categories of aid	(1) Aid shall be of two categories, namely :- (a) maintenance grant; and (b) building grant. (2) Maintenance grant shall be of two kinds, namely :- (a) recurring maintenance grant; and (b) non-recurring maintenance grant. (3) The recurring maintenance grants are :- (a) staff grant; (b) provident fund grant; (c) pension and retirement benefit grant; (d) medical benefit grant; (e) benefit specified in Chapter X; (f) grants for the purpose of books and journals which are essential for the library; and (g) grants for the acquisition of essential equipments of the school.	(1) Aid shall be of two categories, namely :- (a) maintenance grant; and (b) building grant. (2) Maintenance grant shall be of two kinds, namely :- (a) recurring maintenance grant; and (b) non-recurring maintenance grant. (3) The recurring maintenance grants are :- (a) staff grant; (b) provident fund grant; (c) pension and retirement benefit grant; (d) medical benefit grant; (e) benefit specified in Chapter X; (f) grants for the purpose of books and journals which are essential for the library; and (g) grants for the acquisition of essential equipments of the school.
74. Recurring maintenance grant	(1) Recurring maintenance grant shall be given to aided schools at the rate of ninety-five per cent, of the difference between the approved expenditure on the items in relation to which recurring maintenance grant may be made and the income from fees and such other items as may be specified by the Director. (2) Special fee, if any, levied with the approval of the Director for the teaching of sciences, music or any other subject shall be included in the total fee income and such special fee	(1) Recurring maintenance grant shall be given to aided schools at the rate of ninety-five per cent, of the difference between the approved expenditure on the items in relation to which recurring maintenance grant may be made and the income from fees and such other items as may be specified by the Director. (2) Special fee, if any, levied with the approval of the Director for the teaching of sciences, music or any other subject shall be included in the total fee income and such special fee

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	<p><i>shall be expended in full for the purpose for which it has been levied :</i> <i>Provided that no special fee shall be levied for teaching in the primary or middle stage.</i></p>	<p><i>shall be expended in full for the purpose for which it has been levied :</i> <i>Provided that no special fee shall be levied for teaching in the primary or middle stage.</i></p>
75. Approved expenditure	<p><i>The approved expenditure for recurring maintenance grant shall comprise salaries of the staff appointed with the approval of the Director to the extent of the number of posts which have been sanctioned and approved by the Director for the purpose of aid in accordance with the post fixation rules made by the Director from time to time.</i></p>	<p><i>The approved expenditure for recurring maintenance grant shall comprise salaries of the staff appointed with the approval of the Director to the extent of the number of posts which have been sanctioned and approved by the Director for the purpose of aid in accordance with the post fixation rules made by the Director from time to time.</i></p>
76. Non-recurring maintenance grant	<p><i>Non-recurring maintenance grant shall be of the following categories, namely:-</i> <i>(a) contingent grant;</i> <i>(b) rent grant;</i> <i>(c) depreciation grant for school;</i> <i>(d) hostel grant and depreciation hostel grant;</i> <i>(e) grant for equipment, furniture, games and sports materials and the like;</i> <i>(f) biennial or triennial grants for the purchase of books for the library and for the setting up of a book bank.</i></p>	<p><i>Non-recurring maintenance grant shall be of the following categories, namely:-</i> <i>(a) contingent grant;</i> <i>(b) rent grant;</i> <i>(c) depreciation grant for school;</i> <i>(d) hostel grant and depreciation hostel grant;</i> <i>(e) grant for equipment, furniture, games and sports materials and the like;</i> <i>(f) biennial or triennial grants for the purchase of books for the library and for the setting up of a book bank.</i></p>
77. Contingent grant	<p><i>(1) Contingent grant shall be admissible to a school to the extent of the ninety-five per cent, of the actual expenditure incurred during the period of twelve months immediately preceding the financial year for which the grant is made, subject to such ceiling on items as may be approved by the Director from time to time.</i> <i>(2) The approved items of contingent expenditure shall be such as are specified in Appendix I.</i> ¹<i>[(3) Relevant contingent grant may not be paid unless the audited annual accounts and sundry records, like vouchers, receipts and the like, are produced.]</i></p>	<p><i>(1) Contingent grant shall be admissible to a school to the extent of the ninety-five per cent, of the actual expenditure incurred during the period of twelve months immediately preceding the financial year for which the grant is made, subject to such ceiling on items as may be approved by the Director from time to time.</i> <i>(2) The approved items of contingent expenditure shall be such as are specified in Appendix I.</i> ¹<i>[(3) Relevant contingent grant may not be paid unless the audited annual accounts and sundry records, like vouchers, receipts and the like, are produced.]</i></p>
78. Rent grant	<p><i>Rent grant for buildings taken on hire (not being a building taken on hire from any school) and used for instructional purposes shall be assessed annually and shall be an amount equal to ninety-five per cent, of such assessed rent, subject to a maximum limit of three hundred rupees per month, or such higher limit as the Central Government may, from time to time, specify:</i> <i>Provided that no charge on account of upkeep and repairs of the building shall be added to the rent charged by the landlord.</i></p>	<p><i>Rent grant for buildings taken on hire (not being a building taken on hire from any school) and used for instructional purposes shall be assessed annually and shall be an amount equal to ninety-five per cent, of such assessed rent, subject to a maximum limit of three hundred rupees per month, or such higher limit as the Central Government may, from time to time, specify:</i> <i>Provided that no charge on account of upkeep and repairs of the building shall be added to the rent charged by the landlord.</i></p>
79. Depreciation	<p><i>School using their own buildings</i></p>	<p><i>School using their own buildings</i></p>

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<i>grant for the school</i>	<i>which have been constructed without any grant from public funds shall be allowed depreciation grant at the rate Rs. 12.00 per month for each room used for instructional purposes but not exceeding Rs. 300.00 per month for the whole building or such higher sum as the Central Government may, from time to time, specify.</i>	<i>which have been constructed without any grant from public funds shall be allowed depreciation grant at the rate Rs. 12.00* per month for each room used for instructional purposes but not exceeding Rs. 300.00* per month for the whole building or such higher sum as the Central Government may, from time to time, specify.</i>
80. Hostel grant	<i>Maintenance grant to a hostel attached to an aided school shall be made at the rate not exceeding ninety-five per cent of the excess of approved expenditure over the income from hostel fees specified by the Director, subject to condition that the average attendance of students in residence for the period of twelve months immediately preceding the financial year for which the grant is made is not less than ten.</i>	<i>Maintenance grant to a hostel attached to an aided school shall be made at the rate not exceeding ninety-five per cent of the excess of approved expenditure over the income from hostel fees specified by the Director, subject to condition that the average attendance of students in residence for the period of twelve months immediately preceding the financial year for which the grant is made is not less than ten.</i>
81. Depreciation grant for hostel	<i>The aided schools which have their own hostel buildings and which have been constructed without any grant from public funds shall be allowed depreciation grant at the rate of Rs. 12.00 per month for such 150 square meters of area under actual occupation by boarders and for kitchen buildings at the rate of Rs. 8.00 per month and at the rate of Rs. 15.00 per month for the Superintendent's quarters or at such higher rates as the Central Government, may, from time to time, specify.</i>	<i>The aided schools which have their own hostel buildings and which have been constructed without any grant from public funds shall be allowed depreciation grant at the rate of Rs. 12.00* per month for such 150 square meters of area under actual occupation by boarders and for kitchen buildings at the rate of Rs. 8.00* per month and at the rate of Rs. 15.00* per month for the Superintendent's quarters or at such higher rates as the Central Government, may, from time to time, specify.</i>
82. Depreciation fund	<i>Depreciation grant given to a school or its hostel shall be deposited by the Managing Body in a depreciation fund account to be opened in a scheduled bank or a nationalised bank in the joint name of the Director or any other officer authorised by him in this behalf and the manager of the school, and no money shall be withdrawn from the said account for the normal maintenance expenditure : Provided that the Director may, in special circumstances permit an aided school to utilize the said fund for extraordinary repairs, additions or alternations to the building or for such other purposes as might yield regular income to the school.</i>	<i>Depreciation grant given to a school or its hostel shall be deposited by the Managing Body in a depreciation fund account to be opened in a scheduled bank or a nationalised bank in the joint name of the Director or any other officer authorised by him in this behalf and the manager of the school, and no money shall be withdrawn from the said account for the normal maintenance expenditure : Provided that the Director may, in special circumstances permit an aided school to utilize the said fund for extraordinary repairs, additions or alternations to the building or for such other purposes as might yield regular income to the school.</i>
83. Grant for equipment, furniture etc.	<i>(1) Grant for the purpose of equipment, furniture, appliances or games and sports materials or the like shall be paid annually and shall be not</i>	<i>(1) Grant for the purpose of equipment, furniture, appliances or games and sports materials or the like shall be paid annually and shall be not</i>

*In section 6 of Part-II of Volume-I of this Report the Review Committee has suggested constituting a Committee consisting of persons of financial background to review these amounts in light of the price index.

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	<p><i>less than two-thirds of the total expenditure actually incurred in the purchase of approved articles of such specifications as may be laid down by the Director.</i></p> <p><i>(2) No grant shall be admissible on the expenditure for the conveyance or cartage of such equipment, furniture or appliances.</i></p> <p><i>(3) No grant shall also be admissible under this head for ordinary repairs of furniture and equipment and purchase of consumable articles for science, drawing, domestic science or agriculture; and the expenditure on these items shall be incurred from the contingent grant or from the special fee, if any, levied for the teaching of such subject.</i></p>	<p><i>less than two-thirds of the total expenditure actually incurred in the purchase of approved articles of such specifications as may be laid down by the Director.</i></p> <p><i>(2) No grant shall be admissible on the expenditure for the conveyance or cartage of such equipment, furniture or appliances.</i></p> <p><i>(3) No grant shall also be admissible under this head for ordinary repairs of furniture and equipment and purchase of consumable articles for science, drawing, domestic science or agriculture; and the expenditure on these items shall be incurred from the contingent grant or from the special fee, if any, levied for the teaching of such subject.</i></p>
<p>84. Conditions relating to the payment of grant for equipment etc.</p>	<p>The grant for the purchase of furniture, equipment or appliances, games and sports materials or the like, shall be paid subject to the following conditions, namely:-</p> <p>(a) that the Director is satisfied that the purchase for which the grant is made has actually been made and that the articles are of the approved kind and specification;</p> <p>(b) the Managing Body of the school gives an undertaking, in writing, that-</p> <p>(i) no article purchased with the grant shall be struck off from the school property register or the stock register and no book shall be removed from the catalogue of library books unless unless it has been previously declared as unserviceable by a property constituted by the Directorate of Education, Delhi;</p> <p>(ii) all such unserviceable articles shall be written off and disposed off by the Managing Body in accordance with the instructions of the Director;</p> <p>Provided that where the value of any unserviceable articles exceeds rupees five hundred, it shall not be written off without the previous sanction of the Director;</p> <p>(iii) the scale proceeds, if any, shall be refunded to the Government in the same proportion in which the grant was drawn for the purchase of the articles;</p> <p>(iv) if the school ceases to be a school of the status approved by the Director or an aided school or it has been maintained in a state of inefficiency, or the articles are used for purposes other than those for which they have been purchased, then the Director shall have a lien on the articles for the</p>	<p>The grant for the purchase of furniture, equipment or appliances, games and sports materials or the like, shall be paid subject to the following conditions, namely:-</p> <p>(a) that the Director is satisfied that the purchase for which the grant is made has actually been made and that the articles are of the approved kind and specification;</p> <p>(b) the Managing Body of the school gives an undertaking, in writing, that-</p> <p>(i) no article purchased with the grant shall be struck off from the school property register or the stock register and no book shall be removed from the catalogue of library books unless unless it has been previously declared as unserviceable by a property constituted by the Directorate of Education, Delhi;</p> <p>(ii) all such unserviceable articles shall be written off and disposed off by the Managing Body in accordance with the instructions of the Director;</p> <p>Provided that where the value of any unserviceable articles exceeds rupees five hundred, it shall not be written off without the previous sanction of the Director;</p> <p>(iii) the scale proceeds, if any, shall be refunded to the Government in the same proportion in which the grant was drawn for the purchase of the articles;</p> <p>(iv) if the school ceases to be a school of the status approved by the Director or an aided school or it has been maintained in a state of inefficiency, or the articles are used for purposes other than those for which they have been purchased, then the Director shall have a lien on the articles for the</p>

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	<p>recovery of a sum which bears such proportion to the present market value of the articles as the grant bears to the market value of such articles at the time when the grant was made;</p> <p>(v) non-recurring grant may be sanctioned by the Director at the rate of not less than two-thirds of the approved expenditure subject to a maximum of one thousand rupees in each individual case.</p>	<p>recovery of a sum which bears such proportion to the present market value of the articles as the grant bears to the market value of such articles at the time when the grant was made;</p> <p>(v) non-recurring grant may be sanctioned by the Director at the rate of not less than two-thirds of the approved expenditure subject to a maximum of one thousand rupees in each individual case.</p>
85. Application for grant of furniture, etc.	<p>(1) Applications for grant for the purchase of furniture, equipments, appliances and games and sports materials shall be submitted in Form II to the Administrator by the 1st day of September of the financial year preceding that in which the grant, if approved, is to be paid, and a detailed list, with the cost of each item, shall be invariably furnished with each application.</p> <p>(2) The decision of the Director shall be communicated to Managing Body of the school by the 31st day of December of the year in which the application is made.</p>	<p>(1) Applications for grant for the purchase of furniture, equipments, appliances and games and sports materials shall be submitted in Form II to the Government by the 1st day of September of the financial year preceding that in which the grant, if approved, is to be paid, and a detailed list, with the cost of each item, shall be invariably furnished with each application.</p> <p>(2) The decision of the Director shall be communicated to Managing Body of the school by the 31st day of December of the year in which the application is made.</p>
86. Procedure for purchase of furniture	<p>¹[The purchase of equipment, furniture appliances, games and sports materials and the submission of grant papers shall be made in accordance with such procedure, as may be laid down from time to time.]</p>	<p>¹[The purchase of equipment, furniture appliances, games and sports materials and the submission of grant papers shall be made in accordance with such procedure, as may be laid down from time to time.]</p>
87. Building grant	<p>(1) Building grant may be paid for the following purposes only to those schools which are qualified to receive maintenance grant, for –</p> <p>(a) purchase, construction or extension of school or hostel buildings;</p> <p>(b) payment of debts incurred in the purchase, construction or extension of school or hostel building.</p> <p>(2) No grant shall be admissible under sub-rule (1) for ordinary and extraordinary repairs and for the upkeep of a school building, and any grant made under clause (b) of sub-rule (1) shall be made only in special cases.</p>	<p>(1) Building grant may be paid for the following purposes only to those schools which are qualified to receive maintenance grant, for –</p> <p>(a) purchase, construction or extension of school or hostel buildings;</p> <p>(b) payment of debts incurred in the purchase, construction or extension of school or hostel building.</p> <p>(2) No grant shall be admissible under sub-rule (1) for ordinary and extraordinary repairs and for the upkeep of a school building, and any grant made under clause (b) of sub-rule (1) shall be made only in special cases.</p>
88. Quantum of building grant	<p>No buildings grant shall ordinarily exceeds two-thirds of the total expenditure actually incurred subject to a maximum of rupees one lakh or any higher amount which may, after the commencement of these rules, be approved by the Central Government.</p>	<p>No buildings grant shall ordinarily exceeds two-thirds of the total expenditure actually incurred subject to a maximum of rupees one lakh or any higher amount which may, after the commencement of these rules, be approved by the Central Government.</p>
89. Application for building grant	<p>(1) Applications for building grant shall be submitted, along with plans estimates and specifications for the building, in such form, as may be specified by the Administrator.</p>	<p>(1) Applications for building grant shall be submitted, along with plans estimates and specifications for the building, in such form, as may be specified by the Government.</p>

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	(2) Ever application for building grant shall comply with such conditions, including execution of an agreement, as may be specified by the Administrator.	(2) Ever application for building grant shall comply with such conditions, including execution of an agreement, as may be specified by the Government .
90. Income from building	<p>Any income derived by letting out a portion or whole of the building used for instructional purpose or for hostel shall be regarded as miscellaneous income of the school and shall be deducted from the total rent or depreciation grant due to it, in accordance with the following criteria, namely :-</p> <p>(i) in the case of school buildings which have been constructed after obtaining building grant from the Administrator, or public funds, only two thirds of the total amount recovered from any canteen, tuck-shop or any employee living in the school premises shall be adjustable against in grant payable to the school;</p> <p>(ii) in the case of school buildings which have been constructed without assistance from building grant or public funds, one-third of the total amount of income derived by the school from any canteen, tuck-shop or any employee living in the school premises shall be adjustable against the depreciation grant payable to the school;</p> <p>(iii) in the case of schools which are housed in rented buildings, the entire income derived by the school from any canteen, tuck-shop or any employee living in the school premises shall be adjustable against the rent grant if the rent of the school building is within the specified limit; but where the rent paid is in excess of the specified limit, that part of the income which reduces the liability to the specified limit, shall be taken into account for adjustment against rent grant.</p>	<p>Any income derived by letting out a portion or whole of the building used for instructional purpose or for hostel shall be regarded as miscellaneous income of the school and shall be deducted from the total rent or depreciation grant due to it, in accordance with the following criteria, namely :-</p> <p>(i) in the case of school buildings which have been constructed after obtaining building grant from the Government, or public funds, only two thirds of the total amount recovered from any canteen, tuck-shop or any employee living in the school premises shall be adjustable against in grant payable to the school;</p> <p>(ii) in the case of school buildings which have been constructed without assistance from building grant or public funds, one-third of the total amount of income derived by the school from any canteen, tuck-shop or any employee living in the school premises shall be adjustable against the depreciation grant payable to the school;</p> <p>(iii) in the case of schools which are housed in rented buildings, the entire income derived by the school from any canteen, tuck-shop or any employee living in the school premises shall be adjustable against the rent grant if the rent of the school building is within the specified limit; but where the rent paid is in excess of the specified limit, that part of the income which reduces the liability to the specified limit, shall be taken into account for adjustment against rent grant.</p>
91. Grant not admissible on the salary of manager	<p>(1) If the manager of a school is a person other than the head of the school and such manager is working on a salaried basis, no grant shall be admissible in relation to the salary to the manager.</p> <p>(2) Where the head of the school also functions as the manager thereof, no salary or other remuneration shall be payable to him for function as such manager.</p>	<p>(1) If the manager of a school is a person other than the head of the school and such manager is working on a salaried basis, no grant shall be admissible in relation to the salary to the manager.</p> <p>(2) Where the head of the school also functions as the manager thereof, no salary or other remuneration shall be payable to him for function as such manager.</p>
92. Conditions of inadmissibility of grants	(1) No aid shall be admissible on any special increment, allowance or financial benefit given to the employees unless the same has been previously approved by the Director.	(1) No aid shall be admissible on any special increment, allowance or financial benefit given to the employees unless the same has been previously approved by the Director.

	<p>(2) No aid shall be granted in respect of any employee who is retained in service subsequent to the attainment by such employee of the age of superannuation, unless such retention is made in accordance with these rules or with prior approval of the Director or in accordance with the general instructions issued by the Director.</p> <p>(3) No aid shall be admissible in the case of an employee rendering gratuitous service : <i>Provided that if an employee is approved by the Director to work on part-time and salaried basis the admissible grant in his case shall be calculated at the rate of pay specified for similar category of teachers employed in Government schools and in proportion to the time spent by him for teaching work other than religious instruction.</i></p> <p>(4) The minimum number of weekly period of actual secular instruction required to qualify a teacher for full staff grant, shall not be less than that laid down from time to time for a teacher of a similar grade in a Government school : <i>Provided that the staff grant may be reduced or disallowed if this condition is not fulfilled.</i></p>	<p>(2) No aid shall be granted in respect of any employee who is retained in service subsequent to the attainment by such employee of the age of superannuation, unless such retention is made in accordance with these rules or with prior approval of the Director or in accordance with the general instructions issued by the Director.</p> <p>(3) No aid shall be admissible in the case of an employee rendering gratuitous service : <i>Provided that if an employee is approved by the Director to work on part-time and salaried basis the admissible grant in his case shall be calculated at the rate of pay specified for similar category of teachers employed in Government schools and in proportion to the time spent by him for teaching work other than religious instruction.</i></p> <p>(4) The minimum number of weekly period of actual secular instruction required to qualify a teacher for full staff grant, shall not be less than that laid down from time to time for a teacher of a similar grade in a Government school : <i>Provided that the staff grant may be reduced or disallowed if this condition is not fulfilled.</i></p>
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Chapter-III

School Property

Section 7.

Existing.

7. School Property- (1) The management of every aided school shall furnish to the appropriate authority, initially, at the time of grant of aid and thereafter annually, a statement containing a list of school property together, such particulars as may be prescribed.

(2) Notwithstanding anything contained in any other law for the time being in force, no transfer, mortgage or lease of any movable immovable property of an aided school, not being the property specified in the rules, shall be made except with the previous permission of the appropriate authority:

Provided that where the appropriate authority omits or fails to dispose of the application for such permission within sixty days from the date of receipt of the application in this behalf, the permission shall, on the expiry of the said period of sixty days, be deemed to have been granted.

(3) Any person aggrieved by the grant or refusal of permission under sub-section (2) may prefer, in such form and within such time as may be prescribed, appeal to the Administrator against such grant or refusal of permission and the decision of the Administrator thereon shall be final.

(4) Any transaction made in contravention of the provisions of sub-section (3), or as the case may be, decision of the Administrator, shall be void.

Proposed:

7. School Property- (1) The management of every aided school shall furnish to the appropriate authority, initially, at the time of grant of aid and thereafter annually, a statement containing a list of school property together, such particulars as may be prescribed.

(2) Notwithstanding anything contained in any other law for the time being in force, no transfer, mortgage or lease of any movable immovable property of an aided school, not being the property specified in the rules, shall be made except with the previous permission of the appropriate authority:

Provided that where the appropriate authority omits or fails to dispose of the application for such permission within sixty days from the date of receipt of the application in this behalf, the permission shall, on the expiry of the said period of sixty days, be deemed to have been granted.

(3) Any person aggrieved by the grant or refusal of permission under sub-section (2) may prefer, in such form and within such time as may be prescribed, appeal to the **Government** against such grant or refusal of permission and the decision of the **Government** thereon shall be final.

(4) Any transaction made in contravention of the provisions of sub-section (3), or as the case may be, decision of the **Government**, shall be void.

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Rules	Existing	Proposed
93. Particulars of school property to be furnished to the appropriate authority	<i>The manager or managing committee of every aided school shall furnish to the appropriate authority, in Form IV, statements (in triplate) of all movable and immovable properties of the school.</i>	<i>The manager or Managing Body of every aided school shall furnish to the appropriate authority, in Form IV, statements (in triplate) of all movable and immovable properties of the school.</i>
94. Transfer of school property	<i>Where any school property, movable or immovable, has been acquired wholly or partly out of the funds provided by the Administrator by way of aid, such property may be transferred without the previous approval of the appropriate authority if such school property is declared by the appropriate authority to be obsolete, surplus or unserviceable, and every such disposal shall be made by public auction or in such other manner as may be specified by the appropriate authority.</i>	<i>Where any school property, movable or immovable, has been acquired wholly or partly out of the funds provided by the Government by way of aid, such property may be transferred without the previous approval of the appropriate authority if such school property is declared by the appropriate authority to be obsolete, surplus or unserviceable, and every such disposal shall be made by public auction or in such other manner as may be specified by the appropriate authority.</i>
95. Form and time for appeal	<i>Any person aggrieved by the grant of refusal of permission under sub-section (2) of section 7 may prefer an appeal to the Administrator within thirty days from the date of communication of the grant of refusal of permission to transfer school property, and every such appeal shall be preferred in the form of an application and contain the particulars of the school property proposed to be transferred: Provided that the Administrator may, if he is satisfied, that the appellant was prevented by sufficient cause from preferring the appeal within the said period of thirty days, extend the period by such further period not exceeding thirty days, as he may think fit.</i>	<i>Any person aggrieved by the grant of refusal of permission under sub-section (2) of section 7 may prefer an appeal to the Government within thirty days from the date of communication of the grant of refusal of permission to transfer school property, and every such appeal shall be preferred in the form of an application and contain the particulars of the school property proposed to be transferred: Provided that the Government may, if he is satisfied, that the appellant was prevented by sufficient cause from preferring the appeal within the said period of thirty days, extend the period by such further period not exceeding thirty days, as he may think fit.</i>

Chapter-IV

Terms and Conditions of Service of Employees of Recognised Private Schools

Section 8.

Existing.

8. Terms and conditions of service of employees of recognized private schools- (1) The Administrator may make rules regulating the minimum qualifications for recruitment, and the conditions of service, of employees of recognized private schools:

Provided that neither the salary nor the rights in respect of leave of absence, age of retirement and pension of an employee in the employment of an existing school at the commencement of this Act shall be varied to the disadvantage of such employee:

Provided further that every such employee shall be entitled to opt for terms and conditions of service as they were applicable to him immediately before the commencement of this Act.

(2) Subject to any rule that may be made in this behalf, no employee of a recognized private school shall be dismissed, removed or reduced in rank nor shall his service be otherwise terminated except with the prior approval of the Director.

(3) Any employee of a recognized private school who is dismissed, removed or reduced in rank may, within three months from the date of communication to him of the order of such dismissal, removal or reduction in rank, appeal against such order to the Tribunal constituted under section 11.

(4) Where the managing committee of a recognized private school intends to suspend any of its employees, such intention shall be communicated to the Director and no such-suspension shall be made except with the prior approval of the Director :

Provided that the managing committee may suspend an employee with immediate effect and without the prior approval of the Director if it is satisfied that such immediate suspension is necessary by reason of the gross misconduct within the meaning of the Code of Conduct prescribed under section 9, of the employee :

Provided further that no such immediate suspension shall remain in force for more than a period of fifteen days from the date of suspension unless it has been communicated to the Director and approved by him before the expiry of the said period.

(5) Where the intention to suspend, or the immediate suspension of an employee is communicated to the Director, he may, if he is satisfied that there are adequate and reasonable grounds for such suspension, accord his approval to such suspension.

Proposed:

8. Terms and conditions of service of employees of recognized private schools- (1) The Government may make rules regulating the minimum qualifications for recruitment, and the conditions of service, of employees of recognized private schools:

(2) Subject to any rule that may be made in this behalf, no penalty, other than the penalty as may be prescribed and in the prescribed manner, shall be imposed by the Managing Body of private recognized school upon its employee:

(3) Notwithstanding anything contained in sub-section (2), no penalty shall be imposed upon an employee of a recognized private aided school except with the prior approval of the Director.

* (4) Where the managing committee of a recognized private aided school intends to suspend any of its employees, such intention shall be communicated to the Director and no such-suspension shall be made except with the prior approval of the Director: Provided that the managing committee may suspend an employee with immediate effect and without the prior approval of the Director if it is satisfied that such immediate

* The provision of prior approval and post approval for suspension of an employee by the managing committee is proposed only in case of aided schools and not in respect of unaided schools.

suspension is necessary by reason of the gross misconduct within the meaning of the Code of Conduct prescribed under section 12, of the employee :

Provided further that no such immediate suspension shall remain in force for more than a period of thirty days from the date of suspension unless it has been communicated to the Director and approved by him before the expiry of the said period.

(5) Where the intention to suspend or the immediate suspension of an employee is communicated to the Director under sub-section (4), he may, if he is satisfied that there are adequate and reasonable grounds for such suspension, accord his approval to such suspension.

(5) An employee of a recognized private school, aided or unaided, may, within a period of three months from the date of communication of the order imposing any penalty, either, request the Director for appointment of an arbitrator for settlement of his dispute under section 9 or prefer appeal against such order to the Tribunal constituted under section 14:

Provided that, in case the employee has requested the Director for appointment of arbitrator under this section, such employee may prefer appeal to the Tribunal within a period of three months from the date of award passed by the Arbitrator.

9. Disputes which may be referred for arbitration. (1) Notwithstanding anything contained in any law for the time being in force, if any dispute in respect of the terms and conditions of the employment and disciplinary action taken by the management of the private school against an employee of such school, arises, such dispute, on the request of an employee, may be referred for arbitration in accordance with section 10.

(2) If any question arises whether a dispute referred to the Director under this section is or is not a dispute in respect of the matters referred in sub-section (1), the decision thereon of the Director shall be final and shall not be called in question in any court.

(3) The Director shall decide the aforesaid question within a period of thirty days and in case the aforesaid question is not decided within the stipulated period, the dispute shall be deemed to have been admitted under this section and the same shall be referred for decision under section 3.

(4) Notwithstanding anything contained in the Limitation Act, 1963 (36 of 1963), but subject to the specific provisions made in this Act, the period of limitation in the case of a dispute referred to the Director under sub-section (1) shall when the dispute relates to the recovery of any sum including interest thereon due to a private school by an employee thereof, be computed from the date on which such sum became due, be three years;

(5) The period of limitation in the case of any other dispute except those mentioned in the foregoing clause which are required to be referred to the Director shall be regulated by the provisions of the Limitation Act, 1963 (36 of 1963), as if the dispute was a suit and the Director a civil court.

(6) Notwithstanding anything contained in sub-section (4) and (5), the Director may admit a dispute after the expiry of the period of limitation, if the applicant satisfies the Director that he had sufficient cause for not referring the dispute within such period and the dispute so admitted shall be a dispute which shall not be barred on the ground that the period of limitation has expired.

(6) Save as otherwise provided under this Act, the provisions of the Arbitration and Conciliation Act, 1996 (26 of 1996) shall apply to all arbitrations under this Act, as if proceedings for arbitration were referred for settlement or decision under the provisions of the Arbitration and Conciliation Act, 1996.

10. Reference of disputes to arbitration. - (1) The Director may, on receipt of the reference of dispute under section 9, -

(a) decide the dispute himself, or

(b) transfer it for disposal to any person who has been invested by the Government with powers in that behalf, or

(c) refer it for disposal to an arbitrator.

(2) The method, manner of selection, appointment of arbitrators, their qualifications, terms and conditions of appointment and fees payable to them shall be as prescribed under the rules.

(3) For selecting persons for appointment as arbitrators, the Government shall constitute a selection committee which shall consist of the following, namely :-

(a) Principal Secretary (Education) _____ - Chairperson

(c) Principal Secretary (Law & Justice) _____ - Member

(c) Principal Secretary (Finance) _____ - Member

(d) Director of Education _____ - Member Secretary

(4) All decisions of the selection committee shall be taken by majority.

(5) The Director may withdraw any reference under clause (b) of sub-section (1) or referred under clause (c) of sub-section (1) and decide it himself or refer the same to another arbitrator for decision.

(6) The Director or any other arbitrator to whom a dispute is referred for decision under this section may, pending the decision of the dispute, make such interlocutory orders as he may deem necessary in the interest of justice.

(7) The dispute referred under this section shall be decided within a period of three months.

(8) Any party aggrieved by the order or award passed by the Director or the arbitrator, as the case may be, may prefer an appeal before the Delhi School Tribunal constituted by the Government under section 14.

(9) An appeal against any order or award under sub-section (8) shall be made within a period of three months from the date of order or award:

Provided that the Tribunal may admit the appeal after the period of ninety days specified in sub-section (9), if the Tribunal is satisfied that the appellant had sufficient cause for not making the appeal within such period.

11. Execution of the award. – (1) Every decision, award or order duly passed by the Director or the arbitrator, as the case may be, under section 10 shall, if not carried out -

(a) where the decision, award or order provides for the recovery of money, be executed according to the law for the time being in force relating to the recovery of land revenue :

Provided that an application for the recovery of any sum in the manner aforesaid shall be made to the Collector and shall be accompanied by a certificate signed by the Director or by any person subordinate to him and empowered by the Director in this behalf;

(b) in any other case be executed by the Director or any person subordinate to him and empowered by the Director in this behalf, in the same manner as is provided in the case of a civil court by the Code of Civil Procedure, 1908 (5 of 1908).

(2) The Director or any person empowered by him in this behalf shall be deemed, when exercising any powers under this Act for the recovery of any amount by the attachment and sale or by sale without attachment of any property, or when passing any orders on any application made to him for such recovery or for taking a step in aid of such recovery, to be civil court for the purposes of article 136 of the Schedule to the Limitation Act, 1963 (36 of 1963).

Rule	Existing	Proposed
96. Recruitment	<p>(1) Nothing contained in this Chapter shall apply to an unaided minority school.</p> <p>(2) Recruitment of employees in each recognised private school shall be made on the recommendation of the Selection Committee.</p> <p>(3) The Selection Committee shall consist of :-</p> <p>(a) in the case of recruitment of the head of the school,-</p> <p>(i) the Chairman of the managing committee;</p> <p>(ii) in the case of an unaided school, an educationist nominated by the managing committee, and an educationist nominated by the Director;</p> <p>(iii) in the case of aided school, two educationists nominated by the Director, out of whom at least one shall be a person having experience of school education;</p> <p>(iv) a person having experience of the administration of schools, to be nominated, in the case of an unaided school by the managing committee, or in the case of an aided school, by the Director;</p> <p>(b) in the case of an appointment of a teacher (other than the head of the school),-</p> <p>(i) the Chairman of the managing committee or a member of the managing committee nominated by the Chairman;</p> <p>(ii) the head of the school;</p> <p>(iii) in the case of a primary school, a female educationist having experience of school education;</p> <p>(iv) in the case of an aided school, one educationist to be nominated by the Director, and one representative of the Director;</p> <p>(v) in the case of appointment of a teacher for any class in the middle stage or any class in the higher secondary stage, an expert on the subject in relation to which the</p>	<p>(1) Omitted</p> <p>(2) Recruitment of employees in each recognised private school shall be made on the recommendation of the Selection Committee.</p> <p>(3) The Selection Committee shall consist of :-</p> <p>(a) in the case of recruitment of the head of the school,-</p> <p>(i) the Chairman of the managing body;</p> <p>(ii) in the case of an unaided school, an educationist nominated by the managing body, and, in case of non-minority school, an educationist nominated by the Director;</p> <p>(iii) in the case of aided school, two educationists nominated by the Director, out of whom at least one shall be a person having experience of school education;</p> <p>(iv) a person having experience of the administration of schools, to be nominated, in the case of an unaided school by the managing body, or in the case of an aided school, by the Director;</p> <p>(b) in the case of an appointment of a teacher (other than the head of the school),-</p> <p>(i) the Chairman of the managing body or a member of the managing body nominated by the Chairman;</p> <p>(ii) the head of the school;</p> <p>(iii) in the case of a primary school, a female educationist having experience of school education;</p> <p>(iv) in the case of an aided school, one educationist to be nominated by the Director, and one representative of the Director;</p> <p>(v) in the case of appointment of a teacher for any class in the middle stage or any class in the higher secondary stage, an expert on the subject in relation to which the teacher is proposed to be appointed, to be nominated, in the case of an aided school, by the Director.</p>

<p>teacher is proposed to be appointed, to be nominated, in the case of an aided school, by the Director.</p> <p>(c) in the case of an appointment of any other employee, not being an employee belonging to ¹[Group D”].</p> <p>(i) the Chairman of the managing committee or a member of the managing committee, to be nominated by the Chairman;</p> <p>(ii) head of the school;</p> <p>(iii) a nominee of the Director;</p> <p>(iv) in the case of an aided school, two officers having experience of the administration of school, to be nominated by the Director;</p> <p>¹[(d) in the case of an appointment of Group ‘D’ employee :-</p> <p>(i) the Chairman of the Managing Committee or a member of the Managing Committee nominated by the Chairman;</p> <p>(ii) the head of the school;]</p> <p>²[(3-A) Notwithstanding anything contained in sub-rule (3), in the case of an aided minority school, the educationists nominated under paragraph (iii) of clause (a) of sub-rule (3), persons nominated by the Director under paragraph (iv) of clause (a) of sub-rule (3), educationists nominated under paragraph (iv) of clause (b) of sub-rule (3), an expert nominated under paragraph (v) of clause (b) of sub-rule (3), a person nominated under paragraph (iii) of clause (c) of sub-rule (3), officers nominated under paragraph (iv) of clause (c) of sub-rule (3), a person nominated under paragraph (iii) of clause (b) of sub-rule (3), shall act only as advisers and will not have the power to vote or actually control the selection of an employee.</p> <p>(3-B) Notwithstanding anything contained in sub-rule (3), the selection committee of a minority school shall not be limited by the number specified in the said sub-rule and its managing committee may fix such number.]</p> <p>(4) Nomination of any educationist or expert as a member of the Selection Committee shall be made out of a panel prepared for the purpose by the Advisory Board.</p> <p>(5) The Chairman of the managing committee, or, where he is not a member of the Selection Committee, the member of the managing committee who is nominated by the</p>	<p>(c) in the case of an appointment of any other employee, not being an employee belonging to ¹[Group D”].</p> <p>(i) the Chairman of the managing body or a member of the managing body, to be nominated by the Chairman;</p> <p>(ii) head of the school;</p> <p>(iii) <u>in the case of school other than unaided minority school</u>, a nominee of the Director;</p> <p>(iv) in the case of an aided school, two officers having experience of the administration of school, to be nominated by the Director;</p> <p>¹[(d) in the case of an appointment of Group ‘D’ employee :-</p> <p>(i) the Chairman of the <u>Managing body</u> or a member of the <u>Managing body</u> nominated by the Chairman;</p> <p>(ii) the head of the school;]</p> <p>²[(3-A) Notwithstanding anything contained in sub-rule (3), in the case of an aided minority school, the educationists nominated under paragraph (iii) of clause (a) of sub-rule (3), persons nominated by the Director under paragraph (iv) of clause (a) of sub-rule (3), educationists nominated under paragraph (iv) of clause (b) of sub-rule (3), an expert nominated under paragraph (v) of clause (b) of sub-rule (3), a person nominated under paragraph (iii) of clause (c) of sub-rule (3), officers nominated under paragraph (iv) of clause (c) of sub-rule (3), a person nominated under paragraph (iii) of clause (b) of sub-rule (3), shall act only as advisers and will not have the power to vote or actually control the selection of an employee.</p> <p>(3-B) Notwithstanding anything contained in sub-rule (3), the selection committee of a minority school shall not be limited by the number specified in the said sub-rule and its <u>managing body</u> may fix such number.]</p> <p>(4) Nomination of any educationist or expert as a member of the Selection Committee shall be made out of a panel prepared for the purpose by the Advisory Board.</p> <p>(5) The Chairman of the <u>managing body</u>, or, where he is not a member of the Selection Committee, the member of the <u>managing body</u> who is nominated by the Chairman to be a member of the Selection Committee, shall be the Chairman to the</p>
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<p>Chairman to be a member of the Selection Committee, shall be the Chairman to the Selection Committee.</p> <p>(6) The Selection Committee shall regulate its own procedure.</p> <p>(7) Where any selection made by the Selection Committee is not acceptable to the managing committee of the school, the managing committee shall record its reasons for such non-acceptance and refer the matter to the Director for his decision and the Director shall decide the same.</p> <p>(8) Where a candidate for recruitment to any post in a recognised school is related to any member of the Selection Committee, the member to whom he is related shall not participate in the selection and a new member shall be nominated, in the case of any aided school, by the Director, and in the case of any other school, by the managing committee, in place of such member.</p> <p>(9) No managing committee shall entertain any application for employment from a person who is already serving as teacher in a recognised school, whether aided or not, unless the application from such person is duly forwarded by the manager of the school in which such applicant is serving:</p> <p>Provided that every application from such person shall be forwarded by the manager, but any application in excess of three in a year shall not be forwarded unless the managing committee, for reasons to be recorded by it in writing, so directs :</p> <p>Provided further that no such teacher shall be relieved of his duties except after the expiry of a period of :-</p> <p>(i) three months, in the case of a permanent teacher, from the date on which notice of intimation to leave the school is given; and</p> <p>(ii) one month, in the case of a teacher who is not permanent, from the date on which notice of intimation to leave the school is given :</p> <p>Provided also where the managing committee is in a position to provide for a substitute for such teacher earlier than the respective period specified in the foregoing proviso, the managing committee may relieve</p>	<p>Selection Committee.</p> <p>(6) The Selection Committee shall regulate its own procedure and in case of an unaided minority school, any difference of opinion amongst the members of the Selection Committee on any matter, it shall be decided by the trust or society running the school.</p> <p>(7) In case of school other than unaided minority school, where any selection made by the Selection Committee is not acceptable to the managing body of the school, the managing body shall record its reasons for such non-acceptance and refer the matter to the Director for his decision and the Director shall decide the same.</p> <p>(8) Where a candidate for recruitment to any post in a recognised school is related to any member of the Selection Committee, the member to whom he is related shall not participate in the selection and a new member shall be nominated, in the case of any aided school, by the Director, and in the case of any other school, by the managing body, in place of such member.</p> <p>(9) No managing body shall entertain any application for employment from a person who is already serving as teacher in a recognised school, whether aided or not, unless the application from such person is duly forwarded by the manager of the school in which such applicant is serving:</p> <p>Provided that every application from such person shall be forwarded by the manager, but any application in excess of three in a year shall not be forwarded unless the managing body, for reasons to be recorded by it in writing, so directs :</p> <p>Provided further that no such teacher shall be relieved of his duties except after the expiry of a period of :-</p> <p>(i) three months, in the case of a permanent teacher, from the date on which notice of intimation to leave the school is given; and</p> <p>(ii) one month, in the case of a teacher who is not permanent, from the date on which notice of intimation to leave the school is given :</p> <p>Provided also where the managing body is in a position to provide for a</p>
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	<i>the teacher of his duties on the expiry of such earlier period.</i>	<i>substitute for such teacher earlier than the respective period specified in the foregoing proviso, the managing body may relieve the teacher of his duties on the expiry of such earlier period.</i>
97. Relaxation to be made with the approval of the director	<i>Where the relaxation of any essential qualification for the recruitment of any employee is recommended by the appropriate selection committee, the managing body of the school shall not give effect to such recommendation unless such recommendation has been previously approved by the Director.</i>	<i>Where the relaxation of any essential qualification for the recruitment of any employee is recommended by the appropriate selection committee, the managing body of the school shall not give effect to such recommendation unless such recommendation has been previously approved by the Director.</i>
98. Appointing authority	<p><i>(i) The appointment of every employee of a school shall be made by its managing committee.</i></p> <p><i>¹[(2) Every appointment made by the managing committee of an aided school shall, initially, be provisional and shall require the approval of the Director :</i></p> <p><i>Provided that the approval of the Director will be required only where Director's nominee was not present in the Selection Committee /DPC or in case there is difference of opinion among the members of the Selection Committee :-</i></p> <p><i>Provided further that the provision of this sub-rule shall not apply to a minority aided school].</i></p> <p><i>(3) The particulars of every appointment made by the managing committee of an aided school shall be communicated by such committee to the Director (either by registered post acknowledgment due or by messenger who will obtain an acknowledgment of the receipt thereof), within seven days from the date on which the appointment is made.</i></p> <p><i>(4) The Director shall be deemed to have approved an appointment made by the managing committee of an aided school if within fifteen days from the date on which the particulars of the appointment are communicated to him under sub-rule (3), he does not intimate to the managing committee his disapproval of the appointment, ¹[and the person so appointed shall be entitled for his salary and allowance from the date of his appointment.]</i></p> <p><i>(5) Where any appointment made by the managing committee of an aided school is not approved by the Director, such appointment may (pending the regular appointment to</i></p>	<p><i>(i) The appointment of every employee of a school shall be made by its managing body.</i></p> <p><i>¹[(2) Every appointment made by the managing body of an aided school shall, initially, be provisional and shall require the approval of the Director :</i></p> <p><i>Provided that the approval of the Director will be required only where Director's nominee was not present in the Selection Committee /DPC or in case there is difference of opinion among the members of the Selection Committee :-</i></p> <p><i>Provided further that the provision of this sub-rule shall not apply to a minority aided school].</i></p> <p><i>(3) The particulars of every appointment made by the managing body of an aided school shall be communicated by such committee to the Director (either by registered post acknowledgment due or by messenger who will obtain an acknowledgment of the receipt thereof), within seven days from the date on which the appointment is made.</i></p> <p><i>(4) The Director shall be deemed to have approved an appointment made by the managing body of an aided school if within thirty days from the date on which the particulars of the appointment are communicated to him under sub-rule (3), he does not intimate to the managing body his disapproval of the appointment, ¹[and the person so appointed shall be entitled for his salary and allowance from the date of his appointment.]</i></p> <p><i>(5) Where any appointment made by the managing body of an aided school is not approved by the Director, such appointment may (pending the regular appointment to</i></p>

	<i>the post) be continued on an adhoc basis for a period not exceeding three months and the salary and allowances of the person so continued on an adhoc basis shall qualify for the computation of the aid to be given to such school.</i>	<i>the post) be continued on an adhoc basis for a period not exceeding three months and the salary and allowances of the person so continued on an adhoc basis shall qualify for the computation of the aid to be given to such school.</i>
99. Prohibition against the employment of dismissed employees	No aided school shall employ, except with the previous approval of the Director, an employee who has been dismissed from service by another aided or Government school.	No aided school shall employ, except with the previous approval of the Director, an employee who has been dismissed from service by another aided or Government school.
100. Minimum qualifications for appointment of teachers	<p>Until separate rules specifying the minimum qualifications of teachers of school, whether aided or not, are made by the Administrator in consultation with the Advisory Board or the appropriate authority, as the case may be, a reasonable opportunity of being heard, the minimum qualifications for employment as a teacher –</p> <p>(a) in a recognised unaided school shall not be lower than those specified by the Affiliating Board:</p> <p>Provided that where no minimum qualifications have been specified by the Affiliating Board, the minimum qualifications shall be such as have been specified by the appropriate authority :</p> <p>Provided further that the managing committee of such school may specify qualifications higher than those or in addition to those, specified by the Affiliating Board or the appropriate authority, as the case may be, but no such higher or additional qualification shall be specified in relation to a teacher who is already serving the school;</p> <p>(b) in an aided school, shall be those as have been specified by the Administrator for appointment to corresponding posts in Government schools;</p> <p>²[(c) where a post (other than that of teacher) in a school, whether aided or not, corresponds to any post in the Government schools, the minimum qualifications for recruitment to such post shall be such as has been specified for such corresponding post in the Government school.]</p>	<p>Until separate rules specifying the minimum qualifications of teachers of school, whether aided or not, are made by the Government in consultation with the Advisory Board or the appropriate authority, as the case may be, a reasonable opportunity of being heard, the minimum qualifications for employment as a teacher –</p> <p>(a) in a recognised unaided school shall not be lower than those specified by the Affiliating Board:</p> <p>Provided that where no minimum qualifications have been specified by the Affiliating Board, the minimum qualifications shall be such as have been specified by the appropriate authority :</p> <p>Provided further that the managing body of such school may specify qualifications higher than those or in addition to those, specified by the Affiliating Board or the appropriate authority, as the case may be, but no such higher or additional qualification shall be specified in relation to a teacher who is already serving the school;</p> <p>(b) in an aided school, shall be those as have been specified by the Government for appointment to corresponding posts in Government schools;</p> <p>²[(c) where a post (other than that of teacher) in a school, whether aided or not, corresponds to any post in the Government schools, the minimum qualifications for recruitment to such post shall be such as has been specified for such corresponding post in the Government school.]</p>
101. Appointment of part-time teachers to be permitted in primary schools or	(1) It shall be lawful for the managing committee of a primary school or the managing committee of a school having a primary stage to appoint for the primary stage, a female teacher on a part-time but regular basis :	(1) It shall be lawful for the managing body of a primary school or the managing body of a school having a primary stage to appoint for the primary stage, a female teacher on a part-time but regular basis : Provided that not more than

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<p>primary stage of any schools</p>	<p><i>Provided that not more than twenty per cent of the total strength of teachers of the primary school or primary stage, as the case may be, shall be appointed on a part-time basis.</i></p> <p><i>(2) The salary and allowances admissible to a female teacher appointed on a part-time but regular basis shall be one-half of those of a full time teacher appointed on a regular basis:</i></p> <p><i>Provided that medical facilities and other benefits (not being pensionary,, provident fund or retirement benefits) admissible to a part-time female teacher shall be the same as are admissible to a full-time teacher.</i></p> <p><i>(3) If a part-time female teacher is appointed on a whole-time basis, one-half of the period of service rendered by such female teacher on a part-time basis shall be reckoned as qualifying service for the purpose of computation of pension and other retirement benefits admissible to her.</i></p>	<p><i>twenty per cent of the total strength of teachers of the primary school or primary stage, as the case may be, shall be appointed on a part-time basis.</i></p> <p><i>(2) The salary and allowances admissible to a female teacher appointed on a part-time but regular basis shall be one-half of those of a full time teacher appointed on a regular basis:</i></p> <p><i>Provided that medical facilities and other benefits (not being pensionary,, provident fund or retirement benefits) admissible to a part-time female teacher shall be the same as are admissible to a full-time teacher.</i></p> <p><i>(3) If a part-time female teacher is appointed on a whole-time basis, one-half of the period of service rendered by such female teacher on a part-time basis shall be reckoned as qualifying service for the purpose of computation of pension and other retirement benefits admissible to her.</i></p>
<p>102. Minimum qualifications for recruitment to other posts</p>	<p><i>In the case of an employee other than a teacher the qualifications for recruitment shall be the same as are specified by the Administrator for appointment to corresponding posts in Government schools.</i></p>	<p><i>In the case of an employee other than a teacher the qualifications for recruitment shall be the same as are specified by the Government for appointment to corresponding posts in Government schools.</i></p>
<p>103. Power to relax qualifications</p>	<p><i>(1) The Affiliating Board, or in the case of primary or middle schools, the appropriate authority, may, in case of non-availability of trained or qualified teachers in a particular subject, relax the minimum qualifications for such period as it may think fit :</i></p> <p><i>Provided that no such relaxation shall be made except with the previous approval of the Director.</i></p> <p><i>(2) The minimum qualifications may also be relaxed by the Affiliating Board or the appropriate authority, as the case may be, in the case of candidates belonging to the Scheduled Castes or Scheduled Tribes :</i></p> <p><i>Provided that such relaxation shall be accordance with the orders on the subject made by the Central Government from time to time.</i></p>	<p><i>(1) The Affiliating Board, or in the case of primary or middle schools, the appropriate authority, may, in case of non-availability of trained or qualified teachers in a particular subject, relax the minimum qualifications for such period as it may think fit :</i></p> <p><i>Provided that no such relaxation shall be made except with the previous approval of the Director.</i></p> <p><i>(2) The minimum qualifications may also be relaxed by the Affiliating Board or the appropriate authority, as the case may be, in the case of candidates belonging to the Scheduled Castes or Scheduled Tribes :</i></p> <p><i>Provided that such relaxation shall be accordance with the orders on the subject made by the Central Government from time to time.</i></p>
<p>104. Age limit</p>	<p><i>The minimum and maximum of age of the limit for recruitment to a recognised private school, whether aided or not, shall be the limits specified by the Administrator for appointment to corresponding posts</i></p>	<p><i>The minimum and maximum of age of the limit for recruitment to a recognised private school, whether aided or not, shall be the limits specified by the Government for appointment to corresponding posts</i></p>

	<p><i>in Government schools :</i></p> <p><i>Provided that the age limit may be relaxed in the case of a candidate belonging to the Scheduled Castes or Scheduled Tribes or any other special category of persons in accordance with the orders on the subject made by the Central Government from time to time.</i></p>	<p><i>in Government schools :</i></p> <p><i>Provided that the age limit may be relaxed in the case of a candidate belonging to the Scheduled Castes or Scheduled Tribes or any other special category of persons in accordance with the orders on the subject made by the Central Government from time to time.</i></p>
<p>105. Probation</p>	<p>(1) Every employee shall, on initial appointment, be on probation for a period of one year which may be extended by the appointing authority ¹[with the prior approval of the Director] and the services of an employee may be terminated without notice during the period of probation if the work and conduct of the employee, during the said period, is not, in the opinion of the appointing authority, satisfactory :</p> <p>²[Provided that the provision of this sub-rule relating to the prior approval of the Director in regard to the extension of the period of probation by another year, shall not apply in the case of an employee of a minority school :</p> <p><i>Provided further that no termination from the service of an employee on probation shall be made by a school, other than a minority school, except with the previous approval of the Director.]</i></p> <p>(2) If the work and conduct of an employee during the period of probation is found to be satisfactory, he shall be on the expiry of the period of probation or the extended period of probation as the case may be, confirmed with effect from the date of expiry of the said period.</p> <p>(3) Nothing in this rule shall apply to an employee who has been appointed to fill a temporary vacancy or any vacancy for a limited period.</p>	<p>(1) Every employee shall, on initial appointment, be on probation for a period of one year which may be extended by the appointing authority <u>(omitted)</u> and the services of an employee may be terminated without notice during the period of probation if the work and conduct of the employee, during the said period, is not, in the opinion of the appointing authority, satisfactory.</p> <p><u>Provided that in case of aided non-minority school, managing body shall not extend the period of probation without the prior approval of the Director.</u></p> <p><u>Provided further that no termination from the services of an employee on probation shall be made by an aided non-minority school, except with the prior approval of the Director.</u></p> <p>(2) If the work and conduct of an employee during the period of probation is found to be satisfactory, he shall be on the expiry of the period of probation or the extended period of probation as the case may be, confirmed with effect from the date of expiry of the said period.</p> <p>(3) Nothing in this rule shall apply to an employee who has been appointed to fill a temporary vacancy or any vacancy for a limited period.</p>
<p>106. Medical certificate and character certificate</p>	<p>(1) Every appointment in a recognised private school, whether aided or not, shall be subject to the physical fitness and good character of the appointee.</p> <p>(2) A candidate selected for appointment shall be required to produce a medical certificate of fitness from a hospital established or maintained by Government or any local authority or from a registered medical practitioner approved for the purpose by the Director and two certificates from two different members of Parliament or members of Metropolitan Council of Delhi or</p>	<p>(1) Every appointment in a recognised private school, whether aided or not, shall be subject to the physical fitness and good character of the appointee.</p> <p>(2) A candidate selected for appointment shall be required to produce a medical certificate of fitness from a hospital established or maintained by Government or any local authority or from a registered medical practitioner approved for the purpose by the Director and two certificates from two different members of Parliament or members of Metropolitan Council of Delhi or</p>

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	<p><i>gazetted officers or members of a local authority, no related to the candidate, certifying the character of the appointee.</i></p> <p><i>(3) In the case of an aided school, a copy of the medical certificate and a copy each of the certificates of character shall be enclosed with the grant-in-aid papers claiming, for the first time, the salary grant of the appointee.</i></p>	<p><i>gazetted officers or members of a local authority, no related to the candidate, certifying the character of the appointee.</i></p> <p><i>(3) In the case of an aided school, a copy of the medical certificate and a copy each of the certificates of character shall be enclosed with the grant-in-aid papers claiming, for the first time, the salary grant of the appointee.</i></p>
107. Fixation of pay	<p><i>(1) The initial pay of an employee, on first appointment, shall be fixed ordinarily at the minimum of the scale of pay :</i></p> <p><i>Provided that a higher initial pay, in the specified scale of pay, may be given to a person by the appointing authority :</i></p> <p><i>Provided further that no higher initial pay shall be granted in the case of an aided school except with the previous approval of the Director.</i></p> <p><i>(2) The pay of an employee on promotion to a higher grade or post shall be determined by the same rules as are applicable to the employee of Government school.</i></p>	<p><i>(1) The initial pay of an employee, on first appointment, shall be fixed ordinarily at the minimum of the scale of pay :</i></p> <p><i>Provided that a higher initial pay, in the specified scale of pay, may be given to a person by the appointing authority :</i></p> <p><i>Provided further that no higher initial pay shall be granted in the case of an aided school except with the previous approval of the Director.</i></p> <p><i>(2) The pay of an employee on promotion to a higher grade or post shall be determined by the same rules as are applicable to the employee of Government school.</i></p>
108. Filling of vacancies	<p><i>Every vacancy in an aided school shall be filled by promotion or by the direct recruitment in accordance with such rules as may be made by the administrator in this behalf.</i></p>	<p><i>Every vacancy in an aided school shall be filled by promotion or by the direct recruitment in accordance with such rules as may be made by the Government in this behalf.</i></p>
109. Seniority	<p>¹<i>(i) There shall be seniority roster for each grade and the names of the employee appointed to posts in each grade shall be arranged in the roster in accordance with this rule.</i></p> <p><i>(ii) Seniority of employees shall be determined by the order of merit in which they were selected on an earlier occasion being ranked senior to those selected later :</i></p> <p><i>Provided that in a case where a joint seniority roster of employees of each grade common to all schools used to be maintained by society or trust running such schools prior to the commencement of these rules, inter-se-seniority of all employees of such schools shall continue to be maintained jointly.</i></p> <p><i>(iii) Inter-se-seniority between recruits and promotees shall be determined according to the rotation of vacancies between direct recruitments and promotees which shall be based on the quota of vacancies reserved for direct recruitment and promotion respectively in the recruitment rules.</i></p>	<p>¹<i>(i) There shall be seniority roster for each grade and the names of the employee appointed to posts in each grade shall be arranged in the roster in accordance with this rule.</i></p> <p><i>(ii) Seniority of employees shall be determined by the order of merit in which they were selected on an earlier occasion being ranked senior to those selected later :</i></p> <p><i>Provided that in a case where a joint seniority roster of employees of each grade common to all schools used to be maintained by society or trust running such schools prior to the commencement of these rules, inter-se-seniority of all employees of such schools shall continue to be maintained jointly.</i></p> <p><i>(iii) Inter-se-seniority between recruits and promotees shall be determined according to the rotation of vacancies between direct recruitments and promotees which shall be based on the quota of vacancies reserved for direct recruitment and promotion respectively in the recruitment rules.</i></p>

	<p>(iv) <i>Inter-se-seniority of employees of any grade shall be determined by the managing committee in accordance with the rules applicable to the employees of corresponding posts appointed in the Government schools :</i></p> <p><i>Provided that in a case where a joint seniority roster of employees of each grade common to all schools used to be maintained by the society or trust running such schools prior to the commencement of these rules, such inter-se-seniority shall be determined by such such society or trust.</i></p> <p><i>Explanation-In this rule the word 'grade' means a post or a group created for work of the same nature in a school :</i></p> <p><i>1[Provided that where posts are created for work of the same nature in different schools run by the same society or trust all such posts shall be deemed to be in a single grade, if they were treated as such by the society or trust to the commencement of these rules.]</i></p>	<p>(iv) <i>Inter-se-seniority of employees of any grade shall be determined by the managing body in accordance with the rules applicable to the employees of corresponding posts appointed in the Government schools :</i></p> <p><i>Provided that in a case where a joint seniority roster of employees of each grade common to all schools used to be maintained by the society or trust running such schools prior to the commencement of these rules, such inter-se-seniority shall be determined by such such society or trust.</i></p> <p><i>Explanation-In this rule the word 'grade' means a post or a group created for work of the same nature in a school :</i></p> <p><i>1[Provided that where posts are created for work of the same nature in different schools run by the same society or trust all such posts shall be deemed to be in a single grade, if they were treated as such by the society or trust to the commencement of these rules.]</i></p>
<p>110. Retirement age</p>	<p>(1) <i>Except where an existing employee is entitled to have a higher age of retirement, every employee of a recognised private school, whether aided or not, shall hold office until he attains the age of 58 years.</i></p> <p><i>Provided that the managing committee may grant extension to a teacher for a period not exceeding two years in the aggregate, if in the opinion of the managing committee such teacher is fit for such extension and has no mortal or physical incapacity which would disentitle him to get such extension :</i></p> <p><i>Provided further that no such extension shall be granted in the case of a teacher of an aided school except with the previous approval of the Director :</i></p> <p>¹(2) <i>Notwithstanding anything contained in sub-rule (1), every teacher, laboratory assistance, librarian, Principal or Vice-Principal employed in such school shall continue to hold office until he attains the age of 60 years.</i></p> <p><i>Provided that where a teacher, Principal or Vice Principal attains the age of superannuation on or after the 1st day of November of any year, such teacher, Principal or Vice Principal shall be re-employed upto the 30th day of April of the year</i></p>	<p>(1) <i>Except where an existing employee is entitled to have a higher age of retirement, every employee of a recognised private school, whether aided or not, shall hold office until he attains the age of 60 years.</i></p> <p><i>Provided that the managing body may grant extension to a teacher for a period not exceeding two years in the aggregate, if in the opinion of the managing body such teacher is fit for such extension and has no mortal or physical incapacity which would disentitle him to get such extension :</i></p> <p><i>Provided further that no such extension shall be granted in the case of a teacher of an aided school except with the previous approval of the Director :</i></p> <p>¹(2) <i>Notwithstanding anything contained in sub-rule (1), every teacher, laboratory assistance, librarian, Principal or Vice-Principal employed in such school shall continue to hold office until he attains the age of 60 years.</i></p> <p><i>Provided that where a teacher, Principal or Vice Principal attains the age of superannuation on or after the 1st day of November of any year, such teacher, Principal or Vice Principal shall be re-employed upto the 30th day of April of the year immediately following.</i></p>

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	<p>immediately following.</p> <p>(3) Notwithstanding anything contained in sub-rule (1) and sub-rule (2), where a teacher, Principal or Vice Principal has obtained National or State Award for rendering meritorious service as a teacher, Principal or Vice Principal or where he has received both the National and State Awards as aforesaid, the period of service of such teacher, Principal or Vice Principal may be extended by such period as the Administrator may, by general or special order, specify in this behalf.</p>	<p>(3) Notwithstanding anything contained in sub-rule (1) and sub-rule (2), where a teacher, Principal or Vice Principal has obtained National or State Award for rendering meritorious service as a teacher, Principal or Vice Principal or where he has received both the National and State Awards as aforesaid, the period of service of such teacher, Principal or Vice Principal may be extended by such period as the Government may, by general or special order, specify in this behalf.</p>
111. Leave of absence	<p>Every employee of a recognised private school, whether aided or not, shall be entitled to such leave as are admissible to employees of a corresponding status in government schools.</p>	<p>Every employee of a recognised private school, whether aided or not, shall be entitled to such leave as are admissible to employees of a corresponding status in government schools.</p>
112. Confidential reports	<p>(1) Confidential reports in relation to the heads of schools and other employees or recognised schools, whether aided or not, shall be maintained in form specified by the Administrator in this behalf.</p> <p>(2) The form referred to in sub-rule (1) shall consist of two parts, of which the first part shall contain factual assessment with regard to the work done by the employee concerned and the second part shall contain the opinion with regard to the performance of the employee concerned.</p> <p>(3) The signature of the concerned employee shall be obtained on the first part of the confidential report before any opinion with regard to his performance is recorded in the second part of the report :</p> <p>Provided that if the head of the school or other employee refuses to affix his signature to the factual assessment of his work, the authority recording the confidential report shall make a record of such refusal and complete the confidential report.</p> <p>(4) The confidential report shall be recorded, every year, by the head of the school in respect of the employees working under him and every such confidential report shall be reviewed by the managing committee.</p> <p>(5) The confidential report in respect of the head of the school shall be recorded, every year, by the chairman of the managing committee and every such confidential report</p>	<p>(1) Confidential reports in relation to the heads of schools and other employees or recognised schools, whether aided or not, shall be maintained in form specified by the Government in this behalf.</p> <p>(2) The form referred to in sub-rule (1) shall consist of two parts, of which the first part shall contain factual assessment with regard to the work done by the employee concerned and the second part shall contain the opinion with regard to the performance of the employee concerned.</p> <p>(3) The signature of the concerned employee shall be obtained on the first part of the confidential report before any opinion with regard to his performance is recorded in the second part of the report :</p> <p>Provided that if the head of the school or other employee refuses to affix his signature to the factual assessment of his work, the authority recording the confidential report shall make a record of such refusal and complete the confidential report.</p> <p>(4) The confidential report shall be recorded, every year, by the head of the school in respect of the employees working under him and every such confidential report shall be reviewed by the managing body.</p> <p>(5) The confidential report in respect of the head of the school shall be recorded, every year, by the chairman of the managing body and every such confidential report shall be reviewed by the managing body.</p>

	<p>shall be reviewed by the managing committee.</p> <p>(6) Any adverse entry in the confidential report, in relation to any head of school or other employee shall be communicated to him by the chairman of the managing committee and every such communication shall be made in accordance with the instructions issued by the Central Government in respect of the employees of that Government.</p> <p>(7) Any employee of an aided school who is aggrieved by any adverse entry in his confidential report may, within thirty days from the date on which such adverse entry is communicated to him, prefer an appeal against such entry to the Director, and the Director may, after giving to the managing committee a reasonable opportunity of showing cause, make such alterations in the entries in the confidential report as he may think fit and may, for that purpose require the managing committee to produce the concerned confidential report.</p> <p>(8) The confidential report in relation to the head of the school shall be kept in the safe custody of the chairman of the managing committee and the confidential reports in relation to the other employees of the school shall be kept in the safe custody of the head of the school.</p>	<p>(6) Any adverse entry in the confidential report, in relation to any head of school or other employee shall be communicated to him by the chairman of the managing body and every such communication shall be made in accordance with the instructions issued by the Central Government in respect of the employees of that Government.</p> <p>(7) Any employee of an aided school who is aggrieved by any adverse entry in his confidential report may, within thirty days from the date on which such adverse entry is communicated to him, prefer an appeal against such entry to the Director, and the Director may, after giving to the managing body a reasonable opportunity of showing cause, make such alterations in the entries in the confidential report as he may think fit and may, for that purpose require the managing body to produce the concerned confidential report.</p> <p>(8) The confidential report in relation to the head of the school shall be kept in the safe custody of the chairman of the managing body and the confidential reports in relation to the other employees of the school shall be kept in the safe custody of the head of the school.</p>
113. Private tuition	No teacher shall undertake private tuitions or private employee or otherwise engage himself in any business.	No teacher shall undertake private tuitions or private employee or otherwise engage himself in any business.
114. Number of hours to be devoted to teaching of students	<p>(1) Every teacher shall devote in a year not less than 1200 hours to the teaching of students , out of which not more than 200 hours may be devoted for the coaching, in the school premises, of weak or gifted students, whether before or after the school hours :</p> <p>Provided that if any teacher is required to devote more than 1200 hours to the teaching of students, extra remuneration shall be paid to him at such rate as may be determined by the managing committee, for every hour in excess of 1200 hours devoted by him to the teaching of students.</p> <p>(2) In the case of an aided school, the extra remuneration referred to in sub-rule (1) shall be subject to the previous approval of the Director</p>	<p>(1) Every teacher shall devote in a year not less than 1200 hours to the teaching of students , out of which not more than 200 hours may be devoted for the coaching, in the school premises, of weak or gifted students, whether before or after the school hours :</p> <p>Provided that if any teacher is required to devote more than 1200 hours to the teaching of students, extra remuneration shall be paid to him at such rate as may be determined by the managing body, for every hour in excess of 1200 hours devoted by him to the teaching of students.</p> <p>(2) In the case of an aided school, the extra remuneration referred to in sub-rule (1) shall be subject to the previous approval of the Director</p>

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	<p>and shall qualify for aid at the rate of 95 per cent of such extra remuneration, and in the case of an unaided school, such extra remuneration may be recovered from the students at such proportionate rates as may be determined by the managing committee.</p>	<p>and shall qualify for aid at the rate of 95 per cent of such extra remuneration, and in the case of an unaided school, such extra remuneration may be recovered from the students at such proportionate rates as may be determined by the managing body.</p>
114A. Resignation	<p>The resignation submitted by an employee of a recognised private school shall be accepted within a period of thirty days from the date of receipt of the resignation by the managing committee with the approval of the Director :</p> <p>Provided that if no approval is received within 30 days, then such approval would be deemed to have received after the expiry of the said period.]</p>	<p>The resignation submitted by an employee of a recognised private school shall be accepted within a period of thirty days from the date of receipt of the resignation by the managing body (Omitted) : <u>Provided that in case of an aided school, the resignation shall be accepted only after obtaining prior approval of the Director:</u> Provided that if no approval is received within 30 days, then such approval would be deemed to have received after the expiry of the said period.]</p>
115. Suspension	<p>(1) Subject to the provision of sub-sections (4) and (5) of section 8, the managing committee may place an employee of a recognised private school, whether aided or not, under suspension :- (a) where a disciplinary proceeding against such employees is contemplated or pending; or (b) where a case against him in respect of any criminal offence is under investigation or trial; or (c) where he is charged with embezzlement ; or (d) where he is charged with cruelty towards any student or other employee of the school; or (e) where he is charged with misbehaviour towards any parent, guardian, student or employee of the school; or (f) where he is charged with the breach of any other code of conduct. (2) No order for suspension shall remain in force for more than six months unless the managing committee, for reasons to be recorded by its is writing, directs the continuation of the suspension beyond the period of six months : Provided that where a suspension is continued beyond a period of six months, the Director may, if he is of opinion that the suspension is being unreasonably prolonged, revoke the order of suspension. (3) An employee of a recognised private school, whether aided or not, shall be deemed to have been placed</p>	<p>(1) (Omitted)The managing body may place an employee of a recognised private school, whether aided or not, under suspension :- (a) where a disciplinary proceeding against such employees is contemplated or pending; or (b) where a case against him in respect of any criminal offence is under investigation or trial; or (c) where he is charged with embezzlement ; or (d) where he is charged with cruelty towards any student or other employee of the school; or (e) where he is charged with misbehaviour towards any parent, guardian, student or employee of the school; or (f) where he is charged with the breach of any other code of conduct. (2) No order for suspension shall remain in force for more than six months unless the managing body, for reasons to be recorded by its is writing, directs the continuation of the suspension beyond the period of six months : Provided that where a suspension is continued beyond a period of six months, the Director may, if he is of opinion that the suspension is being unreasonably prolonged, revoke the order of suspension. (3) An employee of a recognised private school, whether aided or not, shall be deemed to have been placed under suspension by an order of the appointing authority :</p>

<p>under suspension by an order of the appointing authority :</p> <p>(a) with effect from the date of his detention, if he is detained in custody for a period exceeding forty-eight hours on a charge of an offence which in the opinion of the managing committee involves moral turpitude ;</p> <p>(b) with effect from the date of his conviction, if in the event of a conviction for an offence involving, in the opinion of the managing committee, moral turpitude, he is sentenced to a term of imprisonment exceeding forty-eight hours and is not forthwith dismissed or removed or compulsorily retired from service consequent on such conviction.</p> <p>Explanation- The period of forty-eight hours referred to in this rule shall be computed from the commencement of detention or conviction, as the case may be, and for this purpose, intermittent periods of detention shall be taken into account.</p> <p>(4) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon an employee is set aside or rendered void, in consequence of or by, a decision of a court of law or of the Tribunal; and the disciplinary authority on a consideration of the circumstances of the case decides to hold further inquiry against such employee on the same allegations on which the penalty of dismissal, removal or compulsory retirement was originally imposed, such employee shall be deemed to have been placed under suspension by the managing committee from the date of original order of dismissal, removal or compulsory retirement and shall continue to remain under suspension until further orders :</p> <p>Provided that no such further enquiry shall be ordered unless it is intended to meet a situation where the court has passed an order purely on technical grounds without going into the merits of the case.</p> <p>(5) (a) An order of suspension made or deemed to have been made in these rules shall continue to remain in force until it is modified or revoked by the managing committee or the Director.</p> <p>(b) Where an employee is suspended or is deemed to have been suspended and any other disciplinary</p>	<p>(a) with effect from the date of his detention, if he is detained in custody for a period exceeding forty-eight hours on a charge of an offence which in the opinion of the managing body involves moral turpitude ;</p> <p>(b) With effect from the date of his conviction, if in the event of a conviction for an offence involving, in the opinion of the managing body, moral turpitude, he is sentenced to a term of imprisonment exceeding forty-eight hours and is not forthwith dismissed or removed or compulsorily retired from service consequent on such conviction.</p> <p>Explanation- The period of forty-eight hours referred to in this rule shall be computed from the commencement of detention or conviction, as the case may be, and for this purpose, intermittent periods of detention shall be taken into account.</p> <p>(4) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon an employee is set aside or rendered void, in consequence of or by, a decision of a court of law or of the Tribunal; and the disciplinary authority on a consideration of the circumstances of the case decides to hold further inquiry against such employee on the same allegations on which the penalty of dismissal, removal or compulsory retirement was originally imposed, such employee shall be deemed to have been placed under suspension by the managing body from the date of original order of dismissal, removal or compulsory retirement and shall continue to remain under suspension until further orders :</p> <p>Provided that no such further enquiry shall be ordered unless it is intended to meet a situation where the court has passed an order purely on technical grounds without going into the merits of the case.</p> <p>(5) (a) An order of suspension made or deemed to have been made in these rules shall continue to remain in force until it is modified or revoked by the managing body or the Director.</p> <p>(b) Where an employee is suspended or is deemed to have been suspended and any other disciplinary proceeding is commenced against him during the continuance of that</p>
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	<p>proceeding is commenced against him during the continuance of that suspension, the managing committee may for reasons to be recorded by it in writing, direct that the employee shall continue to be under suspension until the termination of all or any such proceeding.</p> <p>(c) An order of suspension made of deemed to have been made under these rules may, at any time be modified or revoked by the managing committee or in the case of an aided school, by the Director.</p>	<p>suspension, the managing body may for reasons to be recorded by it in writing, direct that the employee shall continue to be under suspension until the termination of all or any such proceeding.</p> <p>(c) An order of suspension made of deemed to have been made under these rules may, at any time be modified or revoked by the managing body or in the case of an aided school, by the Director.</p>
<p>116. Subsistence allowance</p>	<p>(1) An employee, under suspension shall, in relation to the period of suspension, be entitled to the following payments, namely:-</p> <p>(a) a subsistence allowance at an amount equal to one-half of the pay last drawn by him and in addition to such pay, dearness allowance at the appropriate rate to be paid in the same manner as salary :</p> <p>Provided that where the period of suspension is extended beyond ¹[six months], the managing committee shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of past ¹[six months] as follows:</p> <p>(i) the amount of subsistence allowance may be increased by a suitable amount, not exceeding fifty per cent of the subsistence allowance admissible for the period of first ¹[six months], if, in the opinion of the managing committee, to be recorded in writing, the period of suspension has been prolonged, for reason not directly attributable to the employee;</p> <p>(ii) the amount of subsistence allowance may be reduced by a suitable amount not exceeding fifty per cent of the subsistence allowance admissible for the first ¹[six months], if, in the opinion of the managing committee, to be recorded in writing the period of suspension has been prolonged due to reasons directly attributable to the employee;</p> <p>(b) any other compensatory allowance admissible, from time to time, on the basis of pay of which the employee was in receipt on the date of suspension :</p> <p>Provided that the employee shall not be entitled to the compensatory allowance unless the managing committee is satisfied that the employee continues to meet the expenditure for which such</p>	<p>(1) An employee, under suspension shall, in relation to the period of suspension, be entitled to the following payments, namely:-</p> <p>(a) a subsistence allowance at an amount equal to one-half of the pay last drawn by him and in addition to such pay, dearness allowance at the appropriate rate to be paid in the same manner as salary :</p> <p>Provided that where the period of suspension is extended beyond ¹[six months], the managing body shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of past ¹[six months] as follows:</p> <p>(i) the amount of subsistence allowance may be increased by a suitable amount, not exceeding fifty per cent of the subsistence allowance admissible for the period of first ¹[six months], if, in the opinion of the managing body, to be recorded in writing, the period of suspension has been prolonged, for reason not directly attributable to the employee;</p> <p>(ii) the amount of subsistence allowance may be reduced by a suitable amount not exceeding fifty per cent of the subsistence allowance admissible for the first ¹[six months], if, in the opinion of the managing body, to be recorded in writing the period of suspension has been prolonged due to reasons directly attributable to the employee;</p> <p>(b) any other compensatory allowance admissible, from time to time, on the basis of pay of which the employee was in receipt on the date of suspension :</p> <p>Provided that the employee shall not be entitled to the compensatory allowance unless the managing body is satisfied that the employee continues to meet the expenditure for which such compensatory allowance</p>

<p><i>compensatory allowance is admissible;</i></p> <p><i>(c) no payment of subsistence allowance shall be made unless the employee furnishes as a certificate to the effect that he is not engaged in any other employment, business, profession or vocation;</i></p> <p><i>Provided that in the case of an employee dismissed, removed or compulsory retired from service, who is deemed to have been placed or to continue to be under suspension and who fails to produce such a certificate for any period or periods during which he is deemed to be placed or continue to be under suspension, he shall be entitled to the subsistence allowance and other allowances equal to the amount by which his earnings during such period or periods, as the case may be, fall short of the amount of subsistence allowance and other allowances that would otherwise be admissible to him; where these subsistence and other allowances admissible to him are equal to or less than the amount earned by him, nothing in this proviso shall apply to him.</i></p> <p><i>(2) If the managing committee fails to pay any subsistence allowance or compensatory allowance within thirty days from the date from which the payment becomes due, the employee may appeal to the Director, who may pass appropriate orders :</i></p> <p><i>Provided that in the case of an aided school, the managing committee shall deposit with the Administrator its share of the subsistence allowance and the Administrator shall make arrangements for the payment of the subsistence allowance admissible to an employee under suspension.</i></p> <p><i>(3) If any doubt arises with regard to the application of the rule, the same shall be resolved in accordance with the orders issued by the Central Government in respect of its employees.</i></p> <p><i>(4) Where a suspended employee is exonerated after disciplinary proceeding or where any criminal prosecution against a suspended employee ends with an honourable acquittal the salaries and allowances of such employee minus the subsistence allowance received by him shall be paid from the date on</i></p>	<p><i>is admissible;</i></p> <p><i>(c) no payment of subsistence allowance shall be made unless the employee furnishes as a certificate to the effect that he is not engaged in any other employment, business, profession or vocation;</i></p> <p><i>Provided that in the case of an employee dismissed, removed or compulsory retired from service, who is deemed to have been placed or to continue to be under suspension and who fails to produce such a certificate for any period or periods during which he is deemed to be placed or continue to be under suspension, he shall be entitled to the subsistence allowance and other allowances equal to the amount by which his earnings during such period or periods, as the case may be, fall short of the amount of subsistence allowance and other allowances that would otherwise be admissible to him; where these subsistence and other allowances admissible to him are equal to or less than the amount earned by him, nothing in this proviso shall apply to him.</i></p> <p><i>(2) If the <u>managing body</u> fails to pay any subsistence allowance or compensatory allowance within thirty days from the date from which the payment becomes due, the employee may appeal to the Director, who may pass appropriate orders :</i></p> <p><i>Provided that in the case of an aided school, the <u>managing body</u> shall deposit with the <u>Government</u> its share of the subsistence allowance and the <u>Government</u> shall make arrangements for the payment of the subsistence allowance admissible to an employee under suspension.</i></p> <p><i>(3) If any doubt arises with regard to the application of the rule, the same shall be resolved in accordance with the orders issued by the Central Government in respect of its employees.</i></p> <p><i>(4) Where a suspended employee is exonerated after disciplinary proceeding or where any criminal prosecution against a suspended employee ends with an honourable acquittal the salaries and allowances of such employee minus the subsistence allowance received by him shall be paid from the date on which he was suspended.</i></p>
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	<i>which he was suspended.</i>	
117. Penalties and disciplinary authority	<p>The following penalties may, for good and sufficient reasons, including the breach of one or more of the provisions of the Code of conduct, be imposed upon an employee of a recognised private school, whether aided or not, namely :-</p> <p>(a) Minor penalties,- (i) censure; (ii) recovery from pay the whole or any part of any pecuniary loss caused to the school by negligence or breach of orders; (iii) withholding of increments of pay;</p> <p>(b) Major penalties,- (i) reduction in rank; (ii) compulsory retirement; (iii) removal from service, which shall not be a disqualification for future employment in any other recognised private school; (iv) dismissal from service, which shall ordinarily be a disqualification for future employment in any aided school.</p> <p>Explanation – The following shall not amount to a penalty within the meaning of this rule, namely :- (a) stoppage at the efficiency bar on the ground of unfitness to cross the bar; (b) retirement of the employee in accordance with the provisions relating to superannuation or retirement; (c) replacement of a teacher, who was not qualified at the date of his appointment, by a qualified one; (d) discharge of an employee appointed on a short-term officiating vacancy caused by the grant of leave, suspension or the like.</p>	<p>The following penalties may, for good and sufficient reasons, including the breach of one or more of the provisions of the Code of conduct, be imposed upon an employee of a recognised private school, whether aided or not, namely :-</p> <p>(a) Minor penalties,- (i) censure; (ii) recovery from pay the whole or any part of any pecuniary loss caused to the school by negligence or breach of orders; (iii) withholding of increments of pay;</p> <p>(b) Major penalties,- (i) reduction in rank; (ii) compulsory retirement; (iii) removal from service, which shall not be a disqualification for future employment in any other recognised private school; (iv) dismissal from service, which shall ordinarily be a disqualification for future employment in any aided school.</p> <p>Explanation – The following shall not amount to a penalty within the meaning of this rule, namely :- (a) stoppage at the efficiency bar on the ground of unfitness to cross the bar; (b) retirement of the employee in accordance with the provisions relating to superannuation or retirement; (c) replacement of a teacher, who was not qualified at the date of his appointment, by a qualified one; (d) discharge of an employee appointed on a short-term officiating vacancy caused by the grant of leave, suspension or the like.</p>
118. Disciplinary authorities in respect of employees	<p>The disciplinary committee in respect of every recognised private school, whether aided or not, shall consist of-</p> <p>(i) the chairman of the managing committee of the school; (ii) the manager of the school; (iii) a nominee of the Director, in the case of an aided school, or a nominee of the appropriate authority, in the case of an aided school; (iv) the head of the school, except where the disciplinary proceeding is against him and where the disciplinary proceeding is against the Head of the school, the Head of any other school, nominated by the</p>	<p>The disciplinary committee in respect of every recognised private school, whether aided or not, shall consist of-</p> <p>(i) the chairman of the <u>managing body</u> of the school; (ii) the manager of the school; (iii) a nominee of the Director, in the case of an aided school, or a nominee of the appropriate authority, in the case of an aided school; (iv) the head of the school, except where the disciplinary proceeding is against him <u>or he is the witness in the disciplinary proceedings against such employee,</u> and where the disciplinary proceeding is against the</p>

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	<p>Director; (v) a teacher who is a member of the managing committee of the school; nominated by the Chairman of such managing committee.</p>	<p>Head of the school, the Head of any other school, nominated by the Director; (v) a teacher who is a member of the <u>managing body</u> of the school; nominated by the Chairman of such <u>managing body</u>.</p>
<p>119. Procedure for imposing minor penalties</p>	<p>No order imposing a minor penalty shall be made except after informing the employee in writing of the proposal to take action against him and the allegation on which such action is proposed to be taken and except after giving to the employee an opportunity to make any representation against the proposed action.</p>	<p>No order imposing a minor penalty shall be made except after informing the employee in writing of the proposal to take action against him and the allegation on which such action is proposed to be taken and except after giving to the employee an opportunity to make any representation against the proposed action.</p>
<p>120. Procedure for imposing major penalties</p>	<p>(1) No order imposing on an employee any major penalty shall be made except after an inquiry, held, as far as may be, in the manner specified below :- (a) the disciplinary authority shall frame definite charges on the basis of the allegation on which the inquiry is proposed to be held and a copy of the charges together with the statement of the allegations on which they are based shall be furnished to the employee and he shall be required to submit within such time as may be specified by the disciplinary authority, but not later than two weeks, a written statement of his defence and also to state whether he desires to be heard in person; (b) on receipt of the written statement of defence, or where no such statement is received within the specified time, the disciplinary authority may itself make inquiry into such of the charges as are not admitted or if considers it necessary so to do, appoint an inquiry officer for the purpose; (c) at the conclusion of the inquiry, the inquiry officer shall prepare a report of the inquiry regarding his findings on each of the charges together with the reasons therefor; (d) the disciplinary authority shall consider the record of the inquiry and record its finding on each charge and if the disciplinary authority is of opinion that any of the major penalties should be imposed, it shall- (i) furnish to the employee a copy of the report of the inquiry officer, where an inquiry has been made by such officer; (ii) give him notice in writing stating the action proposed to be taken in</p>	<p>(1) No order imposing on an employee any major penalty shall be made except after an inquiry, held, as far as may be, in the manner specified below :- (a) the disciplinary authority shall frame definite charges on the basis of the allegation on which the inquiry is proposed to be held and a copy of the charges together with the statement of the allegations on which they are based shall be furnished to the employee and he shall be required to submit within such time as may be specified by the disciplinary authority, but not later than two weeks, a written statement of his defence and also to state whether he desires to be heard in person; (b) on receipt of the written statement of defence, or where no such statement is received within the specified time, the disciplinary authority may itself make inquiry into such of the charges as are not admitted or if considers it necessary so to do, appoint an inquiry officer for the purpose; (c) at the conclusion of the inquiry, the inquiry officer shall prepare a report of the inquiry regarding his findings on each of the charges together with the reasons therefor; (d) the disciplinary authority shall consider the record of the inquiry and record its finding on each charge and if the disciplinary authority is of opinion that any of the major penalties should be imposed, it shall- (i) furnish to the employee a copy of the report of the inquiry officer, where an inquiry has been made by such officer; (ii) give him notice in writing stating the action proposed to be taken in</p>

	<p>regard to him and calling upon him to submit within the specified time, not exceeding two weeks, such representation as he may wish to make against the proposed action;</p> <p>(iii) on receipt of the representation, if any, made by the employee, the disciplinary authority shall determine what penalty, if any, should be imposed on the employee and communicate its tentative decision to impose the penalty to the Director for his prior approval;</p> <p>(iv) after considering the representation made by the employee against the penalty, the disciplinary authority shall record its findings as to the penalty which it proposes to impose on the employee and send its findings, and decision to the Director, the disciplinary authority shall furnish to him all relevant records of the case including the statement of allegations charges framed against the employee, representation made by the employee, a copy of the inquiry report, where such inquiry was made, and the proceedings of the disciplinary authority.</p> <p>(2) No order with regard to the imposition of a major penalty shall be made by the disciplinary authority except after the receipt of the approval of the Director.</p> <p>(3) Any employee of a recognised private school who is aggrieved by any order imposing on him the penalty of compulsory retirement or any minor penalty may prefer an appeal to the Tribunal.</p>	<p>regard to him and calling upon him to submit within the specified time, not exceeding two weeks, such representation as he may wish to make against the proposed action;</p> <p>(iii) on receipt of the representation, if any, made by the employee, the disciplinary authority shall determine what penalty, if any, should be imposed on the employee and communicate its tentative decision to impose the penalty to the Director for his prior approval;</p> <p>(iv) after considering the representation made by the employee against the penalty, the disciplinary authority shall record its findings as to the penalty which it proposes to impose on the employee and send its findings, and decision to the Director, the disciplinary authority shall furnish to him all relevant records of the case including the statement of allegations charges framed against the employee, representation made by the employee, a copy of the inquiry report, where such inquiry was made, and the proceedings of the disciplinary authority.</p> <p>(2) No order with regard to the imposition of a major penalty shall be made by the disciplinary authority <u>in case of an aided school</u> except after the receipt of the approval of the Director.</p> <p>(3) Any employee of a recognised private school who is aggrieved by any order imposing on him <u>any</u> penalty <u>(Omitted)</u> may prefer an appeal to the Tribunal.</p>
<p>121. Payment of pay and allowances on reinstatement</p>	<p>(1) When an employee who has been dismissed, removed or compulsorily retired from service is reinstated as a result of appeal or would have been so reinstated but for his retirement on superannuation while under suspension preceding the dismissal, removal or compulsory retirement, as the case may be, the managing committee shall consider and make a specified order –</p> <p>(a) with regard to the salary and allowances to be paid to the employee for the period of his absence from duty, including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case may be; and</p> <p>(b) whether or not the said period shall be treated as the period spent on duty.</p>	<p>(1) When an employee who has been dismissed, removed or compulsorily retired from service is reinstated as a result of appeal or would have been so reinstated but for his retirement on superannuation while under suspension preceding the dismissal, removal or compulsory retirement, as the case may be, the <u>managing body</u> shall, <u>subject to the order passed by the Tribunal in appeal</u>, consider and make a specified order –</p> <p>(a) with regard to the salary and allowances to be paid to the employee for the period of his absence from duty, including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case may be; and</p> <p>(b) whether or not the said period</p>

	<p>(2) Where the managing committee is of opinion that the employee who had been dismissed, removed or compulsorily retired from service had been fully exonerated, the employee shall be paid the full salary and allowances to which he would have been entitled had he not been dismissed, removed or compulsorily retired from service or suspended prior to such dismissal, or compulsory retirement from service, as the case may be :</p> <p>Provided that where the managing committee is of opinion that the termination of the proceedings instituted against the employee had been delayed due to reasons directly attributable to the employee, it may, after giving a reasonable opportunity to the employee to make representations and after considering the representation, if any, made by the employee, direct, for reasons to be recorded by it in writing, that the employee shall be paid for the period of such delay only such proportion of the salary and allowances as it may determine.</p> <p>(3) The payment of allowances shall be subject to all other conditions under which such allowances determined under the proviso to sub-rule (2) shall not be less than the subsistence allowance and other admissible allowances.</p>	<p>shall be treated as the period spent on duty.</p> <p>(2) Where the managing body is of opinion that the employee who had been dismissed, removed or compulsorily retired from service had been fully exonerated, the employee shall be paid the full salary and allowances to which he would have been entitled had he not been dismissed, removed or compulsorily retired from service or suspended prior to such dismissal, or compulsory retirement from service, as the case may be :</p> <p>Provided that where the managing body is of opinion that the termination of the proceedings instituted against the employee had been delayed due to reasons directly attributable to the employee, it may, after giving a reasonable opportunity to the employee to make representations and after considering the representation, if any, made by the employee, direct, for reasons to be recorded by it in writing, that the employee shall be paid for the period of such delay only such proportion of the salary and allowances as it may determine.</p> <p>(3) The payment of allowances shall be subject to all other conditions under which such allowances determined under the proviso to sub-rule (2) shall not be less than the subsistence allowance and other admissible allowances.</p>
<p>Arbitration section 10</p>	<p>Rules under DCS Act</p>	<p>Proposed Rules</p>
	<p>CHAPTER VIII SETTLEMENT OF DISPUTES 84. Procedure for making reference of dispute under section 71 of the Act- (1) In case of any dispute referred to in sub-section (1) of section 70, the party concerned, shall apply to Registrar in writing in Form-12 stating inter-alia (i) all the facts constituting the cause of action, (ii) names and addresses of the other parties, (iii) facts showing that the subject matter of dispute is not barred by limitation, and, (iv) relief claimed in terms of money or otherwise. Each statement in the application shall have separate consecutive paragraphs serially numbered. At the end of the application there shall be made verification with the place and date of verification by the applicant party.</p>	<p><u>121A. Procedure for making reference of dispute under section 10 of the Act-</u> <u>(1) In case of any dispute referred to in sub-section (1) of section 10, the employee concerned, shall apply to Director in writing stating inter-alia-</u> <u>(i) all the facts constituting the cause of action,</u> <u>(ii) names and addresses of the other parties,</u> <u>(iii) facts showing that the subject matter of dispute is not barred by limitation, and,</u> <u>(iv) relief claimed in terms of money or otherwise.</u> <u>Each statement in the application shall have separate consecutive paragraphs serially numbered. At the end of the application there shall be made verification with the place</u></p>

<p>(2) A party, referring the dispute under sub-section (1) of section 70 of the Act, to the Registrar, shall pay fee of rupees one hundred and the process-fee at the rate of rupees fifty for each party to be deposited in advance in the office of Registrar in the name of the Registrar in "Settlement and Executive Service Expenses Fund". The original of pay-in-slip for the deposit of this amount shall be attached with the application for reference of a dispute. The application for reference of a dispute shall be delivered in the office of the Registrar personally and receipt obtained or by registered post alongwith as many spare copies of the application as there are parties on the opposite side;</p> <p>Provided that the Registrar may revise the fee and process fee for referring the dispute under sub-section (1) of section 70 of the Act, from time to time.</p> <p>(3) On receipt of the application, the Registrar shall cause it to be in a register in Form -13 and assign the case No. to the application.</p> <p>(4) If the Registrar is satisfied that the application is maintainable under section 70 of the Act, the Registrar shall by an order, admit the application for decision of the dispute in accordance with the Act and these rules and record his findings on the following points within ninety days of the receipt of the application of referring the dispute, namely:-</p> <p>(a) Whether there is a dispute;</p> <p>(b) Whether the dispute comes within the purview of sub-section (1) of section 70 of the Act;</p> <p>(c) Whether the dispute is between parties mentioned in clauses (a) (b)(c) and (d) of sub-section (1) of section 70 of the Act;</p> <p>(d) Whether the dispute is within the period of limitation as per subsection (4) of section 70 of the Act.</p> <p>(5) During the proceeding under section 70 of the Act, not more than two opportunities shall be granted to the respondents.</p> <p>(6) After the application has been admitted by the Registrar and after the claimant has deposited the arbitration fee in the manner and according to the scale of fees fixed by the Registrar, the application along with the orders thereon may be</p>	<p><u>and date of verification by the applicant party.</u></p> <p><u>(2) A party, referring the dispute under sub-section (1) of section 10 of the Act, to the Director, shall pay fee of rupees one hundred and the process-fee at the rate of rupees fifty for each party to be deposited in advance in the office of Director in the name of the Director in "Settlement and Executive Service Expenses Fund". The original of pay-in-slip for the deposit of this amount shall be attached with the application for reference of a dispute. The application for reference of a dispute shall be delivered in the office of the Director personally and receipt obtained or by registered post alongwith as many spare copies of the application as there are parties on the opposite side;</u></p> <p><u>Provided that the Director may revise the fee and process fee for referring the dispute under sub-section (1) of section 10 of the Act, from time to time.</u></p> <p><u>(3) On receipt of the application, the Director shall cause it to be in a register maintained for this purpose and assign the case number to the application.</u></p> <p><u>(4) If the Director is satisfied that the application is maintainable under section 10 of the Act, the Director shall by an order, admit the application for decision of the dispute in accordance with the Act and these rules and record his findings on the following points within ninety days of the receipt of the application of referring the dispute, namely:-</u></p> <p><u>(a) Whether there is a dispute;</u></p> <p><u>(b) Whether the dispute comes within the purview of sub-section (1) of section 10 of the Act;</u></p> <p><u>(c) Whether the dispute is within the period of limitation as per subsection (3) of section 8 of the Act.</u></p> <p><u>(5) During the proceeding under section 10 of the Act, not more than two opportunities shall be granted to the respondents.</u></p> <p><u>(6) After the application has been admitted by the Director and after the claimant has deposited the arbitration fee in the manner and according to the scale of fees fixed by the Director, the application</u></p>
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<p>referred for decision to the arbitrator.</p> <p>Explanation – The expression “arbitrator” wherever occurring in these rules, includes the Registrar or any sub-ordinate officers authorised by him.</p> <p>(7) The Registrar or the arbitrator, as the case may be, shall have power to appoint or remove a guardian for the party to the dispute in case any party is minor or who by reasons of unsoundness of mind or mental infirmity, is incapable of protecting his interest.</p> <p>(8) In the proceedings, the arbitrator shall fix the date, hour and the place of hearing of the dispute.</p> <p>(9) The arbitrator shall issue summons or notices at least fifteen days before the date fixed for the hearing of the disputes requiring:-</p> <p>(a) the attendance of the parties concerned and of witnesses; and .</p> <p>(b) the production of all books and documents relating to the matter in dispute.</p> <p>(10) Summons or notices may be served by:-</p> <p>(a) registered post, speed post or by courier service,</p> <p>(b) personal service through the secretary or a member of the staff of the co-operative society or any of the parties to the dispute; or</p> <p>(c) affixing a copy of summons or notice at the last known place of residence or business of the party concerned, in case the party refuse to sign the acknowledgement or can not be found.</p> <p>(11) Service of summons or notice to the secretary or Principal executive officer by whatever designation known, shall be regarded as service on that co-operative society.</p> <p>(12) In case the serving officer delivers or tenders a copy of the summons personally to the person summoned or to an agent or other person on his behalf, the serving officer shall require the signature of the person to whom the copy is so delivered or tendered in token of acknowledgement of service endorsed on the original summons.</p> <p>(13) The serving officer shall in all cases, in which the summons have been served under clauses (ii) and (iii) of sub-rule (10), make an endorsement on, or annex to, the original summons, a return, stating</p>	<p><u>along with the orders thereon may be referred for decision to the arbitrator.</u></p> <p><u>Explanation – The expression “arbitrator” wherever occurring in these rules, includes the Director or any sub-ordinate officers authorised by him.</u></p> <p><u>(7) The Director or the arbitrator, as the case may be, shall have power to appoint or remove a guardian for the party to the dispute in case any party by reasons of unsoundness of mind or mental infirmity, is incapable of protecting his interest.</u></p> <p><u>(8) In the proceedings, the arbitrator shall fix the date, hour and the place of hearing of the dispute.</u></p> <p><u>(9) The arbitrator shall issue summons or notices at least fifteen days before the date fixed for the hearing of the disputes requiring:-</u></p> <p><u>(a) the attendance of the parties concerned and of witnesses; and .</u></p> <p><u>(b) the production of all books and documents relating to the matter in dispute.</u></p> <p><u>(10) Summons or notices may be served by:-</u></p> <p><u>(a) registered post, speed post or by courier service,</u></p> <p><u>(b) personal service through the manager of the school or any of the parties to the dispute; or</u></p> <p><u>(c) affixing a copy of summons or notice at the last known place of residence or business of the party concerned, in case the party refuse to sign the acknowledgement or can not be found.</u></p> <p><u>(11) Service of summons or notice to the manager by whatever designation known, shall be regarded as service on that school managing body.</u></p> <p><u>(12) In case the serving officer delivers or tenders a copy of the summons personally to the person summoned or to an agent or other person on his behalf, the serving officer shall require the signature of the person to whom the copy is so delivered or tendered in token of acknowledgement of service endorsed on the original summons.</u></p> <p><u>(13) The serving officer shall in all cases, in which the summons have been served under clauses (ii) and (iii) of sub-rule (10), make an endorsement on, or annex to, the original summons, a return, stating the time and the manner in which</u></p>
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<p>the time and the manner in which the summons were served and the name and address of the person, if any, identifying the person concerned and witnessing the delivery or tender of the summons.</p> <p>(14) The sufficiency of proof of service of the summons or notice shall be decided by the authority which issued the same.</p> <p>(15) In the case of absence of any party to the dispute duly summoned the dispute may be decided ex-parte.</p> <p>85. Award or Decision</p> <p>(1) The arbitrator shall make a memorandum of the statements of the parties who attended and of such witnesses as are examined. Upon the evidence so recorded and after consideration of any documentary evidence produced by either party the arbitrator shall make an award in accordance with justice, equity and good conscience. The arbitrator shall record his award, signed and date it within a period of three months and shall communicate it to the parties. In case the arbitrator is unable to decide the dispute and make the award within three months, the arbitrator shall seek extension of the period in writing from the Registrar by making an application to him.</p> <p>(2) The award shall contain the number assigned to the application, the names and description of the parties and particulars of the disputes and shall specify clearly the relief granted, the amount decreed, the future interest allowed, if any, and the costs awarded.</p> <p>(3) If no award is made immediately upon the conclusion of the hearing of the parties, the arbitrator shall fix the date and place of delivery of the award and shall, except for reasons to be recorded in writing, deliver the award on the date so fixed.</p> <p>(4) The award shall be communicated to the parties by:- (a) pronouncement of the award, or (b) registered post to any party which may be absent on such date.</p> <p>(5) In addition to the arbitration fee, The arbitrator may order the expenses of determining a dispute or the cost of either party, to be paid by such party or parties to the dispute as the arbitrator may think fit: Provided that the expenses or the cost so awarded shall not exceed seven and half per cent of the</p>	<p><u>the summons were served and the name and address of the person, if any, identifying the person concerned and witnessing the delivery or tender of the summons.</u></p> <p><u>(14) The sufficiency of proof of service of the summons or notice shall be decided by the authority which issued the same.</u></p> <p><u>(15) In the case of absence of any party to the dispute duly summoned the dispute may be decided ex-parte.</u></p> <p><u>121B. Award or Decision. -(1) The arbitrator shall make a memorandum of the statements of the parties who attended and of such witnesses as are examined. Upon the evidence so recorded and after consideration of any documentary evidence produced by either party the arbitrator shall make an award in accordance with justice, equity and good conscience. The arbitrator shall record his award, signed and date it within a period of three months and shall communicate it to the parties. In case the arbitrator is unable to decide the dispute and make the award within three months, the arbitrator shall seek extension of the period in writing from the Director by making an application to him.</u></p> <p><u>(2) The award shall contain the number assigned to the application, the names and description of the parties and particulars of the disputes and shall specify clearly the relief granted, the amount decreed, the future interest allowed, if any, and the costs awarded.</u></p> <p><u>(3) If no award is made immediately upon the conclusion of the hearing of the parties, the arbitrator shall fix the date and place of delivery of the award and shall, except for reasons to be recorded in writing, deliver the award on the date so fixed.</u></p> <p><u>(4) The award shall be communicated to the parties by:- (a) pronouncement of the award, or (b) registered post to any party which may be absent on such date.</u></p> <p><u>(5) In addition to the arbitration fee, The arbitrator may order the expenses of determining a dispute or the cost of either party, to be paid by such party or parties to the dispute as the arbitrator may think fit: Provided that the expenses or the cost so awarded shall not exceed seven and half per cent of the</u></p>
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	<p><i>awarded amount.</i></p> <p><i>(6) The Arbitrator shall submit the original records of the dispute and the proceedings to the Registrar, after the decision or award has been delivered.</i></p> <p><i>(7) Any document or record tendered by a party may on application be returned to the party after the disposal of the appeal, if any, or after the period of appeal.</i></p> <p><i>(8) A certified copy of the decision or award may be obtained by a party from the Registrar.</i></p> <p><i>86. Withdrawal of a reference by the Registrar.</i></p> <p><i>On an application made by any party to the arbitration proceedings pending before an arbitrator, the Registrar may for reasons to be recorded in writing withdraw the reference from the arbitrator appointed and may decide the dispute himself and give an award in the manner provided in rule 85 or make fresh appointment of any other arbitrator.</i></p> <p><i>87. Appointment of arbitrator-</i></p> <p><i>(1) The Registrar shall invite application for appointment of arbitrators by advertisement in two national daily leading newspapers (Hindi and English).</i></p> <p><i>(2) The following persons may be considered for appointment as an arbitrator-</i></p> <p><i>(3) (a) Gazetted officers including retired, of any department under the Government ; or</i></p> <p><i>(b) Officers/Co-operators, serving or retired of co-operative societies having experience of ten years and having graduate degree preferably a Diploma in Cooperative from recognized Cooperative Training Institute; or</i></p> <p><i>(c) Officers of local bodies and public sector undertakings of the Government.</i></p> <p><i>(3) The registrar shall scrutinize and compile the applications received and submit the same before the selection committee constituted under sub-section (3) of section 71 of the Act.</i></p> <p><i>(4) The committee shall select and approve the arbitrators and after receipt of the approval of selection committee, the Registrar shall issue appointment orders of Arbitrators so selected.</i></p> <p><i>(5) The term of the Arbitrator shall</i></p>	<p><u><i>awarded amount.</i></u></p> <p><u><i>(6) The Arbitrator shall submit the original records of the dispute and the proceedings to the Director, after the decision or award has been delivered.</i></u></p> <p><u><i>(7) Any document or record tendered by a party may on application be returned to the party.</i></u></p> <p><u><i>(8) A certified copy of the decision or award may be obtained by a party from the Director.</i></u></p> <p><u><i>121C. Withdrawal of a reference by the Registrar.- On an application made by any party to the arbitration proceedings pending before an arbitrator, the Director may for reasons to be recorded in writing withdraw the reference from the arbitrator appointed and may decide the dispute himself and give an award in the manner provided in rule 121B or make fresh appointment of any other arbitrator.</i></u></p> <p><u><i>121D. Appointment of arbitrator-</i></u></p> <p><u><i>(1) The Director shall invite application for appointment of arbitrators by advertisement in two national daily leading newspapers (Hindi and English).</i></u></p> <p><u><i>(2) The following persons may be considered for appointment as an arbitrator-</i></u></p> <p><u><i>(3) (a) Gazetted officers including retired, of any department under the Government ; or</i></u></p> <p><u><i>(b) Officers/ Educationists, serving or retired of a recognised school having experience of ten years; or</i></u></p> <p><u><i>(c) Officers of local bodies and public sector undertakings of the Government.</i></u></p> <p><u><i>(3) The Director shall scrutinize and compile the applications received and submit the same before the selection committee constituted under sub-section (3) of section 10 of the Act.</i></u></p> <p><u><i>(4) The committee shall select and approve the arbitrators and after receipt of the approval of selection committee, the Director shall issue appointment orders of arbitrators so selected.</i></u></p> <p><u><i>(5) The term of the Arbitrator shall be three years.</i></u></p> <p><u><i>121E. Arbitration Fee.- The Director shall have power to require the person referring a dispute under sub-section (1) of section 10 of the Act, to deposit in advance with the office of Director in "Settlement</i></u></p>
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<p>be three years.</p> <p>88. Arbitration Fee.</p> <p>The Registrar shall have power to require the person referring a dispute under sub-section (1) of section 70 of the Act, to deposit in advance with the office of Registrar in "Settlement and Executive Expenses Fund" a fee at the rate specified in the schedule, below, that may be revised by the Registrar from time to time.</p> <p>Schedule</p> <p>(Schedule of Fee for Arbitrator)</p> <p>(A) In respect of disputes relating to claims of money referred to under section 70 of the Act:-</p> <p>(i) in case of claim below rupees one thousand rupees twenty five;</p> <p>(ii) in case of claim for rupees one thousand or above..... three percent of the claim</p> <p>subject to a maximum of rupees five thousand.</p> <p>(B) In respect of dispute of non-monetary nature..... a fee of not less than rupees seven hundred fifty and not more than rupees two thousand in each case, as may be considered reasonable by the Registrar.</p> <p>(C) No fee shall be payable to an arbitrator till the dispute referred to him is finally disposed.</p> <p>(D) The Registrar may, in his discretion, remit the whole or any part of the fees collected under clause (A) of this schedule.</p> <p>(E) All fees for services rendered in respect of arbitration or execution proceedings payable by a party shall be deposited in the Office of the Registrar in the "Settlement and Execution Services Expenses Fund" which shall be administered by the Registrar in accordance with the Regulations contained in Schedule III.</p>	<p><u>and Executive Expenses Fund" a fee at the rate specified in the schedule below, that may be revised by the Director from time to time.</u></p> <p><u>Schedule</u></p> <p><u>(Schedule of Fee for Arbitrator)</u></p> <p><u>(A) In respect of disputes relating to claims of money referred to under section 10 of the Act:-</u></p> <p><u>(i) in case of claim below rupees ten thousand rupees five hundred;</u></p> <p><u>(ii) in case of claim for rupees ten thousand or above..... three percent of the claim subject to a maximum of rupees ten thousand.</u></p> <p><u>(B) In respect of dispute of non-monetary nature..... a fee of not less than rupees two thousand and not more than rupees five thousand in each case, as may be considered reasonable by the Director.</u></p> <p><u>(C) No fee shall be payable to an arbitrator till the dispute referred to him is finally disposed.</u></p> <p><u>(D) The Director may, in his discretion, remit the whole or any part of the fees collected under clause (A) of this schedule.</u></p> <p><u>(E) All fees for services rendered in respect of arbitration or execution proceedings payable by a party shall be deposited in the Office of the Director in the "Settlement and Execution Services Expenses Fund" which shall be administered by the Director.</u></p> <p><u>121F: Appointment of arbitrator through other Government society.</u></p> <p><u>– (1) Notwithstanding anything contained in rule 121D and 121E, the Director may refer any dispute under section 10 to the Delhi Dispute Resolution Society, a registered society of this Government, for settlement of dispute in accordance with the provisions of these rules.</u></p> <p><u>(2) The arbitration fee payable by the parties for settlement of disputes by the Delhi Dispute Resolution Society shall be determined by such society.</u></p>
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Chapter-IV

Terms and Conditions of Service of Employees of Recognised Private Schools

Section 9.

Existing

9. Employees to be governed by a Code of Conduct- Every employee of a recognized school shall be governed by such Code of Conduct as may be prescribed and on the violation of any provision of such Code of Conduct, the employee shall be liable to such disciplinary action as may be prescribed.

Proposed:

12. Employees to be governed by a Code of Conduct- Every employee of a recognized school shall be governed by such Code of Conduct as may be prescribed and on the violation of any provision of such Code of Conduct, the employee shall be liable to such disciplinary action as may be prescribed.

<i>Rules</i>	<i>Existing</i>	<i>Proposed</i>
122. Employees of recognised Schools to be governed by the Code of Conduct	<p>Every employee of a recognised school, whether aided or not, shall be governed by the Code of Conduct, as specified in this Chapter, and every such employee shall be liable to the disciplinary action, specified in rule 115, for the breach of any provision of the Code of Conduct:</p> <p>Provided that in the case of an employee of an unaided minority school the penalties for the breach of any provision of the Code of Conduct shall be as may be specified in the contract of service between the management of the school and the concerned employee.</p>	<p>Every employee of a recognised school, whether aided or not, shall be governed by the Code of Conduct, as specified in this Chapter, and every such employee shall be liable to the disciplinary action, specified in rule 115, for the breach of any provision of the Code of Conduct.</p> <p><u>..Omitted</u></p>
123. Code of Conduct for teachers	<p>(1) The Code of Conduct for the teachers of the recognised schools including unaided minority schools, shall be as follows :-</p> <p>(a) No teacher shall –</p> <p>(i) knowingly or wilfully neglect his duties;</p> <p>(ii) propagate through his teaching lessons or otherwise, communal or sectarian outlook, or incite or allow any student to indulge in communal or sectarian activity;</p> <p>(iii) discriminate against any student on the ground of caste, creed, language, place of origin, social and cultural background or any of them;</p> <p>(iv) indulge in, or encourage, any form of malpractice connected with examination or any other school activity;</p> <p>(v) make any sustained neglect in correcting class-work or home-work done by students;</p>	<p>(1) The Code of Conduct for the teachers of the recognised schools including unaided minority schools, shall be as follows :-</p> <p>(a) No teacher shall –</p> <p>(i) knowingly or wilfully neglect his duties;</p> <p>(ii) propagate through his teaching lessons or otherwise, communal or sectarian outlook, or incite or allow any student to indulge in communal or sectarian activity;</p> <p>(iii) discriminate against any student on the ground of caste, creed, language, place of origin, social and cultural background or any of them;</p> <p>(iv) indulge in, or encourage, any form of malpractice connected with examination or any other school activity;</p>

<p>(vi) while being present in the school, absent himself (except with the previous permission of the head of the school) from the class which is required to attend;</p> <p>(vii) remain absent from the school without leave or without the previous permission of the head of the school:</p> <p>Provided that where such absence without leave or without the previous permission of the head of the school is due to reasons beyond the control of the teacher, it shall not be deemed to be a breach of the Code of Conduct, if, on return to duty, the teacher has applied for and obtained, ex post facto, the necessary sanction for the leave.</p> <p>(viii) accept any job of a remunerative character from any source other than the school or give private tuition to any student or other person or engage himself in any business;</p> <p>(ix) prepare or publish any book or books, commonly known as keys, or assist, whether directly or indirectly, in their publication;</p> <p>(x) engage himself as a selling agent or canvasser for any publishing firm or trader;</p> <p>(xi) ask for or accept (except with the previous sanction of the Director, in the case of an aided school, or of the managing committee, in the case of an unaided school), any contribution, or otherwise associate himself with the raising of any funds or make any other collections, whether in cash or in kind, in pursuance of any object whatsoever, except subscription from the members of any association of teachers;</p> <p>(xii) enter into any monetary transactions with any student or parent; nor shall he exploit his influence for personal ends; nor shall he conduct his personal matters in such a manner that he has to incur a debt beyond his means to repay;</p> <p>(xiii) accept, or permit any member of his family or any other person acting on his behalf to accept, any gift from any student, parent or any person with whom he has come into contact by virtue of his position in the school.</p> <p>Explanation –</p> <p>(a) The expression ‘gift’ shall include free transport, boarding, lodging or other service or any other pecuniary advantage when provided by any person other than a near relation or personal friend having no dealings with him in connection with the school.</p> <p>Note- A casual meal, lift or other social</p>	<p>(v) make any sustained neglect in correcting class-work or home-work done by students;</p> <p>(vi) while being present in the school, absent himself (except with the previous permission of the head of the school) from the class which is required to attend;</p> <p>(vii) remain absent from the school without leave or without the previous permission of the head of the school:</p> <p>Provided that where such absence without leave or without the previous permission of the head of the school is due to reasons beyond the control of the teacher, it shall not be deemed to be a breach of the Code of Conduct, if, on return to duty, the teacher has applied for and obtained, ex post facto, the necessary sanction for the leave.</p> <p>(viii) accept any job of a remunerative character from any source other than the school or give private tuition to any student or other person or engage himself in any business;</p> <p>(ix) prepare or publish any book or books, commonly known as keys, or assist, whether directly or indirectly, in their publication;</p> <p>(x) engage himself as a selling agent or canvasser for any publishing firm or trader;</p> <p>(xi) ask for or accept (except with the previous sanction of the Director, in the case of an aided school, or of the managing body, in the case of an unaided school), any contribution, or otherwise associate himself with the raising of any funds or make any other collections, whether in cash or in kind, in pursuance of any object whatsoever, except subscription from the members of any association of teachers;</p> <p>(xii) enter into any monetary transactions with any student or parent; nor shall he exploit his influence for personal ends; nor shall he conduct his personal matters in such a manner that he has to incur a debt beyond his means to repay;</p> <p>(xiii) accept, or permit any member of his family or any other person acting on his behalf to accept, any gift from any student, parent or any person with whom he has come into contact by virtue of his position in the school.</p>
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	<p><i>hospitality of a casual nature shall not be a gift.</i></p> <p><i>(b) On occasions, such as weddings, anniversaries, funerals or religious function when the making of a gift is in conformity with the prevailing religious or social practice, a teacher may accept gift if the value thereof does not exceed Rs. 25.00;</i></p> <p><i>(xiv) practice, or incite any student to practice, casteism, communalism or untouchability;</i></p> <p><i>(xv) cause, or incite any other person to cause, any damage to school property;</i></p> <p><i>(xvi) behave, or encourage or incite any student, teacher or other employee to behave, in a rowdy or disorderly manner in the school premises;</i></p> <p><i>(xvii) be guilty of, or encourage, violence, or any conduct which involves moral turpitude;</i></p> <p><i>(xviii) be guilty of, misbehaviour or cruelty towards any parent, guardian, student teacher or employee of the school;</i></p> <p><i>(xix) organise or attend any meeting during the school hours except where he is required, or permitted by the head of the school to do so;</i></p> <p><i>(c) every teacher shall :-</i></p> <p><i>(i) be punctual in attendance and in respect of his class-work and also for any other work connected with the duties assigned to him by the head of the school;</i></p> <p><i>(ii) abide by the rules and regulations of the school and also show due respect to the constituted authority.</i></p> <p><i>(2) Nothing contained in sub-rule(1) shall be deemed to take away or abridge the right of a teacher,-</i></p> <p><i>(a) to appear at any examination to improve his qualifications;</i></p> <p><i>(b) to become, or to continue to be, a member of any literary, scientific or professional organisation;</i></p> <p><i>(c) to make any representation for the redressal of any bona fide grievance, subject to the condition that such representation is not made in any rude or indecorous language;</i></p> <p><i>(d) [* * * * *]</i></p> <p><i>Provided that where any teachers' organisation or association does not have any facility to hold any meeting outside the school premises, a meeting of such organisation or association, for the bona fide purposes, may be held within the premises but before or after the school-hours, with the previous permission of the</i></p>	<p><i>Explanation –</i></p> <p><i>(a) The expression 'gift' shall include free transport, boarding, lodging or other service or any other pecuniary advantage when provided by any person other than a near relation or personal friend having no dealings with him in connection with the school.</i></p> <p><i>Note- A casual meal, lift or other social hospitality of a casual nature shall not be a gift.</i></p> <p><i>(b) On occasions, such as weddings, anniversaries, funerals or religious function when the making of a gift is in conformity with the prevailing religious or social practice, a teacher may accept gift if the value thereof does not exceed <u>Rs. 25.00</u>;</i></p> <p><i>(xiv) practice, or incite any student to practice, casteism, communalism or untouchability;</i></p> <p><i>(xv) cause, or incite any other person to cause, any damage to school property;</i></p> <p><i>(xvi) behave, or encourage or incite any student, teacher or other employee to behave, in a rowdy or disorderly manner in the school premises;</i></p> <p><i>(xvii) be guilty of, or encourage, violence, or any conduct which involves moral turpitude;</i></p> <p><i>(xviii) be guilty of, misbehaviour or cruelty towards any parent, guardian, student teacher or employee of the school;</i></p> <p><i>(xix) organise or attend any meeting during the school hours except where he is required, or permitted by the head of the school to do so;</i></p> <p><i>(c) every teacher shall :-</i></p> <p><i>(i) be punctual in attendance and in respect of his class-work and also for any other work connected with the duties assigned to him by the head of the school;</i></p> <p><i>(ii) abide by the rules and regulations of the school and also show due respect to the constituted authority.</i></p> <p><i>(2) Nothing contained in sub-rule(1) shall be deemed to take away or abridge the right of a teacher,-</i></p> <p><i>(a) to appear at any examination to improve his qualifications;</i></p> <p><i>(b) to become, or to continue to be, a member of any literary, scientific or</i></p>
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*In section 6 of Part-II of Volume-I of this Report the Review Committee has suggested constituting a Committee consisting of persons of financial background to review these amounts in light of the price index.

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	<p><i>head of the school.</i></p> <p><i>(3) The breach of any condition specified in sub-rule (1) shall be deemed to be a breach of the Code of Conduct.</i></p>	<p><i>professional organisation;</i></p> <p><i>(c) to make any representation for the redressal of any bona fide grievance, subject to the condition that such representation is not made in any rude or indecorous language;</i></p> <p><i>(d) ¹[* * * * *]</i></p> <p><i>Provided that where any teachers' organisation or association does not have any facility to hold any meeting outside the school premises, a meeting of such organisation or association, for the bona fide purposes, may be held within the premises but before or after the school-hours, with the previous permission of the head of the school.</i></p> <p><i>(3) The breach of any condition specified in sub-rule (1) shall be deemed to be a breach of the Code of Conduct.</i></p>
<p>124. Code of Conduct for other employees</p>	<p><i>The Code of Conduct specified for teachers shall, so far as may be, apply to other employees of a recognised private school, including an unaided minority school.</i></p>	<p><i>The Code of Conduct specified for teachers shall, so far as may be, apply to other employees of a recognised private school, including an unaided minority school.</i></p>

Chapter-IV
Terms and Conditions of Service of Employees of Recognised Private School

Section 10.

Existing

10. Salaries of employees- (1) The scales of pay and allowances, medical facilities, pension, gratuity, provident fund and other prescribed benefits of the employees of a recognised private school shall not be less than those of the employees of the corresponding status in school run by the appropriate authority:

Provided that where the scales of pay and allowances, medical facilities, pension, gratuity, provident fund and other prescribed benefits of the employees of any recognised private school are less than those of the employees of the corresponding status in the schools run by the appropriate authority, the appropriate authority shall direct, in writing, the managing committee of such bring the same up to the level of those of the employees of the corresponding status in schools run by the appropriate authority:

Provided further that the failure to comply with such direction deemed to be non-compliance with the conditions for continuing recognition of an existing school and the provisions of section 4 shall apply accordingly.

(2) The managing committee of every aided school shall deposit month, every month, its share towards pay and allowances, medical facilities, pension, gratuity, provident fund and other prescribed benefits with the Administrator and the Administrator shall disburse, or cause to be disbursed, within the first week of every month, the salaries and allowances to the employees of the aided schools.

Proposed:

13. Salaries of employees- (1) The scales of pay and allowances, medical facilities, pension, gratuity, provident fund and other prescribed benefits of the employees of a recognised private school shall not be less than those of the employees of the corresponding status in school run by the appropriate authority:

Provided that where the scales of pay and allowances, medical facilities, pension, gratuity, provident fund and other prescribed benefits of the employees of any recognised private school are less than those of the employees of the corresponding status in the schools run by the appropriate authority, the appropriate authority shall direct, in writing, the managing committee of such bring the same up to the level of those of the employees of the corresponding status in schools run by the appropriate authority:

Provided further that the failure to comply with such direction deemed to be non-compliance with the conditions for continuing recognition of an existing school and the provisions of section 4 shall apply accordingly.

(2) The Managing Body of every aided school shall deposit month, every month, its share towards pay and allowances, medical facilities, pension, gratuity, provident fund and other prescribed benefits with the Government and the Government shall disburse, or cause to be disbursed, within the first week of every month, the salaries and allowances to the employees of the aided schools.

Rules

<i>Rule</i>	<i>Existing</i>				<i>Proposed</i>		
<i>125. Every employee of a</i>		<i>Middle and Higher Schools</i>	<i>Primary Schools</i>			<i>Elementary and Higher</i>	<i>Primary Schools</i>

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<p><i>recognised private school, not being an unaided minority school, shall be entitled to the following additional benefits, namely:</i></p>	1.	2.	3	1.	Schools	3
	<p>(1) Children's Education Allowance</p> <p>(2) Re-imbursment of Tuition Fees</p> <p>(3) Travelling Allowance and Daily Allowance</p> <p>(4) Leave Travel Concession</p>	<p>As payable by Delhi Administration to its employees.</p> <p>Free education or re-imbursment of tuition fee as payable by Delhi Administration to its employees.</p> <p>According to the rules made by the Delhi Administration.</p> <p>According to the rules made by the Delhi Administration.</p>	<p>As payable by the appropriate authority to its employees.</p> <p>Free education or re-imbursment of tuition fee as payable by the appropriate authority to its employees.</p> <p>According to the rules made by the appropriate authority.</p> <p>According to the rules made by the appropriate authority.</p>	<p>(1) Children's Education Allowance</p> <p>(2) Re-imbursment of Tuition Fees</p> <p>(3) Travelling Allowance and Daily Allowance</p> <p>(4) Leave Travel Concession</p>	<p>As payable by Government to its employees.</p> <p>Free education or re-imbursment of tuition fee as payable by Government to its employees.</p> <p>According to the rules made by the Government.</p> <p>According to the rules made by the Government.</p>	<p>As payable by the appropriate authority to its employees.</p> <p>Free education or re-imbursment of tuition fee as payable by the appropriate authority to its employees.</p> <p>According to the rules made by the appropriate authority.</p> <p>According to the rules made by the appropriate authority.</p>
<p>126. Power to specify procedure for payment of salaries etc.</p>	<p>(1) The Administrator shall, in consultation with the Accountant General, Central Revenues, specifies the detailed procedure for payment of pay and allowances, pension and gratuity, re-imbursment of medical bills, accounting of Provident Fund and payment of other allowances, such as children's educational allowance to the employees of aided schools.</p> <p>(2) The Administrator shall, in like manner, specify the detailed procedure for the deposits made by the managing committees of recognised aided schools, (not being unaided minority schools) of their share of the pay and allowances, pension, gratuity, provident fund and the benefits specified in rule 125.</p>			<p>(1) The Government shall, in consultation with the Accountant General, Central Revenues, specifies the detailed procedure for payment of pay and allowances, pension and gratuity, re-imbursment of medical bills, accounting of Provident Fund and payment of other allowances, such as children's educational allowance to the employees of aided schools.</p> <p>(2) The Government shall, in like manner, specify the detailed procedure for the deposits made by the managing body of recognised aided schools, (not being unaided minority schools) of their share of the pay and allowances, pension, gratuity, provident fund and the benefits specified in rule 125.</p>		

<p><i>126A. Salary payable to teachers appointed on contract basis.</i></p>		<p><i><u>(1) The managing body of private recognised school may, if the circumstances so require, appoint teachers, other than those for core subjects, on contract basis:</u></i> <i><u>Provided that the total strength of contractual teacher appointed under this rule, shall not be more than the two fifth of total posts of teachers in such school.</u></i></p> <p><i><u>(2) The salary and allowances payable to the teachers appointed on contract basis under sub-rule (1), shall not be less than the salary and allowances payable to those of the corresponding teachers appointed on contract basis in schools run by the appropriate authority.</u></i></p>
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Chapter-IV
Terms and Conditions of Service of Employees of Recognised Private Schools

Section 11.

Existing:

11. Tribunal- (1) The Administrator shall, by notification, constitute a Tribunal, to be known as the "Delhi School Tribunal", consisting of one person :

Provided that no person shall be so appointed unless he has held office as a District Judge or any equivalent judicial office.

(2) If any vacancy, other than a temporary absence, occurs in the office presiding officer of the Tribunal, the Administrator shall appoint another person, in accordance with the provisions of this section, to fill the vacancy and proceedings may be continued before the Tribunal from the stage at which vacancy is filled.

(3) The Administrator shall make available to the Tribunal such staff as may be necessary in the discharge of its functions under this Act.

4) All expenses incurred in connection with the Tribunal shall be defrayed out of the Consolidated Fund of India.

(5) The Tribunal shall have power to regulate its own procedure in all matters arising out of the discharge of its functions including the place or places at which it shall hold its sitting.

(6) The Tribunal shall for the purpose of disposal of an appeal preferred under this Act have the same powers as are vested in a court of appeal by the Code of Civil Procedure, 1908, (5 of 1908) and shall also have the power to stay the operation of the order appealed against on such terms as it may think fit.

Proposed:

14. Establishment of School Tribunals. - (1) The Government shall, by notification, establish, a School Tribunal to be known as the "Delhi School Tribunal" to exercise the powers conferred upon it under this Act:

(2) Subject to the other provisions of this Act, the Government may constitute as many Benches of School Tribunal, as it may deem fit, keeping in view the numbers of appeals pending before the School Tribunal.

(3) Each Bench of the School Tribunal shall consist of one Judicial Member, to be the Presiding Officer of such Tribunal, to be appointed by the Government and, subject to other provisions of this Act, the jurisdiction, powers and authority of the School Tribunal may be exercised by Benches, thereof.

15. Qualification and appointment of Members of School Tribunal. – (1) A person shall be qualified to be appointed as the Judicial member of a School Tribunal, if such person is, or has been, a District Judge for a period of not less than ten years:

Provided that no appointment under this section shall be made except after consultation with the Chief Justice of the High Court.

16. Term of office, salaries and allowances of Member of School Tribunal. (1) The Member of the Tribunal shall hold office as such for a term of five years from the date on which he enters upon his office and shall be eligible for reappointment:

Provided that the Member of the Tribunal shall not hold office as such after he has attained the age of sixty five years.

(1) The salaries and allowances payable to, and the other terms and conditions of service of, the Member of a School Tribunal shall be such as may be prescribed by the Government:

(2)

Provided that neither the salary and allowances nor the other terms and conditions of service of the Member shall be varied to their disadvantage after his appointment.

17. Vacancy. - If any vacancy, other than a temporary absence, of a Member occurs, the Government shall appoint another person, in accordance with the provisions of this section, to fill the vacancy and proceedings may be continued before the School Tribunal from the stage at which vacancy is filled.

18. Jurisdiction, power and authority of School Tribunal. - Save as otherwise expressly provided in this Act, the School Tribunal shall exercise appellate jurisdiction in relation to,—

- (a) any order passed by the management imposing any penalty upon its employee;
- (b) any violation of any term and conditions of employment by the management;
- (c) any award passed by the arbitrator under section 10 in respect of dispute between an employee and the management of a private school;

19. Manner for making appeal before the School Tribunal. - Every appeal, against the order issued by the management or an award made by an arbitrator, shall be made to the Tribunal in such form and accompanied by such documents and on payment of such fee and the manner as may be prescribed by the Government.

20. Execution of orders of Tribunal. - (1) An order made by the School Tribunal under this Act shall be executable as a decree of a civil court, and for this purpose, the School Tribunal shall have all the powers of a civil court.

(2) Where the private school or any person, against whom the order is made by the School Tribunal, as the case may be, fails to make the payment or deposit the amount as directed by the School Tribunal within the period specified in the order, such amount shall be recoverable from such school or such person as arrears of land revenue.

21. Procedure of School Tribunal. - (1) The School Tribunal shall for the purposes of disposal of an appeal preferred under this Act, shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908, while trying a suit in respect of the following matters, namely:—

(a) summoning and enforcing the attendance of any person and examining him on oath;

(b) requiring the discovery and production of documents;

(c) receiving evidence on affidavits;

(d) subject to the provisions of sections 123 and 124 of the Indian Evidence Act, 1872, requisitioning any public record or document or copy of such record or document from any office;

(e) issuing commissions for the examination of witnesses or documents;

(f) reviewing its decisions;

(g) dismissing an application for default or deciding it ex parte;

(h) setting aside any order of dismissal of any application for default or any order passed by it ex parte; and

(i) any other matter which may be prescribed by the Government.

(2) A person making an appeal under this Act may appear either in person or authorize one or more legal practitioners to present his case before the School Tribunal.

(3) Any private school may authorize one or more legal practitioners or any of its officers to present its case before the School Tribunal.

(4) The School Tribunal shall not be bound by the procedure laid down in the Code of Civil Procedure, 1908 but shall be guided by the principles of natural justice and subject to other provisions of this Act and of any rules made by the Government.

(5) The School Tribunal shall conduct such proceedings as may be required for it to arrive at a conclusion provided that an opportunity of being heard and produce such evidence as may be necessary, shall be adequately offered to all the parties at issue.

(6) On the conclusion of proceedings, the School Tribunal shall pass such orders as it deems fit and provide such relief as may be desirable, including the award of such punitive damages, as it deems fit, to the affected party at issue:

Provided that the order of the School Tribunal on the matters covered under section 18 shall be final.

22. Interim Orders. - Notwithstanding anything contained in any other provisions of this Act or in any other law for the time being in force, no interim order, whether by way of injunction or stay in any other manner, shall be made by the School Tribunal on, or in any proceedings relating to, an appeal unless,—

(a) copies of such application and of all documents in support of the plea for such interim order are furnished to the party against whom such application is made or proposed to be made; and

(b) opportunity to be heard is given to such party in the matter.

23. Proceedings before Tribunal to be judicial proceedings. - All proceedings before Tribunal shall be deemed to be judicial proceedings within the meaning of sections 193, 219 and 228 of the Indian Penal Code.

Chapter-IV
Terms and Conditions of Service of Employees of Recognised Private Schools

Section 12

Existing

12. Chapter not to apply to unaided minority schools- Nothing contained, in this Chapter shall apply to an unaided minority school.

Proposed:

To be omitted.

<i>Rules</i>	<i>Existing</i>	<i>Proposed</i>
127. Recruitment (Relating to Unaided Minority Schools)	<p>(1) Recruitment of employees in each recognised unaided minority school shall be made on the recommendation of a Selection Committee to be constituted by the managing committee of that school.</p> <p>(2) The Selection Committee shall include:-</p> <p>(a) in the case of recruitment of the head of the school,-</p> <p>(i) the Chairman of the managing committee;</p> <p>(ii) an educationist, nominated by the managing committee; and</p> <p>(iii) a person having experience of administration of schools, nominated by the managing committee;</p> <p>(b) in the case of recruitment of any teacher other than the head of the school-</p> <p>(i) the Chairman of the managing committee;</p> <p>(ii) the head of the school; and</p> <p>(iii) an educationist, nominated by the managing committee;</p> <p>(c) in the case of recruitment of any other employee :-</p> <p>(i) The Chairman of the managing committee or any member of the managing committee nominated by the Chairman;</p> <p>(ii) the head of the school.</p> <p>(3) The Selection Committee shall regulate its own procedure, and, in the case of any difference of opinion amongst the members of the Selection Committee on any matter, it shall be decided by the trust or society running the school.</p> <p>(4) Where a candidate for recruitment to any post in an unaided minority school is related to any member of the Selection Committee, the member to whom he is related, shall not participate in the selection and a new member shall be nominated in his place by the managing</p>	<p>(1) Recruitment of employees in each recognised unaided minority school shall be made on the recommendation of a Selection Committee to be constituted by the managing committee of that school.</p> <p>(2) The Selection Committee shall include:-</p> <p>(a) in the case of recruitment of the head of the school,-</p> <p>(i) the Chairman of the managing committee;</p> <p>(ii) an educationist, nominated by the managing committee; and</p> <p>(iii) a person having experience of administration of schools, nominated by the managing committee;</p> <p>(b) in the case of recruitment of any teacher other than the head of the school-</p> <p>(i) the Chairman of the managing committee;</p> <p>(ii) the head of the school; and</p> <p>(iii) an educationist, nominated by the managing committee;</p> <p>(c) in the case of recruitment of any other employee :-</p> <p>(i) The Chairman of the managing committee or any member of the managing committee nominated by the Chairman;</p> <p>(ii) the head of the school.</p> <p>(3) The Selection Committee shall regulate its own procedure, and, in the case of any difference of opinion amongst the members of the Selection Committee on any matter, it shall be decided by the trust or society running the school.</p> <p>(4) Where a candidate for recruitment to any post in an unaided minority school is related to any</p>

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	<p><i>committee of the school.</i></p> <p><i>(5) The appointment of every employee of a school shall be made by its managing committee.</i></p> <p><i>(6) Where any selection made by the Selection Committee is not acceptable to the managing committee of the school the managing committee shall record its reasons for such non-acceptance and refer the matter to the trust or society running the school and the trust or society, as the case may be, shall decide the same.</i></p>	<p><i>member of the Selection Committee, the member to whom he is related, shall not participate in the selection and a new member shall be nominated in his place by the managing committee of the school.</i></p> <p><i>(5) The appointment of every employee of a school shall be made by its managing committee.</i></p> <p><i>(6) Where any selection made by the Selection Committee is not acceptable to the managing committee of the school the managing committee shall record its reasons for such non-acceptance and refer the matter to the trust or society running the school and the trust or society, as the case may be, shall decide the same.</i></p>
128. Minimum qualifications	<p><i>(1) The minimum qualifications for appointment as a teacher of an unaided minority school shall not be less than those as are specified by the Affiliating Board.</i></p> <p><i>(2) In the case of any employee, other than a teacher, the minimum qualification for appointment shall be the same as are specified by the Administrator for appointment to the corresponding post in the Government schools.</i></p> <p><i>(3) Where no minimum qualifications have been specified by the Affiliating Board in respect of the post of any teacher, the minimum qualifications for recruitment to such post may be specified by the Administrator after considering such recommendations or suggestions as may be made by the unaided minority school in this behalf.</i></p> <p><i>(4) Where a post (other than that of a teacher) in an unaided minority school does not correspond to any post in the Government schools, the minimum qualifications for recruitment to such post may be specified by the Director after considering such recommendations or suggestions as may be made by the unpaid minority school in this behalf.</i></p>	<p><i>(1) The minimum qualifications for appointment as a teacher of an unaided minority school shall not be less than those as are specified by the Affiliating Board.</i></p> <p><i>(2) In the case of any employee, other than a teacher, the minimum qualification for appointment shall be the same as are specified by the <u>Government</u> for appointment to the corresponding post in the Government schools.</i></p> <p><i>(3) Where no minimum qualifications have been specified by the Affiliating Board in respect of the post of any teacher, the minimum qualifications for recruitment to such post may be specified by the <u>Government</u> after considering such recommendations or suggestions as may be made by the unaided minority school in this behalf.</i></p> <p><i>(4) Where a post (other than that of a teacher) in an unaided minority school does not correspond to any post in the Government schools, the minimum qualifications for recruitment to such post may be specified by the Director after considering such recommendations or suggestions as may be made by the unpaid minority school in this behalf.</i></p>
129. Power to Relax	<p><i>The Affiliating Board, or where no qualifications have been specified by the Affiliating Board for the post of a teacher in a particular subject, the appropriate authority may, in the case of non-availability of trained or qualified teachers in that subject, relax the minimum qualifications for such period as it may think fit.</i></p>	<p><i>The Affiliating Board, or where no qualifications have been specified by the Affiliating Board for the post of a teacher in a particular subject, the appropriate authority may, in the case of non-availability of trained or qualified teachers in that subject, relax the minimum qualifications for such period as it may think fit.</i></p>

<p>130. Contract of Service</p>	<p>(1) Every contract of service, referred to in sub-section (1) of section 15, shall be entered into in the form specified in the scheme of management before the employee is called upon to join his duties.</p> <p>(2) A copy of the contract of service, referred to in sub-section (1) of section 15, shall be forwarded to the Administrator by the managing committee of the concerned unaided minority school either by registered post, acknowledgement due, or by a messenger within thirty days from the date on which the contract is entered into.</p> <p>(3) On receipt of a copy of the contract of service, the Administrator shall cause the particulars of such contract to be entered in a register to be maintained for the purpose, to be known as the "Register of contracts".</p> <p>(4) The Administrator shall also cause the copies of contracts received by him to be preserved in such manner as he may specify.</p> <p>(5) If on a scrutiny of the copies of contract received by him, the Administrator is of opinion that the contract does not comply with the provisions of sub-section (3) of section 15, he may draw the attention of the school concerned to the deficiencies in the contract and require the school to modify the contract so as to bring it in conformity with the provisions of sub-section (3) of section 15, and thereupon the school shall take urgent steps for the rectification of the contract.</p> <p>(6) When a contract has been rectified under sub-rule (5), a copy of the contract, as so rectified shall be forwarded to the Administrator for registration and on receipt of the copy of such contract the Administrator shall cause the contract to be registered in the manner specified in sub-rule (3).</p>	<p>Omitted</p>
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Chapter-V

Provisions applicable to Unaided Minority School

Section 13, 14 and 15

Existing

13. Power to prescribe minimum qualifications for recruitment- The Administrator may make rules regulating the minimum qualifications for, and method of, recruitment of employees of unaided minority schools:

Provided that no qualification shall be varied to the disadvantage of an to existing employees of an unaided minority school.

14. Power to prescribe Code of Conduct- Every employee of an unaided minority school shall be governed by such Code of Conduct as may be prescribed.

15. Contract of service- (1) The managing committee of every unaided minority school shall enter into a written contract of service with every employee of such school:

Provided that if, at the commencement of this Act, there is no written contract of service in relation to any existing employee of an unaided minority school, the managing committee of such school shall enter into such contract within a period of three months from such commencement:

Provided further that no contract referred to in the foregoing proviso shall vary to the disadvantage of any existing employee the term of any contract subsisting at the commencement of this Act between him and the school.

(2) A copy of every contract of service referred to in sub-section (1) shall be forwarded by the managing committee of the concerned unaided minority school to the Administrator who shall, on receipt of such copy, register it in such manner as may be prescribed.

(3) Every contract of service referred to in sub-section (1) shall provide for the following matters, namely:

- a) the terms and conditions of service of the employee, including the scale of pay and other allowances to which he shall be entitled ;
- b) the leave of absence, age of retirement, pension and gratuity, or, contributory provident fund in lieu of pension and gratuity, and medical and other benefits to which the employee shall be entitled;
- c) the penalties which may be imposed on the employee for the violation of any Code of Conduct or the breach of any term of the contract entered into by him;
- d) the manner in which disciplinary proceedings in relation to the employee shall be conducted and the procedure which shall be followed before any employee is dismissed, removed from service or reduced in rank;
- e) arbitration of any dispute arising out of any breach of contract between the employee and the managing committee with regard to the scales of pay and other allowances,
 - ii leave of absence, age of retirement, pension, gratuity, provident fund, medical and other benefits,
 - iii any disciplinary action leading to the dismissal or removal from service or reduction in rank of the employee;
- f) any other matter which, in the opinion of the managing committee, ought to be, or may be, specified in such contract.

Proposed

It is proposed that, in view of omission of section 12, the provisions of section 8 to 11 providing for terms and conditions of employees would be applicable to unaided minority schools, section 13, 14 and 15 of the DSE Act may be omitted.

Chapter-VI

Admission to Schools and Fees

Section 16

Existing

16. Admission to recognised schools- (1) A child who has not attained age of five years, shall not be admitted to class I, or an equivalent class or any class higher than class I, in a recognised school.

(2) A student seeking admission for the first time in a recognised school in a class higher than class I shall not be admitted to that class if his age reduced by the number of years of normal school study between that class and class I or an equivalent class, falls short of five years.

(3) Admission to a recognised school or to any class thereof shall be regulated by rules made in this behalf.

Proposed:

24. Admission to private schools- (1) A child who has not attained age of five years, shall not be admitted to class I, or an equivalent class or any class higher than class I, in a school:

(2) A student seeking admission for the first time in a recognised school in a class higher than **or lower than class-I, as the case may be**, shall not be admitted to that class if his age reduced or **added by** the number of years of normal school study between that class and class I or an equivalent class, falls short of five years.

(3) Admission to a private recognised school or to any class thereof shall be regulated by rules made in this behalf.

<i>CHAPTER XII</i>		
<i>Rule</i>	<i>Existing</i>	<i>Proposed</i>
131. Power of Director to regulate admissions to aided schools	<i>The Director shall regulate admissions to aided schools or to a class thereof either on the basis of an admission test or on the basis of the results of a student in a class.</i>	<u>Subject to the provisions of the Right of Children to Free and Compulsory Education Act, 2009,</u> <i>the Director shall regulate admissions to aided schools or to a class thereof either on the basis of an admission test or on the basis of the results of a student in a class.</i>
132. Admission test not to be held by aided schools	<i>Save as otherwise provided in this Chapter, no aided school shall hold any test for admission to any class except with the written approval of the Director: Provided that nothing in this rule shall prevent the holding of tests for the admission to any class higher than class I of such candidates as have not studied in any recognised school prior to their seeking admission.</i>	<i>Save as otherwise provided in this Chapter, no aided school shall, while admitting a child in elementary classes, subject any child or his or her parent to any screening procedure: <u>Provided that nothing in this rule shall prevent the holding of test for admission to any class higher than elementary classes.</u></i>
133. Power to Director to regulate manner of admission	<i>(1) The Director may specify the manner in which students shall be admitted to an aided school. (2) The Director may prepare, in each year, a plan for the admission of students to the various classes in the aided schools in Delhi. (3) Admission of students to any aided</i>	<i>(1) The Director may specify the manner in which students shall be admitted to an aided school. (2) The Director may prepare, in each year, a plan for the admission of students to the various classes in the aided schools and in recognised private</i>

	<p>school from an unrecognised private school may be regulated or prohibited by the Director.</p> <p>(4) The Director may exclude any recognised aided school from the purview of the admission plan.</p> <p>(5) The managing committee of an aided school shall not refuse admission of any students who is assigned to that school under the admission plan.</p> <p>(6) Where the circumstances of a case so require, the Director may, notwithstanding anything contained in the admission plan, direct the admission of any student to an aided school, and, on receipt of the direction, the head of such school shall admit such student in the school.</p>	<p><u>schools to the extent provided in clause (c) of sub-section (1) of section 12 of the Right of Children to Free and Compulsory Education Act, 2009 .</u></p> <p>(3) Admission of students to any aided school from an unrecognised private school may be regulated or prohibited by the Director.</p> <p>(4) The Director may exclude any recognised aided school from the purview of the admission plan.</p> <p>(5) The managing body of an aided school shall not refuse admission of any students who is assigned to that school under the admission plan.</p> <p>(6) Where the circumstances of a case so require, the Director may, notwithstanding anything contained in the admission plan, direct the admission of any student to an aided school, and, on receipt of the direction, the head of such school shall admit such student in the school.</p>
134. Admissions to be without any distinction	Admission of students in aided schools shall be made without any distinction of religion, race, caste, place of birth, or any of them.	Admission of students in recognised schools shall be made without any distinction of religion, race, caste, place of birth, or any of them.
135. Manner of Admission	<p>(1) No student shall be admitted to an aided school unless an application in the prescribed form, signed by his parent or guardian, has been submitted to such school.</p> <p>(2) The parent or guardian shall state the exact date of birth of his child or ward in the application for admission, ¹[and the statement shall be supported by a certificate of birth issued by a local authority, or where it is not available, the statement shall be supported by an affidavit.]</p> <p>(3) Every application for admission to an aided school shall be kept in a separate file and form part of the permanent record of the school.</p>	<p>(1) No student shall be admitted to a aided school unless an application in the prescribed form, signed by his parent or guardian, has been submitted to such school.</p> <p>(2) The parent or guardian shall state the exact date of birth of his child or ward in the application for admission, ¹[and the statement shall be supported by a certificate of birth issued by a local authority, or where it is not available, the statement shall be supported by an affidavit.]</p> <p>(3) Every application for admission to a aided school shall be kept in a separate file and form part of the permanent record of the school.</p>
136. Entry on the Rolls	A newly admitted student shall have his name entered on the rolls of the school on the date on which he first attends his class after making payment of all specified dues.	A newly admitted student shall have his name entered on the rolls of the school on the date on which he first attends his class after making payment of all specified dues.
137. Admission to be made once a year	Admission shall ordinarily be made once a year and shall not be made after 31 st day of August of the year, except where the Director being satisfied that for special reasons, like migration of a student from a school outside Delhi, the delay in seeking admission has been	Admission shall ordinarily be made once a year and shall not be made after 31 st day of August of the year, except where the Director being satisfied that for special reasons, like migration of a student from a school outside

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	<i>unavoidable and was due to circumstances beyond the control of the parent or the guardian of the student, directs the admission of such student after that date.</i>	<i>Delhi, the delay in seeking admission has been unavoidable and was due to circumstances beyond the control of the parent or the guardian of the student, directs the admission of such student after that date.</i>
138. Admission of failed students not to be refused	<i>A student who fails at any public examination shall not, on that account, be refused re-admission in the school or class by the school from which he had appeared at such examination.</i>	<i>A student who fails at any public examination shall not, on that account, be refused re-admission in the school or class by the school from which he had appeared at such examination.</i>
139. Admission on transfer certificate	<p><i>(1) No student who had previously attend any recognised school shall be admitted to any aided school unless he produces a transfer or school leaving certificate from the school which was last attended by him.</i></p> <p><i>(2) Where a student seeks admission to an aided school on the basis of a transfer certificate granted by a school in any State or Union – Territory, other than Delhi, such transfer certificate (except where such certificate has already been verified) be sent, for verification and counter signature, by the head of the school in which admission is sought, to the education authority of the district in which the school from which the transfer certificate was obtained, is situated.</i></p> <p><i>(3) If such transfer certificate has not already been countersigned or verified by such authority, the student may be admitted provisionally pending the verification of the transfer certificate and his admission shall be confirmed only on the receipt of the verified transfer certificate for the State or Union Territory concerned.</i></p>	<p><i>(1) No student who had previously attend any recognised school shall be admitted to any aided school unless he produces a transfer or school leaving certificate from the school which was last attended by him.</i></p> <p><i>(2) Where a student seeks admission to a aided school on the basis of a transfer certificate granted by a school in any State or Union – Territory, other than Delhi, such transfer certificate (except where such certificate has already been verified) be sent, for verification and counter signature, by the head of the school in which admission is sought, to the education authority of the district in which the school from which the transfer certificate was obtained, is situated.</i></p> <p><i>(3) If such transfer certificate has not already been countersigned or verified by such authority, the student may be admitted provisionally pending the verification of the transfer certificate and his admission shall be confirmed only on the receipt of the verified transfer certificate for the State or Union Territory concerned.</i></p>
140. When migrating students may be admitted to higher class	<i>A student coming from another recognised school shall not be admitted to a class higher than the one in which he was studying at his former school unless the transfer certificate states that he has been promoted to the next higher class.</i>	<i>A student coming from another recognised school shall not be admitted to a class higher than the one in which he was studying at his former school unless the transfer certificate states that he has been promoted to the next higher class.</i>
141. Parent or guardian to submit an affidavit	<i>(1) Where a candidate who had not previously attended any recognised school, applies for admission to class II or to any higher class up to class VIII of a recognised school, the parent or guardian of such candidate shall give full history of the previous education of such candidate and furnish an affidavit</i>	<i>(1) Where a candidate who had not previously attended any recognised school, applies for admission to class II or to any higher class up to class VIII of a recognised school, the parent or guardian of such candidate shall give full history of the previous</i>

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	<p>on a non-judicial stamp paper duly attested to the effect that such candidate for admission had not attended any recognised school till then and he shall also be required to state in affidavit the exact date of birth of such candidate.</p> <p>(2) If a seat is available in the class to which an admission is sought, the head of the school, in consultation with the Zonal Education Officer, shall arrange for a test to determine the suitability of the student for admission to that class and admission shall be granted if the student passes in this test.</p>	<p>education of such candidate and furnish an affidavit on a non-judicial stamp paper duly attested to the effect that such candidate for admission had not attended any recognised school till then and he shall also be required to state in affidavit the exact date of birth of such candidate.</p> <p>(2) If a seat is available in the class to which an admission is sought, the head of the school, in consultation with the Zonal Education Officer, <u>shall arrange for a special training to enable the student to cope up with the other students..</u></p>
142. Regulation of admission to class IX	<p>(1) No student shall be admitted to class IX unless he has passed class VIII of a school.</p> <p>(2) Students who, without having passed the examination for promotion from class VIII of a recognised school, have appeared as private candidate at any public examination, and have failed to pass such examination shall not be admitted to class IX or to any class higher than class IX.</p>	<p>(1) No student shall be admitted to class IX unless he has passed class VIII of a school.</p> <p>(2) Students who, without having passed the examination for promotion from class VIII of a recognised school, have appeared as private candidate at any public examination, and have failed to pass such examination shall not be admitted to class IX or to any class higher than class IX.</p>
143. Power of Administrator to grant exemptions	<p>The Administrator may, if he is satisfied that the circumstances of a school are such that it is not possible for it to comply with all or any provision of this Chapter, exempt any aided school for a limited period, not exceeding two years, from the operation of all or any of the provisions of this Chapter.</p>	<p>The <u>Government</u> may, if <u>it</u> is satisfied that the circumstances of a school are such that it is not possible for it to comply with all or any provision of this Chapter, exempt any school for a limited period, not exceeding two years, from the operation of all or any of the provisions of this Chapter.</p>
144. Power to issue departmental instructions	<p>The Director may issue instructions with regard to any matter, not covered by this chapter, relating to admission to aided schools.</p>	<p>The Director may issue instructions with regard to any matter, not covered by this chapter, relating to admission to an aided school.</p>
145. Admission to recognised unaided schools	<p>(1) The head of every recognised unaided school shall regulate admissions to a recognised unaided school or to any class thereof either on the basis of admission test or on the basis of result in a particular class or school.</p> <p>(2) Subject to the provisions of sub-rule(1), the provisions of this chapter shall, so far as may be, apply to admission to a recognised unaided school as they apply to admissions to an aided school.</p>	<p>(1) The head of every recognised unaided school shall regulate admissions to a recognised unaided school or to any class thereof either on the basis of admission test or on the basis of result in a particular class or school.</p> <p>(2) Subject to the provisions of sub-rule(1), the provisions of this chapter shall, so far as may be, apply to admission to a recognised unaided school as they apply to admissions to an aided school.</p>

Chapter-VI

Admission to Schools and Fees

Section 17

Existing

17. Fees and other charges- (1) No aided school shall levy fee or collect any other charge or receive any other payment except those specified by the Director.

(2) Every aided school having different rates of fees or other charges or different funds shall obtain prior approval of the prescribed authority before levying such fees or collecting such charges or creating such funds.

(3) The manager of every recognised school, shall before the commencement of each academic session, file with the Director a full statement of the fees to be levied by such school during the ensuing academic session, and except with the prior approval of the Director, no such school shall charge, during that academic session, any fee in excess of the fee specified by its manager in the said statement.

Proposed:

25. Fees and other charges- (1) No aided school shall levy fee or collect any other charge or receive any other payment except those specified by the Director.

(2) Every aided school having different rates of fees or other charges or different funds shall obtain prior approval of the prescribed authority before levying such fees or collecting such charges or creating such funds.

(3) The manager of every recognised school, shall before the commencement of each academic session, file with the Director a full statement of the fees to be levied by such school during the ensuing academic session, and except with the prior approval of the Director, no such school shall charge, during that academic session, any fee in excess of the fee specified by its manager in the said statement.

26. Collection of capitation fee prohibited.- (1) No capitation fee other than the fee, shall be collected or received by or on behalf of a school or by any person who is in charge of or is responsible for the management of such school from or in relation to any child, in consideration of his admission to or continuance in or his promotion to any class, in such school.

(2) Where the Director, on receipt of any complaint or otherwise, is satisfied that the management of a school or any person in charge of it or is responsible for the management of such school, has violated the provisions of sub-section (1), it may, after conducting an enquiry, take penal action against the school or the management."

Separate legislation is proposed for regulation of fee on the lines of Tamil Nadu Schools (Regulation of Collection of fee) Act, 2009

Rules

<i>Rules</i>	<i>Existing</i>	<i>Proposed</i>
146. Admission Fees	(1) No admission fee shall be charged or collected by an aided school for admission to any class up to class VIII. (2) An admission fee of Rs. 3/- per student shall be charged and collected by the aided school for admission to any class in the	(1) No admission fee shall be charged or collected by an aided school for admission to any class up to class VIII. (2) An admission fee of Rs. 3/- per student shall be charged and collected by the aided school for admission to any class in the

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	<p>1[Secondary or Senior Secondary stages]' but where a student has already paid an admission fee, no admission fee shall be charged on his promotion to any higher class in the same school; but if he joins any other aided school that other aided school that other school may charge and collect admission fee from him.</p> <p>(3) No admission fee shall be charged or collected by an aided school from a student who is exempted from payment of tuition fees, and, only one-half of the specified admission fee shall be charged from a student who is required to pay tuition fees at the rate of one-half of the specified rate.</p>	<p>1[Secondary or Senior Secondary stages]' but where a student has already paid an admission fee, no admission fee shall be charged on his promotion to any higher class in the same school; but if he joins any other aided school that other aided school that other school may charge and collect admission fee from him.</p> <p>(3) No admission fee shall be charged or collected by an aided school from a student who is exempted from payment of tuition fees, and, only one-half of the specified admission fee shall be charged from a student who is required to pay tuition fees at the rate of one-half of the specified rate.</p>																																																												
<p>²[147. Tuition Fees</p>	<p>Subject to such alterations in the school of fees as may be made by the Director from time to time, the rate of tuition fees for all classes in aided schools shall be as following :-</p> <table border="1"> <thead> <tr> <th>Class</th> <th>Boys' School (Per month)</th> <th>Girls' School</th> </tr> </thead> <tbody> <tr> <td>I to VIII</td> <td>Nil</td> <td>Nil</td> </tr> <tr> <td>IX</td> <td>Rs. 8.00</td> <td>Rs.</td> </tr> <tr> <td>X</td> <td>Rs. 9.00</td> <td>4.00</td> </tr> <tr> <td>XI</td> <td>Rs. 10.00</td> <td>Rs.</td> </tr> <tr> <td>XII</td> <td>Rs. 11.00</td> <td>5.00</td> </tr> <tr> <td></td> <td></td> <td>Rs.</td> </tr> <tr> <td></td> <td></td> <td>6.00</td> </tr> <tr> <td></td> <td></td> <td>Rs.</td> </tr> <tr> <td></td> <td></td> <td>7.00</td> </tr> </tbody> </table>	Class	Boys' School (Per month)	Girls' School	I to VIII	Nil	Nil	IX	Rs. 8.00	Rs.	X	Rs. 9.00	4.00	XI	Rs. 10.00	Rs.	XII	Rs. 11.00	5.00			Rs.			6.00			Rs.			7.00	<p>Subject to such alterations in the school of fees as may be made by the Director from time to time, the rate of tuition fees for all classes in aided schools shall be as following :-</p> <table border="1"> <thead> <tr> <th>Class</th> <th>Boys' School (Per month)</th> <th>Girls' School</th> </tr> </thead> <tbody> <tr> <td><u>I to VIII</u></td> <td><u>Nil</u></td> <td><u>Nil</u></td> </tr> <tr> <td><u>IX</u></td> <td><u>Rs. 8.00*</u></td> <td><u>Rs.</u></td> </tr> <tr> <td><u>X</u></td> <td><u>Rs. 9.00*</u></td> <td><u>4.00*</u></td> </tr> <tr> <td><u>XI</u></td> <td><u>Rs. 10.00*</u></td> <td><u>Rs.</u></td> </tr> <tr> <td><u>XII</u></td> <td><u>Rs. 11.00*</u></td> <td><u>5.00*</u></td> </tr> <tr> <td></td> <td></td> <td><u>Rs.</u></td> </tr> <tr> <td></td> <td></td> <td><u>6.00*</u></td> </tr> <tr> <td></td> <td></td> <td><u>Rs.</u></td> </tr> <tr> <td></td> <td></td> <td><u>7.00*</u></td> </tr> </tbody> </table>	Class	Boys' School (Per month)	Girls' School	<u>I to VIII</u>	<u>Nil</u>	<u>Nil</u>	<u>IX</u>	<u>Rs. 8.00*</u>	<u>Rs.</u>	<u>X</u>	<u>Rs. 9.00*</u>	<u>4.00*</u>	<u>XI</u>	<u>Rs. 10.00*</u>	<u>Rs.</u>	<u>XII</u>	<u>Rs. 11.00*</u>	<u>5.00*</u>			<u>Rs.</u>			<u>6.00*</u>			<u>Rs.</u>			<u>7.00*</u>
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	<p>In co-educational institutions by students shall pay tuitions fee at the rates prescribed for boys in the corresponding class in the boy's school and the girl students at the rate obtaining for corresponding classes in the girl's schools :</p> <p>Provided that no tuition fee shall be charged for any class from any student who belongs to the Scheduled Caste or the Scheduled Tribe.]</p>	<p>In co-educational institutions, students shall pay tuitions fee at the rates prescribed for boys in the corresponding class in the boy's school and the girl students at the rate obtaining for corresponding classes in the girl's schools :</p> <p>Provided that no tuition fee shall be charged for any class from any student who belongs to the Scheduled Caste or the Scheduled Tribe.]</p>																																																												
<p>148. Additional fee for science, music, etc.</p>	<p>Every student of any class in the 3[Secondary or Senior Secondary stage] shall pay an additional fee of fifty paise per month for each Science or other subject requiring</p>	<p>Every student of any class in the 3[Secondary or Senior Secondary stage] shall pay an additional fee of <u>fifty paise*</u> per month for each Science or other subject requiring</p>																																																												

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	<i>practical work or for Music.</i>	<i>practical work or for Music.</i>
149. Pupil's Fund	<p>(1) Until the Administrator, by notification, otherwise directs, every school maintained or aided by Government or any local authority shall be authorised to charge from each student contribution, to the Pupils Fund :-</p> <p>(i) in any class in the Primary stage, at the rate of ⁴[forty paise] per month;</p> <p>(ii) in any class in the Middle stage, at the rage of one rupee and fifty paise per month ; and</p> <p>(iii) in the 1[Secondary or Senior stage] at the rate of rupees two per month, in addition to the fees referred to in rules 147 and 148.</p> <p>(2) The managing committee of every aided school shall prepare, before the commencement of each academic year, a budget of items as are debitable to the pupils fund and submit such budget to the Director for approval.</p> <p>(3) If the collections made by the school towards pupils fund fall short of the budgeted amount as approved by the Director, the deficiency shall be made good by the Director.</p> <p>²[(4) The amount standing to the credit of the pupil's fund shall be at the disposal of the head of the school and shall be spent in the interest of the students for various physical and co-curricular activities of the school or for purposes and in the manner specified below:-</p> <p>(a) The maximum accumulation in the pupil's fund shall not exceed one year's collections or rupees twenty thousands whichever is more. If unspent balance exceeds one year's collection or rupees twenty thousands whichever is more charging of further subscription shall be discontinued and shall be restarted when the balance is below rupees five thousands.</p> <p>(b) Prior sanction for purchase exceeding rupees five thousands out of the Pupil's Funds shall be obtained from the Director.</p> <p>(c) The Pupil's Fund account shall be maintained and operated by the head of the school. The balance shall be deposited with a branch of the State Bank of India or in a post office</p>	<p>(1) Until the Government, by notification, otherwise directs, every school maintained or aided by Government or any local authority shall be authorised to charge from each student contribution, to the Pupils Fund :-</p> <p>(i) in any class in the Primary stage, at the rate of ⁴[forty paise *] per month;</p> <p>(ii) in any class in the Middle stage, at the rage of one rupee and fifty paise* per month ; and</p> <p>(iii) in the 1[Secondary or Senior stage] at the rate of rupees two per month*, in addition to the fees referred to in rules 147 and 148.</p> <p>(2) The managing body of every aided school shall prepare, before the commencement of each academic year, a budget of items as are debitable to the pupils fund and submit such budget to the Director for approval.</p> <p>(3) If the collections made by the school towards pupils fund fall short of the budgeted amount as approved by the Director, the deficiency shall be made good by the Director.</p> <p>²[(4) The amount standing to the credit of the pupil's fund shall be at the disposal of the head of the school and shall be spent in the interest of the students for various physical and co-curricular activities of the school or for purposes and in the manner specified below:-</p> <p>(a) The maximum accumulation in the pupil's fund shall not exceed one year's collections or rupees twenty thousands whichever is more. If unspent balance exceeds one year's collection or rupees twenty thousands* whichever is more charging of further subscription shall be discontinued and shall be restarted when the balance is below rupees five thousands*.</p> <p>(b) Prior sanction for purchase exceeding rupees five thousands* out of the Pupil's Funds shall be obtained from the Director.</p> <p>(c) The Pupil's Fund account</p>

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	<p><i>Saving Bank Account or with a Co-operative Bank approved by the Registrar, Co-operative Societies, Delhi. Only in absolutely unavoidable circumstances the balance may be retained in hand.</i></p> <p><i>(d) The Pupil's Fund Accounts shall be got audited like other accounts of the school and the audit fees shall be paid out of the Pupil's Fund.</i></p> <p><i>(e) The head of the school may incur expenditure out of the Pupil's Fund broadly in accordance with G.F.R. for the welfare of the students, examinations and stationery, hobbies, reading room, scouting, Junior Red Cross, etc.]</i></p>	<p><i>shall be maintained and operated by the head of the school. The balance shall be deposited with a branch of the State Bank of India or in a post office Saving Bank Account or with a Co-operative Bank approved by the Registrar, Co-operative Societies, Delhi. Only in absolutely unavoidable circumstances the balance may be retained in hand.</i></p> <p><i>(d) The Pupil's Fund Accounts shall be got audited like other accounts of the school and the audit fees shall be paid out of the Pupil's Fund.</i></p> <p><i>(e) The head of the school may incur expenditure out of the Pupil's Fund broadly in accordance with G.F.R. for the welfare of the students, examinations and stationery, hobbies, reading room, scouting, Junior Red Cross, etc.]</i></p>
<p>150. Domestic Science and Home Science Fund</p>	<p><i>(1) Every school offering Home Science as a subject in the school may charge a Home Science fee from the girl students of the classes in the ³[Secondary and Senior Secondary stages] at the rate of fifty paise per month and the fee so collected shall be credited to a Fund, to be opened by the school and to be known as the "Home Science Fund".</i></p> <p><i>¹[(2) The money standing to the credit of Home Science Fund shall be spent from time to time by the head of the institution in the general interest of the students.]</i></p>	<p><i>(1) Every school offering Home Science as a subject in the school may charge a Home Science fee from the girl students of the classes in the ³[Secondary and Senior Secondary stages] at the rate of <u>fifty paise*</u> per month and the fee so collected shall be credited to a Fund, to be opened by the school and to be known as the "Home Science Fund".</i></p> <p><i>¹[(2) The money standing to the credit of Home Science Fund shall be spent from time to time by the head of the institution in the general interest of the students.]</i></p>
<p>151. Development Fees</p>	<p><i>(1) The managing committee of an aided school may charge, with the previous approval of the Director, a development fee from the students in order to cover expenses incurred by it in effecting special improvements on which no aid is admissible under these rules.</i></p> <p><i>(2) Development fee may be charged at such flat rate as may be specified by the Director and shall be utilised for one or more of the following purposes, namely :-</i></p> <p><i>(a) appointment of additional or more qualified teachers in excess of the number admissible under the</i></p>	<p><i>(1) The <u>managing body</u> of an aided school may charge, with the previous approval of the Director, a development fee from the students in order to cover expenses incurred by it in effecting special improvements on which no aid is admissible under these rules.</i></p> <p><i>(2) Development fee may be charged at such flat rate as may be specified by the Director and shall be utilised for one or more of the following purposes, namely :-</i></p> <p><i>(a) appointment of additional or</i></p>

*In section 6 of Part-II of Volume-I of this Report the Review Committee has suggested constituting a Committee consisting of persons of financial background to review these amounts in light of the price index.

	<p>rules relating to post-fixation or aid; (b) provision for teaching of special subjects approved by the Director for which no aid is admissible under these rules; (c) purchases of any special teaching or audio visuals aids and other equipments which are not possessed by the school; (d) provision of special amenities to students, such as, additional fans, supply of cool drinking water, provision of materials for hobbies, craft and medical aid. (3) Where any development fee is levied to meet the pay and allowances of additional or more qualified teachers, such teachers shall be appointed on ad hoc basis and shall have no claim whatsoever for regular appointment, seniority or benefits of provident fund, pension gratuity or any other benefit admissible to the regular teachers of the school : Provided that such teachers may apply for regular appointment as and when a regular vacancy arises in the school. (4) Where any such teacher is selected for regular appointment, such appointment shall have effect from the date of the regular appointment and not from the date from which such teacher is working in the school as a teacher paid from the development fee. (5) Appointment of teachers who are paid from the development fee shall be subject to these rules is so far as they relate to the appointment of regular teachers in the school.</p>	<p>more qualified teachers in excess of the number admissible under the rules relating to post-fixation or aid; (b) provision for teaching of special subjects approved by the Director for which no aid is admissible under these rules; (c) purchases of any special teaching or audio visuals aids and other equipments which are not possessed by the school; (d) provision of special amenities to students, such as, additional fans, supply of cool drinking water, provision of materials for hobbies, craft and medical aid. (3) Where any development fee is levied to meet the pay and allowances of additional or more qualified teachers, such teachers shall be appointed on ad hoc basis and shall have no claim whatsoever for regular appointment, seniority or benefits of provident fund, pension gratuity or any other benefit admissible to the regular teachers of the school : Provided that such teachers may apply for regular appointment as and when a regular vacancy arises in the school. (4) Where any such teacher is selected for regular appointment, such appointment shall have effect from the date of the regular appointment and not from the date from which such teacher is working in the school as a teacher paid from the development fee. (5) Appointment of teachers who are paid from the development fee shall be subject to these rules is so far as they relate to the appointment of regular teachers in the school.</p>
<p>152. Separate accounts for Development Fee</p>	<p>The managing committee of an aided school levying development fee shall maintain a separate account of the development fee levied and collected by it and such separate account shall be open to inspection or audit at any time by the Director or any officer authorised by him in this behalf or by the Accountant General, Central Revenues.</p>	<p>The managing body of an aided school levying development fee shall maintain a separate account of the development fee levied and collected by it and such separate account shall be open to inspection or audit at any time by the Director or any officer authorised by him in this behalf or by the Accountant General, Central Revenues.</p>
<p>153. Utilisation of Development Fee</p>	<p>Development fee shall be utilised exclusively for the purpose for which it is levied and collected and shall, in</p>	<p>Development fee shall be utilised exclusively for the purpose for which it is levied and collected</p>

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	<i>on circumstances whatsoever, be used for meeting the managing committee's share of expenditure on the maintenance of the school.</i>	<i>and shall, in on circumstances whatsoever, be used for meeting the managing body's share of expenditure on the maintenance of the school.</i>
154. Ban on the levy of unauthorised fees or fund	<i>No fee, fund or contribution, other than those specified by these rules, or permitted by the Director in writing, shall be charged by any aided school.</i>	<i>No fee, fund or contribution, other than those specified by these rules, or permitted by the Director in writing, shall be charged by any aided school.</i>
155. Donations not to be levied compulsorily	<i>(1) No aided school shall levy or collect any donation compulsorily from any student or any parent or guardian of any student. (2) No aided school shall collect any donation through its student or any parent or guardian of any student. (3) Voluntary donations collected by the managing committee of an aided school shall be accounted for separately and may, at the discretion of the managing committee, be utilised for meeting the managing committee's share of the expenses referred to in sub-section (2) of section 10. (4) In computing the grant-in-aid, voluntary donations collected by the managing committee of an aided school not be taken into account.</i>	<i>(1) No aided school shall levy or collect any donation compulsorily from any student or any parent or guardian of any student. (2) No aided school shall collect any donation through its student or any parent or guardian of any student. (3) Voluntary donations collected by the managing body of an aided school shall be accounted for separately and may, at the discretion of the managing body, be utilised for meeting the managing body's share of the expenses referred to in sub-section (2) of section 10. (4) In computing the grant-in-aid, voluntary donations collected by the managing body of an aided school not be taken into account.</i>
156. Collection of fees or donation with the approval of the Director	<i>(1) The managing committee of an aided school may, with the previous approval of the Director, also invite voluntary contributions from the parents or guardians of the construction of any building for the school or its hotel ¹[or for the extension of such building or hotel. (2) No appeal for any such contribution as is referred to in sub-rule (1) shall be made at the time when admissions are made to the concerned school or when results are declared by the school.</i>	<i>(1) The managing body of an aided school may, with the previous approval of the Director, also invite voluntary contributions from the parents or guardians of the construction of any building for the school or its hotel ¹[or for the extension of such building or hotel. (2) No appeal for any such contribution as is referred to in sub-rule (1) shall be made at the time when admissions are made to the concerned school or when results are declared by the school.</i>
157. Definition of fees	<i>In this Part, the expression "fees" includes science fee, music fee or any other fee which may be levied and collected from a student.</i>	<i>In this Part, the expression "fees" includes science fee, music fee or any other fee which may be levied and collected from a student.</i>
158. Fee Concession	<i>(1) The head of the school may exempt deserving students, whose parents or guardians are not financially solvent to pay the fees specified by these rules, from payment of the whole or one-half of such fees for a period of twelve months commencing from the 1st day of May of each year or from the date of admission of the child or ward, whichever is later, and such exemption shall be regulated in the</i>	<i>(1) The head of the school may exempt deserving students, whose parents or guardians are not financially solvent to pay the fees specified by these rules, from payment of the whole or one-half of such fees for a period of twelve months commencing from the 1st day of May of each year or from the date of admission of the child or ward, whichever is later, and such exemption shall be regulated</i>

	<p>manner specified in sub-rule (3).</p> <p>(2) Exemption made to any student under sub-rule (1) shall, so long as the conditions for eligibility for exemption are fulfilled and the student continues in the school, be renewed from year to year.</p> <p>(3) Up to a limit of twenty per cent of the total number of students on the rolls of the school in all the classes in the ¹[Secondary or Senior Secondary stage] as on the 7th day of May of the year may be exempted from the payment of the whole or one half of the fees, and where any student in admitted after the 7th day of May but before the 31st day of the August of that year, up to a limit of twenty per cent of the students so admitted may be exempted from the payment of the whole or one-half of the fees.</p> <p>(4) The proportion of the students receiving exemption from the payment of the whole or one-half of the fees may be varied in any of classes in the ¹[Secondary or Senior Secondary stage] at the discretion of the head of the school, so however, that the number of students enjoying exemption from payment of the whole of the fee shall not exceed fifteen per cent of the students at any time of the year.</p> <p>(5) The percentage of the students receiving exemption from payment of the fee shall be calculated on the total number of students in all the classes in the ¹[Secondary or Senior Secondary stage] reduced by the number of students granted exemption from payment of fee under the provision relating to :-</p> <p>(a) the concessions to students belonging to the Scheduled Castes or Scheduled Tribes;</p> <p>(b) students having brothers or sisters studying in the same school or a school under the same management;</p> <p>(c) students who are wards of teachers.</p> <p>(6) In calculating the number of exemptions, the fraction of one-half or more shall be treated as one.</p> <p>(7) The number of exemptions from payment of the fee shall not be altered during the year except where, owing to the departure from the school of any student enjoying exemption, a vacancy arises, it shall be permissible to pass on the</p>	<p>in the manner specified in sub-rule (3).</p> <p>(2) Exemption made to any student under sub-rule (1) shall, so long as the conditions for eligibility for exemption are fulfilled and the student continues in the school, be renewed from year to year.</p> <p>(3) Up to a limit of twenty per cent of the total number of students on the rolls of the school in all the classes in the ¹[Secondary or Senior Secondary stage] as on the 7th day of May of the year may be exempted from the payment of the whole or one half of the fees, and where any student in admitted after the 7th day of May but before the 31st day of the August of that year, up to a limit of twenty per cent of the students so admitted may be exempted from the payment of the whole or one-half of the fees.</p> <p>(4) The proportion of the students receiving exemption from the payment of the whole or one-half of the fees may be varied in any of classes in the ¹[Secondary or Senior Secondary stage] at the discretion of the head of the school, so however, that the number of students enjoying exemption from payment of the whole of the fee shall not exceed fifteen per cent of the students at any time of the year.</p> <p>(5) The percentage of the students receiving exemption from payment of the fee shall be calculated on the total number of students in all the classes in the ¹[Secondary or Senior Secondary stage] reduced by the number of students granted exemption from payment of fee under the provision relating to :-</p> <p>(a) the concessions to students belonging to the Scheduled Castes or Scheduled Tribes;</p> <p>(b) students having brothers or sisters studying in the same school or a school under the same management;</p> <p>(c) students who are wards of teachers.</p> <p>(6) In calculating the number of exemptions, the fraction of one-half or more shall be treated as one.</p> <p>(7) The number of exemptions</p>
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	<p><i>exemption enjoyed by the student so departing, to any other deserving student of the school.</i></p> <p><i>(8) Where the number of students eligible for receiving exemption from payment of fee is in excess or the number of students to whom exemption is admissible under these rules, the exemption shall be made in order of merit on the basis of the results of the immediately previous annual examination or, if necessary, on the basis of a special competitive examination held to determine the order of merit of the eligible students.</i></p>	<p><i>from payment of the fee shall not be altered during the year except where, owing to the departure from the school of any student enjoying exemption, a vacancy arises, it shall be permissible to pass on the exemption enjoyed by the student so departing, to any other deserving student of the school.</i></p> <p><i>(8) Where the number of students eligible for receiving exemption from payment of fee is in excess or the number of students to whom exemption is admissible under these rules, the exemption shall be made in order of merit on the basis of the results of the immediately previous annual examination or, if necessary, on the basis of a special competitive examination held to determine the order of merit of the eligible students.</i></p>
<p>159. Brothers' and sisters' concession</p>	<p><i>(1) When two or more full brothers or sisters or step-brothers or step-sisters are studying in the same Government or aided school in Delhi, the brother or sister, as the case may be, in the higher class shall pay the specified fee at the full rates and other brothers or sisters shall pay fees at one-half of the specified rates.</i></p> <p><i>Explanation- If two or more brothers or sisters are studying in the same class, the specified fee shall be paid by the elder brother or sister at full rates, and at one-half of the rates by the others.</i></p> <p><i>(2) Where any exemption from fee in claimed in any Government or aided school by any parent or guardian on the ground that other children or wards of such parents or guardians are studying in any other Government school, or aided school, the head of the school, in which such exemption is sought, shall, before making any exemption from the payment of fees, obtain a declaration from such parent or guardian to the effect that his other children or wards are studying in other Government school or aided school and no effect shall be given to such declaration unless it is countersigned by the head of the other Government school or aided school.</i></p>	<p><i>(1) When two or more full brothers or sisters or step-brothers or step-sisters are studying in the same Government or aided school in Delhi, the brother or sister, as the case may be, in the higher class shall pay the specified fee at the full rates and other brothers or sisters shall pay fees at one-half of the specified rates.</i></p> <p><i>Explanation- If two or more brothers or sisters are studying in the same class, the specified fee shall be paid by the elder brother or sister at full rates, and at one-half of the rates by the others.</i></p> <p><i>(2) Where any exemption from fee in claimed in any Government or aided school by any parent or guardian on the ground that other children or wards of such parents or guardians are studying in any other Government school, or aided school, the head of the school, in which such exemption is sought, shall, before making any exemption from the payment of fees, obtain a declaration from such parent or guardian to the effect that his other children or wards are studying in other Government school or aided school and no effect shall be given to such declaration unless it is countersigned by the head of the other Government school or aided school.</i></p>

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<p>160. Concession to children or wards of employees</p>	<p>(1) No fee shall be charged from the children or wards of the employees of an aided school. (2) No fee shall also be charged from the children of the employees of the aided school who have retired from service or have died.</p>	<p>(1) No fee shall be charged from the children or wards of the employees of an aided school. (2) No fee shall also be charged from the children of the employees of the aided school who have retired from service or have died.</p>
<p>161. Withdrawal of exemption</p>	<p>Any exemption from the payment of fee granted to a student under these rules may be withdrawn on the ground of his misconduct, irregular attendance or failure at the annual examination.</p>	<p>Any exemption from the payment of fee granted to a student under these rules may be withdrawn on the ground of his misconduct, irregular attendance or failure at the annual examination.</p>
<p>162. Contributions to Pupils' Fund not to be exempted</p>	<p>(1) Any student, who is exempted from payment of any fee, whether in full or in part, shall not be exempted from contributing to the Pupils' Fund. (2) Nothing in sub-rule (1) shall apply to students belonging to the Scheduled Castes or Scheduled Tribes.</p>	<p>(1) Any student, who is exempted from payment of any fee, whether in full or in part, shall not be exempted from contributing to the Pupils' Fund. (2) Nothing in sub-rule (1) shall apply to students belonging to the Scheduled Castes or Scheduled Tribes.</p>
<p>163. Scholarship holders not eligible for any fee concession</p>	<p>(1) Students who hold scholarships shall not be eligible for exemption from the payment of any fee except where such exemption becomes necessary in the very special circumstances of the case, and in such a case no such exemption shall be made except with the previous sanction of the Director. (2) Nothing in sub-rule (1) shall apply to students belonging to the Scheduled Castes or Scheduled Tribes.</p>	<p>(1) Students who hold scholarships shall not be eligible for exemption from the payment of any fee except where such exemption becomes necessary in the very special circumstances of the case, and in such a case no such exemption shall be made except with the previous sanction of the Director. (2) Nothing in sub-rule (1) shall apply to students belonging to the Scheduled Castes or Scheduled Tribes.</p>
<p>164. Fees payable for twelve months</p>	<p>All fees and funds shall be charged for a full period of twelve months, from the students at the rates specified in these rules except in the following cases, namely:- (a) a student, who has been expelled or rusticated during a session shall not be required to pay fees and funds beyond the month in which he was expelled or rusticated; (b) in the case of re-admission of a student to the school last attended or in any other school, fee shall be payable from the month from which he had left school in the same session; (c) a second fee for the same month shall not be charged from a student on transfer from one Government or aided school to another Government or aided school: Provided that he gives proof of payment of fees and funds in the former school.</p>	<p>All fees and funds shall be charged for a full period of twelve months, from the students at the rates specified in these rules except in the following cases, namely:- (a) a student, who has been expelled or rusticated during a session shall not be required to pay fees and funds beyond the month in which he was expelled or rusticated; (b) in the case of re-admission of a student to the school last attended or in any other school, fee shall be payable from the month from which he had left school in the same session; (c) a second fee for the same month shall not be charged from a student on transfer from one Government or aided school to another Government or aided school: Provided that he gives proof of</p>

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		<i>payment of fees and funds in the former school.</i>
165. Last date for payment of fees and contributions	<p>All fees and contributions payable to a school by a student shall be payable by the 10th day of the month in which they are due :</p> <p>Provided that where the school remains closed on the 10th day of the month, such fees of contributions shall be payable on the date following the 10th day on which the school reopens :</p> <p>Provided further that where the school remains closed for the long vacation, fees and contributions shall be payable within ten days from the day on which the school re-opens after the long vacation.</p>	<p>All fees and contributions payable to a school by a student shall be payable by the 10th day of the month in which they are due :</p> <p>Provided that where the school remains closed on the 10th day of the month, such fees of contributions shall be payable on the date following the 10th day on which the school reopens :</p> <p>Provided further that where the school remains closed for the long vacation, fees and contributions shall be payable within ten days from the day on which the school re-opens after the long vacation.</p>
166. Fine for late payment of fees, etc.	<p>(1) A fine for late payment of the fees or contributions due to a school shall be charged from the student at the rate of five paise for every day, after the 10th, for which the default continues.</p> <p>(2) The head of the school may, if satisfied that the delay in payment of the fees or contributions was unavoidable, remit the whole or any part of the fine referred to in sub-rule (1).</p>	<p>(1) A fine for late payment of the fees or contributions due to a school shall be charged from the student at the rate of <u>five paise*</u> for every day, after the 10th, for which the default continues.</p> <p>(2) The head of the school may, if satisfied that the delay in payment of the fees or contributions was unavoidable, remit the whole or any part of the fine referred to in sub-rule (1).</p>
167. Name of the student to be struck off for non-payment of fees and contributions	<p>If a student omits or fails to pay the fees and contributions due to a school together with the fine due thereon by the last working day of the month in which they are due, his name shall be struck off the rolls of the school on the last working day of the month and may be re-admitted on payment of all school dues including fresh admission fee:</p> <p>Provided that in the case of non-payment of fees for the month of May in which the school closes in the middle of the month for long vacation, the name of the student shall be struck off on the last working day of the month of July, if the fees remains unpaid up to that day.</p>	<p>If a student omits or fails to pay the fees and contributions due to a school together with the fine due thereon by the last working day of the month in which they are due, his name shall be struck off the rolls of the school on the last working day of the month and may be re-admitted on payment of all school dues including fresh admission fee:</p> <p>Provided that in the case of non-payment of fees for the month of May in which the school closes in the middle of the month for long vacation, the name of the student shall be struck off on the last working day of the month of July, if the fees remains unpaid up to that day.</p>
168. Receipt to be granted for collection of fees and contributions	<p>(1) A printed receipt, in the form specified by the Director, shall be granted to a student for every fee or contribution collected by the school.</p> <p>(2) The head of every aided school shall authorise one or more of the employees of the school to collect fees and contributions from the</p>	<p>(1) A printed receipt, in the form specified by the Director, shall be granted to a student for every fee or contribution collected by the school.</p> <p>(2) The head of every aided school shall authorise one or more of the employees of the</p>

*In section 6 of Part-II of Volume-I of this Report the Review Committee has suggested constituting a Committee consisting of persons of financial background to review these amounts in light of the price index.

	<p><i>students and the receipt referred to in sub-rule (1) shall be given and signed by the person so authorised.</i></p> <p><i>(3) Every employee collecting any fee or contribution from a student shall, immediately after such collection, enter the particulars of such collection in the attendance register of the class.</i></p>	<p><i>school to collect fees and contributions from the students and the receipt referred to in sub-rule (1) shall be given and signed by the person so authorised.</i></p> <p><i>(3) Every employee collecting any fee or contribution from a student shall, immediately after such collection, enter the particulars of such collection in the attendance register of the class.</i></p>
169. Collected amount to be deposited on the same day	<p><i>(1) Every employee collecting any fee or contribution shall deposit the amount collected by him with the cashier of the school by whatever name called, on the same day on which the collections are made and it shall be the duty of the cashier to enter the amount so received, immediately in the fee collection register and thereafter in the cash book and to append his initials thereto for the amount received.</i></p> <p><i>(2) The attendance register, fee collection register and the cash book shall be submitted by the cashier to the head of the school for comparison and the need of the school shall after verification, countersign the entries in those registers.</i></p>	<p><i>(1) Every employee collecting any fee or contribution shall deposit the amount collected by him with the cashier of the school by whatever name called, on the same day on which the collections are made and it shall be the duty of the cashier to enter the amount so received, immediately in the fee collection register and thereafter in the cash book and to append his initials thereto for the amount received.</i></p> <p><i>(2) The attendance register, fee collection register and the cash book shall be submitted by the cashier to the head of the school for comparison and the need of the school shall after verification, countersign the entries in those registers.</i></p>
170. Maintenance of accounts of fees and contributions	<p><i>Accounts of fees and contributions collected by a school shall be maintained at the office of the school in accordance with the Government rules for the maintenance of public accounts and such accounts shall be liable to be inspected by the Director or any person authorised by him in this behalf and also by an officer from the office of the Accountant General, Central Revenues.</i></p>	<p><i>Accounts of fees and contributions collected by a school shall be maintained at the office of the school in accordance with the Government rules for the maintenance of public accounts and such accounts shall be liable to be inspected by the Director or any person authorised by him in this behalf and also by an officer from the office of the Accountant General, Central Revenues.</i></p>
171. Pupil's Fund Advisory Committee	<p><i>(1) The administration and expenditure of the Pupils' Fund ¹[in all recognised school] shall vest in the head of the school, who shall be assisted and advised by a committee, to be called the "Pupils' Fund Advisory Committee".</i></p> <p><i>(2) The Pupils' Fund Advisory shall consist of:-</i></p> <p><i>(a) the head of the school;</i></p> <p><i>(b) at least two teachers employed in the school to be nominated by the head of the school;</i></p> <p><i>(c) two students of the classes in the ²[Secondary and Senior Secondary stage], to be nominated by the head of the school.</i></p> <p><i>(3) One of the teacher members of</i></p>	<p><i>(1) The administration and expenditure of the Pupils' Fund ¹[in all recognised school] shall vest in the head of the school, who shall be assisted and advised by a committee, to be called the "Pupils' Fund Advisory Committee".</i></p> <p><i>(2) The Pupils' Fund Advisory shall consist of:-</i></p> <p><i>(a) the head of the school;</i></p> <p><i>(b) at least two teachers employed in the school to be nominated by the head of the school;</i></p> <p><i>(c) two students of the classes in the ²[Secondary and Senior Secondary stage], to be nominated by the head of the</i></p>

	<p><i>the Pupil's Fund Advisory Committee shall function as the secretary of the Committee and shall maintain the minutes of the decisions taken at the meetings of the Committee in a properly maintained Minutes Book.</i></p> <p><i>(4) The Minutes Book of the Pupils' Fund Advisory Committee shall be liable to inspection by the Director or any officer authorised by any officer of the office of the Accountant General, Central Revenues.</i></p> <p><i>(5) The function of the Pupils' Fund Advisory Committee shall be,-</i></p> <p><i>(a) to discuss and pass budget for expenditure from the Fund;</i></p> <p><i>(b) to deal with all other matters relating to the proper utilisation of the Pupils' Fund.</i></p> <p><i>(6) The Pupils' Fund Advisory Committee may also give advice with regard to –</i></p> <p><i>(a) application from the students, parents or guardians for exemption from the payment of any fee subject to such limit, as may be specified by the Director, or</i></p> <p><i>(b) any other matter which may be referred to it by the head of the school.</i></p>	<p><i>school.</i></p> <p><i>(3) One of the teacher members of the Pupil's Fund Advisory Committee shall function as the secretary of the Committee and shall maintain the minutes of the decisions taken at the meetings of the Committee in a properly maintained Minutes Book.</i></p> <p><i>(4) The Minutes Book of the Pupils' Fund Advisory Committee shall be liable to inspection by the Director or any officer authorised by any officer of the office of the Accountant General, Central Revenues.</i></p> <p><i>(5) The function of the Pupils' Fund Advisory Committee shall be,-</i></p> <p><i>(a) to discuss and pass budget for expenditure from the Fund;</i></p> <p><i>(b) to deal with all other matters relating to the proper utilisation of the Pupils' Fund.</i></p> <p><i>(6) The Pupils' Fund Advisory Committee may also give advice with regard to –</i></p> <p><i>(a) application from the students, parents or guardians for exemption from the payment of any fee subject to such limit, as may be specified by the Director, or</i></p> <p><i>(b) any other matter which may be referred to it by the head of the school.</i></p>
<p>172. Trust or society not to collect fees, etc. Schools to grant receipts for fees, etc., collected by it</p>	<p><i>(1) No fee, contribution or other charge shall be collected from any student by the trust or society running any recognised school ; whether aided or not.</i></p> <p><i>(2) Every fee, contribution or other charge collected from any student by a recognised school, whether aided or not, shall be collected in its own name and a proper receipt shall be granted by the school for every collection made by it.</i></p>	<p><i>(1) No fee, contribution or other charge shall be collected from any student by the trust or society running any recognised school; whether aided or not.</i></p> <p><i>(2) Every fee, contribution or other charge collected from any student by a recognised school, whether aided or not, shall be collected in its own name and a proper receipt shall be granted by the school for every collection made by it.</i></p>

Chapter-VI Admission to Schools and Fees

Section 18.

Existing

18. School Fund- (1) In every aided school, there shall be a fund, to be called the "School Fund" and there shall be credited thereto-

- (a) any aid granted by the Administrator,
- (b) income accruing to the school by way of fees, charges or other payments, and
- (c) any other contributions, endowments and the like.

(2) The School Fund and all other fund, including the Pupils' Funds, established with the approval of the Administrator, shall be accounted for and operated in accordance with the rules made under this Act.

(3) In every recognised unaided school, there shall be a fund, to be called the "Recognised Unaided School Fund", and there shall be credited thereto income accruing to the school by way of-

- a) fees,
- b) any charges and payments which may be realised by the school for other specific purposes, and
- c) any other contributions, endowments, gifts and the like.

(4) (a) Income derived by unaided schools by way of fees shall be utilized only for such educational purposes as may be prescribed; and

(b) Charges and payments realised and all other contributions, endowments and gifts received by the school shall be utilised only for the specific purpose for which they were realised or received.

(5) The managing committee of every recognised private school shall file every year with the Director such duly audited financial and other returns as may be prescribed, and every such return shall be audited by such authority as may be prescribed.

Proposed:

27. School Fund- (1) In every aided school, there shall be a fund, to be called the "School Fund" and there shall be credited thereto-

- (a) any aid granted by the **Government**,
- (b) income accruing to the school by way of fees, charges or other payments, and
- (c) any other contributions, endowments and the like.

(2) The School Fund and all other fund, including the Pupils' Funds, established with the approval of the **Government**, shall be accounted for and operated in accordance with the rules made under this Act.

(3) In every private school, there shall be a fund, to be called the "Private School Fund", and there shall be credited thereto income accruing to the school by way of-

- a) fees,
- b) any charges and payments which may be realised by the school for other specific purposes, and
- c) any other contributions, endowments, gifts and the like.

(4) The income derived by unaided schools by way of fees shall be utilized only for such educational purposes as may be prescribed; and

(5) The charges and payments realised and all other contributions, endowments and gifts received by the school shall be utilised only for the specific purpose for which they were realised or received.

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(6) The **Managing body** of every recognised private school shall file every year with the Director such duly audited financial and other returns **in such manner and in such forms** as may be prescribed, and every such return shall be audited by such authority as may be prescribed.

(7) Notwithstanding anything contained in sub-section (6), the Director may require the managing body of every recognised school, to file, in addition to the returns required to be filed under sub-section (6), the returns in such electronic forms from such date and within such time and in such manner as may be prescribed.

Rules

Rules	Existing	Proposed
173. School fund how to be maintained	<p>(1) Every School Fund shall be kept deposited in a nationalised bank or a scheduled bank or any post office in the name of the school.</p> <p>(2) Such part of the School Fund as may be approved by the Administrator, or any officer authorised by him in this behalf, may be kept in the form the Government securities.</p> <p>(3) The Administrator may allow such part of the School Fund as he may specify in the case of each school, (depending upon the size and needs of the school) to be kept as cash in hand.</p> <p>(4) Every Recognised Unaided School Fund shall be kept deposited in a nationalised bank or a scheduled bank or in a post office in the name of the school, and such part of the said Fund as may be specified by the Administrator or any officer authorised by him in this behalf shall be kept in the form of Government securities and as cash in hand respectively: <i>Provided that in the case of an unaided minority school, the proportion of such Fund which may be kept in the form of Government securities or as cash in hand shall be determined by the managing committee of such school.</i></p>	<p>(1) Every School Fund shall be kept deposited in a nationalised bank or a scheduled bank or any post office in the name of the school.</p> <p>(2) Such part of the School Fund as may be approved by the Government, or any officer authorised by him in this behalf, may be kept in the form the Government securities.</p> <p>(3) The Government may allow such part of the School Fund as he may specify in the case of each school, (depending upon the size and needs of the school) to be kept as cash in hand.</p> <p>(4) Every Recognised Unaided School Fund shall be kept deposited in a nationalised bank or a scheduled bank or in a post office in the name of the school, and such part of the said Fund as may be specified by the Government or any officer authorised by him in this behalf shall be kept in the form of Government securities and as cash in hand respectively: <i>Provided that in the case of an unaided minority school, the proportion of such Fund which may be kept in the form of Government securities or as cash in hand shall be determined by the managing body of such school.</i></p>
174. Withdrawal from School Fund	<p>Withdrawals from the School Fund or Recognised Unaided School Fund, as the case may be, shall be made jointly by the head of school and the manager of such school, or jointly by the head of the school and by any duly authorised member of the managing committee, where the head of the school is also the manager of the school.</p>	<p>Withdrawals from the School Fund or Recognised Unaided School Fund, as the case may be, shall be made jointly by the head of school and the manager of such school, or jointly by the head of the school and by any duly authorised member of the managing body, where the head of the school is also the manager of the school.</p>
175. Accounts of the school how to be maintained	<p>The accounts with regard to the School Fund or the Recognised Unaided School Fund, as the case may be, shall be so maintained as to exhibit, clearly the</p>	<p>The accounts with regard to the School Fund or the Recognised Unaided School Fund, as the case may be, shall be so maintained as to</p>

	<i>income accruing to the school by way of fees, fines, income from building rent, interest, development fees, collections for specific purposes, endowments, gifts, donations, contributions to Pupils' Fund and other miscellaneous receipts, and also, in the case of aided schools, the aid received from the Administrator.</i>	<i>exhibit, clearly the income accruing to the school by way of fees, fines, income from building rent, interest, development fees, collections for specific purposes, endowments, gifts, donations, contributions to Pupils' Fund and other miscellaneous receipts, and also, in the case of aided schools, the aid received from the Government.</i>
176. Collection for specific purposes to be spent for that purpose	<i>Income derived from collections for specific purposes shall be spent only for such purpose.</i>	<i>Income derived from collections for specific purposes shall be spent only for such purpose.</i>
177. Fees realised by unaided recognised schools how to be utilised	<p><i>(1) Income derived by an unaided recognised schools by way of fees shall be utilised in the first instance, for meeting the pay, allowances and other benefits admissible to the employees of the school :</i></p> <p><i>Provided that savings, if any from the fees collected by such school may be utilised by its managing committee for meeting capital or contingent expenditure of the school, or for one or more of the following educational purposes, namely :-</i></p> <p><i>(a) award of scholarships to students;</i></p> <p><i>(b) establishment of any other recognised school, or</i></p> <p><i>(c) assisting any other school or educational institution, not being a college, under the management of the same society or trust by which the first mentioned school is run.</i></p> <p><i>(2) The savings referred to in sub-rule (1) shall be arrived at after providing for the following, namely :-</i></p> <p><i>(a) pension, gratuity and other specified retirement and other benefits admissible to the employees of the school;</i></p> <p><i>(b) the needed expansion of the school or any expenditure of a developmental nature;</i></p> <p><i>(c) the expansion of the school building or for the expansion or construction of any building or establishment of hostel or expansion of hostel accommodation;</i></p> <p><i>(d) co-curricular activities of the students;</i></p> <p><i>(e) reasonable reserve fund, not being less than ten per cent, of such savings.</i></p> <p><i>(3) Funds collected for specific purposes, like sports, co-curricular activities, subscriptions for excursions or subscriptions for magazine, and annual charges, by whatever name called, shall be spent solely for the exclusive benefit of the students of the concerned school and shall not be included in the savings referred to in sub-rule (2).</i></p> <p><i>(4) The collections referred to in sub-rule</i></p>	<p><i>(1) Income derived by an unaided recognised schools by way of fees shall be utilised in the first instance, for meeting the pay, allowances and other benefits admissible to the employees of the school :</i></p> <p><i>Provided that savings, if any from the fees collected by such school may be utilised by its managing body for meeting capital or contingent expenditure of the school, or for one or more of the following educational purposes, namely :-</i></p> <p><i>(a) award of scholarships to students;</i></p> <p><i>(b) establishment of any other recognised school, or</i></p> <p><i>(c) assisting any other school or educational institution, not being a college, under the management of the same society or trust by which the first mentioned school is run.</i></p> <p><i>(2) The savings referred to in sub-rule (1) shall be arrived at after providing for the following, namely :-</i></p> <p><i>(a) pension, gratuity and other specified retirement and other benefits admissible to the employees of the school;</i></p> <p><i>(b) the needed expansion of the school or any expenditure of a developmental nature;</i></p> <p><i>(c) the expansion of the school building or for the expansion or construction of any building or establishment of hostel or expansion of hostel accommodation;</i></p> <p><i>(d) co-curricular activities of the students;</i></p> <p><i>(e) reasonable reserve fund, not being less than ten per cent, of such savings.</i></p> <p><i>(3) Funds collected for specific purposes, like sports, co-curricular activities, subscriptions for excursions or subscriptions for magazine, and annual charges, by</i></p>

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	(3) shall be administered in the same manner as the monies standing to the credit of the Pupils Fund as administered.	whatever name called, shall be spent solely for the exclusive benefit of the students of the concerned school and shall not be included in the savings referred to in sub-rule (2). (4) The collections referred to in sub-rule (3) shall be administered in the same manner as the monies standing to the credit of the Pupils Fund as administered.
178. Amount received for scholarships to be spent for that purpose	Every amount received by the managing committee of any school, whether aided or not, for payment of scholarships to the students shall be utilised solely for payment of such scholarships and proper receipts shall be obtained from the students to whom scholarships are paid and shall be preserved by the managing committee for the inspection of the Director or any officer authorised by him in this behalf.	Every amount received by the <u>managing body</u> of any school, whether aided or not, for payment of scholarships to the students shall be utilised solely for payment of such scholarships and proper receipts shall be obtained from the students to whom scholarships are paid and shall be preserved by the <u>managing body</u> for the inspection of the Director or any officer authorised by him in this behalf.
179. Aided schools to keep accounts of all income	(1) Every aided school shall keep accounts of income from all sources and of all expenditure in the form in which such accounts are maintained immediately before the commencement of these rules. (2) The accounts of the school shall be open to inspection by the auditors and inspecting officers authorised by the Director, and also by any officer authorised by the Comptroller and Auditor General of India.	(1) Every aided school shall keep accounts of income from all sources and of all expenditure in the form in which such accounts are maintained immediately before the commencement of these rules. (2) The accounts of the school shall be open to inspection by the auditors and inspecting officers authorised by the Director, and also by any officer authorised by the Comptroller and Auditor General of India.
180. Unaided recognised schools to submit returns	(1) Every unaided recognised private school shall submit returns and documents in accordance with Appendix II. (2) Every return or documents referred to in sub-rule (1), shall be submitted to the Director by the 31 st day of July of each year. (3) The account and other records maintained by an unaided private school shall be subject to examination by the auditors and inspecting officers authorised by the Director in this behalf and also by any officers authorised by the Comptroller and Auditor General of India.	(1) Every unaided recognised private school shall submit returns and documents in accordance with Appendix II <u>and Form-VI* duly audited by the chartered accountant empanelled and authorised by the Director in such manner as may be specified by the Director.</u> (2) Every return or documents referred to in sub-rule (1), shall be submitted to the Director by the 31 st day of July of each year. (3) The account and other records maintained by an unaided private school shall be subject to examination by the auditors and inspecting officers authorised by the Director in this behalf and also by any officers authorised by the Comptroller and Auditor General of India.

* Proposed Form-VI is annexed in Volume-III of this report as Annexure-14

Chapter VI Admission to Schools and Fees

Section 19

Existing:

19. Affiliations- (1) For the purpose of any public examination every recognised higher secondary school shall be affiliated to one or more of the Boards or Council conducting such examination and shall fulfil the conditions specified by the Board or Council in this behalf.

(2) The students of recognised higher secondary schools shall be prepared for, and presented to, the public examinations or such other form of evaluation held or made for the students of such schools.

(3) The students of every recognised middle school shall be prepared for, and presented to such public examination as may be held by the Directorate of Education, Delhi, for the students of such schools.

(4) Every student of a recognised primary school shall be prepared for, and presented to, the public examination held by a local authority competent to hold such examination for the students of such schools.

Proposed:

28. Affiliations- (1) For the purpose of any public examination every secondary and senior secondary school shall be affiliated to one or more of the Boards or Council conducting such examination and shall fulfil the conditions specified by the Board or Council in this behalf.

(2) The students of secondary and senior secondary schools shall be prepared for, and presented to, the public examinations or such other form of evaluation held or made for the students of such schools.

(3) and (4) ...omitted

No Rules in the Chapter

Chapter-VII

Taking over the management of schools

Section 20

Existing:

20. Taking over the management of schools- (1) Whenever the Administrator is satisfied that the managing committee or manager of any school, whether recognised or not, has neglected to perform any of the duties imposed on it by or under this Act or any rule made thereunder and that it is expedient in the interests of school education to take over the management of such school, he may, after giving the managing committee or the manager of such school, a reasonable opportunity of showing cause against the proposed action, take over the management of such school for a limited period not exceeding three years :

Provided that where the management of a school has been taken over for a period of three years or less, the Administrator may, if he is of opinion that in order to secure proper management of the school it is expedient that such management should continue to be in force after the expiry of the said limited period, he may, from time to time, issue directions for the continuance management of such management for such period not exceeding one year at a time as he may think fit, so however, that the total period for which such management is taken over shall not, in any case, exceed five years.

(2) Whenever the management of any school is taken over under sub-section (1), every person in charge of the management of such school immediately before its management is taken over, shall deliver possession of the school property to the Administrator or any officer authorised by him in this behalf.

(3) After taking over the management of any school under this section, the Administrator may arrange to manage the school through the Director or any other person authorised by the Director in this behalf (hereinafter referred to as the "authorised officer").

(4) Where the management of any school has been taken over under sub-section (1), the managing committee or manager of such school may, within three months from the date of taking over, appeal to the Administrator, who may after considering the representation made by the managing committee or the manager, pass such orders, including an order for the restorations of the management or for the reduction of the period during which the management of such school shall remain vested in the Administrator, as he may deem fit.

(5) Where the management of a school has been taken over under section, the Administrator shall be pay such rent as may be payable for building of the school to the person entitled to receive it as was being paid by the managing committee or the manager immediately before the management of such school was taken over.

(6) During such period as any school remains under the management of authorised officer,-
(a) the service conditions, as approved by the Administrator, of employees of the school who were in employment immediately before the date on which the management was taken over, shall not be varied to their disadvantage;
b) all educational facilities which the school had been affording immediately before such management was taken over, shall continue be afforded;
c) the School Fund, the Pupils' Fund and the Management Fund and any other existing fund shall continue to be available to the authorised officer for being spent for the purposes of the school; and
d) no resolution passed at any meeting of the managing committee of such school shall be given effect to unless approved by the Administrator.

Proposed:

29. Taking over the management of schools- (1) Whenever the **Government** is satisfied that the managing committee or manager of any school, whether recognised or not, has neglected to perform any of the duties imposed on it by or under this Act or any rule made thereunder and that it is expedient in the interests of school education to take over the management of such school, **it** may, after giving the managing committee or the manager of such school, a reasonable opportunity of showing cause against the proposed action, take over the management of such school for a limited period not exceeding three years :

Provided that where the management of a school has been taken over for a period of three years or less, the **Government** may, if he is of opinion that in order to secure proper management of the school it is expedient that such management should continue to be in force after the expiry of the said limited period, he may, from time to time, issue directions for the continuance management of such management for such period not exceeding one year at a time as he may think fit, so however, that the total period for which such management is taken over shall not, in any case, exceed five years.

(2) Whenever the management of any school is taken over under sub-section (1), every person in charge of the management of such school immediately before its management is taken over, shall deliver possession of the school property to the **Government** or any officer authorised by him in this behalf.

(3) After taking over the management of any school under this section, the **Government** may arrange to manage the school through the Director or any other person authorised by the Director in this behalf (hereinafter referred to as the "authorised officer").

(4) Where the management of any school has been taken over under sub-section (1), the managing committee or manager of such school may, within three months from the date of taking over, appeal to the **Lt. Governor**, who may after considering the representation made by the managing committee or the manager, pass such orders, including an order for the restorations of the management or for the reduction of the period during which the management of such school shall remain vested in the **Government**, as he may deem fit.

(5) Where the management of a school has been taken over under section, the **Government** shall be pay such rent as may be payable for building of the school to the person entitled to receive it as was being paid by the managing committee or the manager immediately before the management of such school was taken over:

- (6) During such period as any school remains under the management of authorised officer,-
- (a) the service conditions, as approved by the **Government**, of employees of the school who were in employment immediately before the date on which the management was taken over, shall not be varied to their disadvantage;
 - b) all educational facilities which the school had been affording immediately before such management was taken over, shall continue be afforded;
 - c) the School Fund, the Pupils' Fund and the Management Fund and any other existing fund shall continue to be available to the authorised officer for being spent for the purposes of the school; and
 - d) no resolution passed as any meeting of the managing committee of such school shall be given effect to unless approved by the Government.

(7) Notwithstanding anything contained in sub-section (1), in case, the managing body of the taken over school, does not come forward for restoration of the management of such school to that managing body, the Government shall run such school as a Government school:

Provided that the terms and conditions of employees of such school shall not be varied and they shall be treated as a separate class altogether apart from other Government employees.

No Rules in this chapter

Chapter VII

Taking over the management of schools

Section 21

Existing

21. Section 20 not to apply to minority schools- Nothing contained in section 20 shall apply to any minority school.

Proposed:

Section 20 appears to be in order in view of provisions of article 30 of the Constitution of India. It may be renumbered as section 32.

30. Section 20 not to apply to minority schools- Nothing contained in section 20 shall apply to any minority school.

Chapter VIII Miscellaneous

The provisions of section 22 and section 23 appears to be in order and do not require any amendment except drafting changes as under. They may be renumbered as section 33 and 34 respectively.

Section 22.

Existing

22. Delhi Schools Education Advisory Board- (1) There shall be an Advisory Board for school education, to be called the "Delhi School Education Advisory Board" for the purpose of advising the Administrator on matters of policy relating the education in Delhi.

(2) The Advisory Board shall be constituted by the Administrator and shall consist of a Chairman and fourteen other members, to be nominated by the Administrator.

(3) The Advisory Board constituted under sub-section (2) shall include

- a) Heads of recognised private schools;
- b) representatives of the organisations of teachers of the recognized private schools;
- c) managers of the recognised private schools;
- d) representatives of parents or guardians of students of recognized private schools;
- and
- e) eminent educationists.

(4) The Advisory Board shall regulate its own procedure.

(5) The terms of office of every member of the Board and travelling and other, allowances payable to a member of the Board shall be such as may be prescribed.

Proposed:

31. Delhi Schools Education Advisory Board- (1) There shall be an Advisory Board for school education, to be called the "Delhi School Education Advisory Board" for the purpose of advising the **Government** on matters of policy relating the education in Delhi.

(2) The Advisory Board shall be constituted by the **Government** and shall consist of a Chairman and fourteen other members, to be nominated by the **Government**.

(3) The Advisory Board constituted under sub-section (2) shall include

- a) Heads of recognised private schools;
- b) representatives of the organisations of teachers of the recognized private schools;
- c) managers of the recognised private schools;
- d) representatives of parents or guardians of students of recognized private schools;
- and
- e) eminent educationists.

(4) The Advisory Board shall regulate its own procedure.

(5) The terms of office of every member of the Board and travelling and other, allowances payable to a member of the Board shall be such as may be prescribed.

Rules

<i>Rules</i>	<i>Existing</i>	<i>Proposed</i>
181. Managing committee how to run school	<i>Every managing committee shall run the school managed by it in the best interests of education of children and for the better organisation and development of school education in Delhi.</i>	<i>Every managing body shall run the school managed by it in the best interests of education of children and for the better organisation and development of school education in Delhi.</i>
182. Managing committee not to create adverse situations	<i>Every managing committee shall allow a school managed by it to function normally and smoothly and shall not cause any situation by which, or due to which, the normal and smooth functioning of the</i>	<i>Every managing body shall allow a school managed by it to function normally and smoothly and shall not cause any situation by which, or due to which, the normal and smooth functioning of the</i>

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	<i>school may be hampered nor shall it interfere in the day-to-day affairs of the school.</i>	<i>school may be hampered nor shall it interfere in the day-to-day affairs of the school.</i>
183. Managing committee to comply with the rules regarding recognition of schools, receipt and utilisation of the aid, etc.	<i>Every managing committee shall comply with the provisions of the Act and these rules with regard to the recognition of the schools and shall also comply with the provisions of these rules with regard to the receipt and utilisation of aid and shall maintain in accordance with these rules, proper accounts of all fees and contributions received by it.</i>	<i>Every managing body shall comply with the provisions of the Act and these rules with regard to the recognition of the schools and shall also comply with the provisions of these rules with regard to the receipt and utilisation of aid and shall maintain in accordance with these rules, proper accounts of all fees and contributions received by it.</i>
184. Managing committee to offer facilities for inspection	<i>Every managing committee shall provide all reasonable facilities for the inspection of the school and also for the inspection of its account books, registers and other documents required by these rules to be maintained by such schools.</i>	<i>Every managing body shall provide all reasonable facilities for the inspection of the school and also for the inspection of its account books, registers and other documents required by these rules to be maintained by such schools.</i>
185. Managing committee not to act adversely to the interests of the school	<i>The managing committee shall not conduct the affairs of the school in such a way as to adversely affect the interests of the school.</i>	<i>The managing body shall not conduct the affairs of the school in such a way as to adversely affect the interests of the school.</i>
186. Term of office	<i>(1) Every member of the Advisory Board shall hold office for a period of three years from the date on which he is nominated by the Administrator and shall be eligible for re-nomination for a like period and shall, notwithstanding the expiry of the term of his office, continue to hold such office, until his successor is nominated by the Administrator. (2) No member of the Advisory Board shall hold office consecutive for more than two terms.</i>	<i>(1) Every member of the Advisory Board shall hold office for a period of three years from the date on which he is nominated by the Government and shall be eligible for re-nomination for a like period and shall, notwithstanding the expiry of the term of his office, continue to hold such office, until his successor is nominated by the Government. (2) No member of the Advisory Board shall hold office consecutive for more than two terms.</i>
187. Resignation	<i>(1) A member of the Advisory Board may, by giving notice in writing to the Administrator, resign his membership of the Board. (2) A resignation shall take effect from the date of communication to the member concerned of its acceptance or on the expiry of thirty days from the date of resignation, whichever is earlier.</i>	<i>(1) A member of the Advisory Board may, by giving notice in writing to the Government, resign his membership of the Board. (2) A resignation shall take effect from the date of communication to the member concerned of its acceptance or on the expiry of thirty days from the date of resignation, whichever is earlier.</i>
188. Vacancy in the office of a member	<i>(1) A member of the Advisory Board shall be deemed to have vacated his office,- (a) if he is of unsound mind and stands so declared by a competent court; (b) if he is an undischarged insolvent; (c) if he is convicted of an offence which, in the opinion of the administrator, involves moral turpitude; (d) if he does not attend three consecutive meetings of the Advisory Board without obtaining leave of absence from the Administrator; or (e) if he ceases to have the status on the basis of which he was nominated by the Administrator. (2) Any vacancy in the membership of the Advisory Board whether caused by resignation or by any of the reasons</i>	<i>(1) A member of the Advisory Board shall be deemed to have vacated his office,- (a) if he is of unsound mind and stands so declared by a competent court; (b) if he is an undischarged insolvent; (c) if he is convicted of an offence which, in the opinion of the Government, involves moral turpitude; (d) if he does not attend three consecutive meetings of the Advisory Board without obtaining leave of absence from the Government; or (e) if he ceases to have the status on the basis of which he was nominated by the Government. (2) Any vacancy in the membership of the Advisory Board whether caused by resignation or by any of the reasons</i>

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	<p><i>specified in sub-rule (1) or by death shall be filled by nomination and the person so nominated shall hold office for the remainder of the term of office of the member in whose place he is nominated.</i></p> <p><i>(3) The Advisory Board shall be functioning notwithstanding any vacancy in the membership thereof.</i></p>	<p><i>specified in sub-rule (1) or by death shall be filled by nomination and the person so nominated shall hold office for the remainder of the term of office of the member in whose place he is nominated.</i></p> <p><i>(3) The Advisory Board shall be functioning notwithstanding any vacancy in the membership thereof.</i></p>
<p>189. Travelling and other allowances</p>	<p><i>The members of the Advisory Board shall be entitled to such travelling or daily allowances as are admissible to non-official members of the committees, boards or the like in accordance with the orders issued by the Central Government from time to time and shall not be entitled to any other remuneration.</i></p>	<p><i>The members of the Advisory Board shall be entitled to such travelling or daily allowances as are admissible to non-official members of the committees, boards or the like in accordance with the orders issued by the <u>Government</u> from time to time and shall not be entitled to any other remuneration.</i></p>

Section 23

Existing

23. Delegation of powers- (1) The Administrator may delegate all or any of his powers, duties and functions under this Act to the Director or any other officer.

(2) Every person to whom any power is delegated under sub-section (1), may exercise that power in the same manner and with the same effect as if such power had been conferred on him directly by this Act and not by way of delegation.

Proposed

32. Delegation of powers- (1) The Government may delegate all or any of his powers, duties and functions under this Act to the Director or any other officer.

(2) Every person to whom any power is delegated under sub-section (1), may exercise that power in the same manner and with the same effect as if such power had been conferred on him directly by this Act and not by way of delegation.

Chapter VIII Miscellaneous

Section 24

Existing

24. Inspection of schools- (1) Every recognised school shall be inspected at least once in each financial year in such manner as may be prescribed.

(2) The Director may also arrange special inspection of any school on such aspects of its working as may, from time to time, be considered necessary by him.

(3) The Director may give directions to the manager requiring the manager to rectify any defect or deficiency found at the time of inspection or otherwise in the working of the school.

(4) If the manager fails to comply with any direction given under sub-section (3), the Director may, after considering the explanation or report, if any, given or made by the manager, take such action as he may think fit, including-

- (a) stoppage of aid,
- (b) withdrawal of recognition, or
- (c) except in the case of a minority school, taking over of the school under section 20.

Proposed:

33. Inspection of schools. – (1) The Director shall have the right to cause an inspection of, or inquiry in respect of, any recognised school, its building, laboratories, libraries, workshops and equipments, and also of the examinations, teaching and other work conducted or done by the recognised school, to be made by such person or persons as it may direct and to cause an inquiry to be made in respect of any other matter connected with the school and the managing body shall be entitled to be represented thereat.

(2) The Director shall communicate to the managing body his views with reference to the results of such inspection or inquiry and may, after ascertaining the opinion of the managing body thereon, advise the managing body upon the action to be taken.

(3) The managing body shall report to the Director the action, if any, which is proposed to be taken or has been taken upon the results of such inspection or inquiry. Such reports shall be furnished within such time as the Director may direct.

(4) Where the managing body does not, within a reasonable time, take action to the satisfaction of the Director, the Director may, after considering any explanation furnished or representation made by the managing body, issue such directions, as that authority deems fit and the managing body shall comply with such directions.

(5) Where the managing body fails to comply with the directions issued by the Director under sub-section (4), in addition to the action to be taken under section 38, the Director, may pass orders with regard to, -

- (a) **stoppage of aid to such school;**
- (b) **withdrawal of recognition of such school; or**
- (c) **except in the case of a minority school, taking over of the school under section 30.**

Rules

<i>Rules</i>	<i>Existing</i>	<i>Proposed</i>
190. Inspection and supervision of schools	<i>(1) The Director shall be responsible for the supervision and inspection of all recognised schools, whether aided or not.</i>	<i>(1) The Director shall be responsible for the supervision and inspection of recognised schools, whether aided or not.</i>

	<p>(2) For the purposes of sub-rule (1), the Director may assign all or any of his functions relating to supervision and inspection to such officers subordinate to him, and as may be authorised by him in this behalf.</p> <p>(3) Every officer authorised by the Director under sub-rule (2) shall discharge his powers of supervision and inspection under the direction, control and supervision of the Director.</p> <p>(4) The Director may also form a team or panel of persons with special knowledge and experience of different subjects taught in schools, to carry out inspection of a school.</p> <p>(5) The Director may also carry out surprise inspections through any officer authorised by him in this behalf.</p> <p>(6) Every person, other than the Director, inspecting a school shall, within fifteen days from the completion of the inspection, submit to the Director, the report as to the results of the inspection, and shall simultaneously send a copy of the report to the school concerned.</p> <p>(7) Where the Director himself makes the inspection, he shall make a note of the defects or deficiencies noticed by him and shall send a copy of that note to the head of the concerned school.</p>	<p>(2) For the purposes of sub-rule (1), the Director may assign all or any of his functions relating to supervision and inspection to such officers subordinate to him, <u>or any agency having experience in the field of accreditation and inspection</u> and as may be authorised by him in this behalf.</p> <p>(3) Every officer <u>or agency</u> authorised by the Director under sub-rule (2) shall discharge his powers of supervision and inspection under the direction, control and supervision of the Director.</p> <p>(4) The Director may also form a team or panel of persons with special knowledge and experience of different subjects taught in schools, to carry out inspection of a school.</p> <p>(5) The Director may also carry out surprise inspections through any officer authorised by him in this behalf.</p> <p>(6) Every person, other than the Director, inspecting a school shall, within fifteen days from the completion of the inspection, submit to the Director, the report as to the results of the inspection, and shall simultaneously send a copy of the report as to the results of the inspection, and shall simultaneously send a copy of the report to the school concerned.</p> <p>(7) Where the Director himself makes the inspection, he shall make a note of the defects or deficiencies noticed by him and shall send a copy of that note to the head of the concerned school.</p> <p><u>(8) The Director may, keeping in view the number of schools, authorise as many as accreditation agencies for the purposes of inspection under section 24.</u></p>
<p>191. Advance notice of inspection to be given to school</p>	<p>Except where a surprise visit is considered to be necessary, advance intimation of the proposal to carry out inspection of a school shall be given to the head of the school.</p> <p>(2) In making the inspection the following items shall be critically examined, namely :-</p> <p>(a) academic work, that is to say, actual teaching and its different aspects;</p> <p>(b) library and its service to students and teachers;</p> <p>(c) games and sports and their organisation;</p> <p>(d) co-curricular activities;</p> <p>(e) cordiality or otherwise of the teachers of the school with the parents</p>	<p>Except where a surprise visit is considered to be necessary, advance intimation of the proposal to carry out inspection of a school shall be given to the head of the school.</p> <p>(2) In making the inspection the following items shall be critically examined, namely :-</p> <p>(a) academic work, that is to say, actual teaching and its different aspects;</p> <p>(b) library and its service to students and teachers;</p> <p>(c) games and sports and their organisation;</p> <p>(d) co-curricular activities;</p> <p>(e) cordiality or otherwise of the</p>

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	<p><i>of the students and the community in general;</i> <i>(f) administration of the school;</i> <i>(g) accounts of the school and their maintenance;</i> <i>(h) the school plant and physical needs of the school;</i> <i>(i) discipline, tone and tenor of the school;</i> <i>(j) observation by the school of the rules and instructions.</i> <i>(3) The inspecting officer shall go to each class and watch the teaching by each teacher in at least two classes and shall specifically note the matters specified in Form No. V</i></p>	<p><i>teachers of the school with the parents of the students and the community in general;</i> <i>(f) administration of the school;</i> <i>(g) accounts of the school and their maintenance;</i> <i>(h) the school plant and physical needs of the school;</i> <i>(i) discipline, tone and tenor of the school;</i> <i>(j) observation by the school of the rules and instructions.</i> <i>(k) <u>any other matter in connection with the school</u></i> <i>(3) The inspecting officer shall go to each class and watch the teaching by each teacher in at least two classes and shall specifically note the matters specified in Form No. V</i></p>
193. Number of schools to be inspected by an inspecting officer in a year	<p><i>Every inspecting officer shall inspect not less than fifty schools in a year and not less than ten per cent of the schools shall be inspected every year by an officer above the rank of an inspecting officer.</i></p>	<p><u>Every inspecting officer or agency shall inspect such number of schools in a year as may be specified by the Director.</u></p>
194. Inspection report	<p><i>The report of every inspection shall be made in Form No. V and shall contain information with regard to each matter specified in that Form.</i></p>	<p><i>The report of every inspection shall be made in Form No. V* and shall contain information with regard to each matter specified in that Form.</i></p>

* The existing Form-V is proposed to be replaced by new Form-V which is annexed in Volume-III of this Report as Annexure15

Chapter VIII Miscellaneous

The provisions of section 25 and section 26 appears to be in order and do not require any amendment except drafting changes as under. They may be renumbered as section 36 and 37 respectively.

Section 25 Existing

25. Jurisdiction of civil Courts barred- No civil Court shall have jurisdiction in respect of any matter in relation to which the Administrator or the Director or any other person authorised by the Administrator or Director or any other officer or authority appointed or specified by or under this Act, is empowered by or under this Act to exercise any power, and no injunction shall be granted by any civil court in respect of anything which is done or intended to be done by or under this Act.

Proposed:

34. Jurisdiction of civil Courts barred- No civil Court shall have jurisdiction in respect of any matter in relation to which the Government or the Director or any other person authorised by the Government or Director or any other officer or authority appointed or specified by or under this Act, is empowered by or under this Act to exercise any power, and no injunction shall be granted by any civil court in respect of anything which is done or intended to be done by or under this Act.

Section 26

Existing

26. Protection of action taken in good faith- No suit, prosecution or other legal proceeding shall lie against the Administrator, Director or any other person authorised by the Administrator or Director for anything which is in good faith done or intended to be done in pursuance of this Act or any rule made thereunder.

Proposed:

35. Protection of action taken in good faith- No suit, prosecution or other legal proceeding shall lie against the Government, Director or any other person authorised by the Government or Director for anything which is in good faith done or intended to be done in pursuance of this Act or any rule made thereunder.

Chapter-VIII Miscellaneous

Section 27.

Existing

27. Liability of manager to punishment- If the manager of any recognised private school –

- a) omits or fails, without any reasonable excuse, to carry a orders made by the Tribunal, or
- b) presents any student for any public examination without complying with the provisions of section 19, or
- c) omits or fails to deliver any school property to the Administrator or any officer authorized by him under sub-section (2) of section 20,

he shall be punished with imprisonment for a term which may extend to three months, or with fine which may extent to one thousand rupees, or with both

Proposed:

Existing section 27 may be omitted. In place of this section, following section may be substituted.

36. Power to issue directions. - The Government or any other officer specially empowered in this behalf by the Government may, from time to time, by order, issue such directions, consistent with the provisions of this Act and the rules made thereunder, to any school, as in its opinion are necessary or expedient for carrying out the purposes of this Act or give effect to any of the provisions contained therein or in any rules or orders made thereunder and the management of the school shall comply with every such direction.

37. Offence and penalties. - Without prejudice to the penalty specified in any other law for the time being in force, whoever, -

- (a) contravenes the provisions of this Act or the rules made thereunder,
- (b) omits or fails, without any reasonable excuse, to carry out orders made by the Tribunal,
- (c) omits or fails, without any reasonable excuse, to carry out directions, issued by the Government or any other officer specially empowered, under section 37,
- (d) presents any student for any public examination without complying with the provisions of section 29, or
- (e) omits or fails to deliver any school property to the Government or any officer authorised by him under sub-section (2) of section 30,

shall, on conviction be punishable with imprisonment for a term which may extend to three months, or, with fine which may extend to fifty thousand rupees, or with both and in case of continuing contravention, to a fine of five thousand rupees for each day during which such contravention continues.

38. Offences by Management. - (1) Where an offence under this Act or rules made thereunder is committed by a management, every person, who, at the time when the offence was committed, was in charge of, and was responsible to, the management for the conduct of the business of the management, as well as the management, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that, nothing contained in this sub-section shall render any person liable to any punishment, if he proves that the offence was committed without his knowledge or that he has taken due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act or rules made thereunder has been committed by a management and it is proved that the offence has been committed with the consent or connivance of, or is attributed to any neglect on the part of any office bearer or officer or servant of the management, such office bearer, officer or servant concerned shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

39. Compounding of offences. - (1) Any offence punishable under section 38 may be compounded by such officer or body as may be specially authorised by the Government in this behalf, either before or after the institution of the prosecution, on payment for credit to the Government of such sum as such officer or body may impose:

Provided that such sum shall not, in any case, be less than twenty five thousand rupees and, exceed the maximum amount of the fine which may be imposed under this Act for the offence so compounded:

Provided further that in the event of charging of excessive fee by the school than the notified fee, the amount of compounding fee shall not be less than double the amount of fee excessively charged or twenty five thousand rupees, whichever is higher.

(2) Nothing in sub-section (1) shall apply to a person who commits the same or similar offence within a period of three years from the date on which the first offence committed by him was compounded.

Explanation.-For the purposes of this sub-section, any second or subsequent offence committed after the expiry of a period of three years from the date on which the offence was previously compounded, shall be deemed to be a first offence.

(3) Where an offence has been compounded under sub-section (1), no proceeding or further proceeding, as the case may be, shall be taken against the offender in respect of the offence so compounded, and the offender, if in custody, shall be discharged forthwith.

Chapter-VIII

Miscellaneous

Section 28

Existing

28. Power to make rules- (1) The Administrator may, with the previous approval of the Central Government, and subject to the condition of previous publication, by notification, make rules to carry out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

- a) the manner in which education may be regulated by the Administrator in Delhi;
- b) the conditions which every existing school shall be required to comply;
- c) establishment of a new school or the opening of a higher class or the closing down of an existing class in an existing school;
- d) the form and manner in which an application for recognition school shall be made;
- e) the facilities to be provided by a school to obtain recognition;
- f) the manner in which, and the authority to which, an appeal against the refusal or withdrawal of recognition shall be made;
- g) the minimum qualifications for, and method of recruitment, and the terms and conditions of service of employees;
- h) the authorities to be specified for the purposes of the different provisions of this Act;
- i) the particulars which a scheme of management shall contain and the manner in which such scheme shall be made;
- j) variations and modifications which may be made in the scheme of management for a recognised school which does not receive any aid
- k) the conditions under which aid may be granted to recognised schools, and on the violation of which aid may be stopped, reduced or suspended;
- l) the part of the expenditure of a recognised school which is to be covered by aid;
- m) particulars of school property which should be furnished to the appropriate authority;
- n) the form in which, and the time within which, an appeal shall be preferred to the Administrator against an order made in relation to the transfer, mortgage or lien of any school property;
- o) the Code of Conduct for the employees and disciplinary action to be taken for the violation thereof;
- p) the benefits which should be granted to the employees of recognised private schools;
- q) admissions to a recognised school;
- r) fees and other charges which may be collected by an aided school;
- s) the manner of inspection of recognised schools
- t) the terms of office, traveling and other allowances payable to the members of the Advisory Board;
- u) financial and other returns to be filed by the managing committee of recognised private schools, and the authority by which such returns shall be audited;
- v) educational purposes for which the income derived by way of fees by recognised unaided schools shall be spent;
- w) manner of accounting and operation of school funds and other funds of a recognised private school;
- x) fees; not exceeding one rupee, for preferring any appeal under this Act;
- y) any other matter which is to be, or may be, prescribed under this Act.

(3) Every rule made under this Act shall be laid, as soon as may be is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect,

as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Proposed:

40. Power to make rules- (1) The **Government** may, subject to the condition of previous publication, by notification, make rules to carry out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

- (a) the manner in which education may be regulated in Delhi;
- (b) establishment of a new school or the opening of a higher class or the closing down of an existing class in an existing school;
- (c) the form and manner in which an application for recognition school shall be made;
- (d) the facilities to be provided by a school to obtain recognition;
- (e) the manner in which, and the authority to which, an appeal against the refusal or withdrawal of recognition shall be made;
- (f) the particulars which a scheme of management shall contain and the manner in which such scheme shall be made;
- (g) the minimum qualifications for, and method of recruitment, and the terms and conditions of service of employees;
- (h) **the method, manner of selection, appointment of arbitrators, their qualifications, terms and conditions of appointment and fee payable to arbitrators;**
- (i) the authorities to be specified for the purposes of the different provisions of this Act;
- (j) the conditions under which aid may be granted to recognised schools, and on the violation of which aid may be stopped, reduced or suspended;
- (k) the part of the expenditure of a recognised school which is to be covered by aid;
- (l) particulars of school property which should be furnished to the appropriate authority;
- (m) the form in which, and the time within which, an appeal shall be preferred to the **Government** against an order made in relation to the transfer, mortgage or lien of any school property;
- (n) the Code of Conduct for the employees and disciplinary action to be taken for the violation thereof;
- (o) the benefits which should be granted to the employees of recognised private schools;
- (p) **the salaries and allowances payable to, and the other terms and conditions of service of, the Members of a School Tribunal;**
- (q) **the form and documents to be accompanied with such form, fee and the manner of making appeal to the School Tribunal;**
- (r) admissions to a recognised school;
- (s) fees and other charges which may be collected by an aided school;
- (t) the manner of inspection of recognised schools;
- (u) the terms of office, traveling and other allowances payable to the members of the Advisory Board;
- (v) financial and other returns to be filed by the managing committee of recognised private schools, and the authority by which such returns shall be audited;
- (w) educational purposes for which the income derived by way of fees by recognised unaided schools shall be spent;
- (x) manner of accounting and operation of school funds and other funds of a recognised private school;
- (y) fees for preferring any appeal under this Act;
- (z) any other matter which is to be, or may be, prescribed under this Act.

(3) Every rule made by the Government under this Act shall be laid as soon as may be after it is made before the House of the Legislative Assembly of Delhi while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the

session or the successive sessions aforesaid the House of the Legislative Assembly agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Section 29

Existing

29. Power to remove difficulties- If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order not inconsistent with the provisions of this Act, remove the difficulty:

Proposed

41. Power to remove difficulties- If any difficulty arises in giving effect to the provisions of this Act, the **Government** may, by order not inconsistent with the provisions of this Act, remove the difficulty:

Rules	Existing	Proposed
195. Fees for appeal to the Tribunal	Every appeal to the Tribunal shall be filled on a non-judicial stamp paper of rupee one and shall be presented in the form of a petition.	Every appeal to the Tribunal shall be filled on a non-judicial stamp paper of rupee one hundred and shall be presented in the form of a petition.
196. Provisions of certain rules to apply to Government schools	(1) The Provisions of these rules, in as far as they relate to the matters specified in sub-rule (2) shall also apply to Government schools and to schools run by local authorities. (2) The matters referred to sub-rule (1) are :- (a) regulation of education; (b) admission to recognised schools (c) fees and other charges to be levied in recognised aided schools, including fee concessions; (d) pupils; fund; (e) inspection and supervision of schools	(1) The provisions of these rules, in as far as they relate to the matters specified in sub-rule (2) shall also apply to Government schools and to schools run by local authorities. (2) The matters referred to sub-rule (1) are :- (a) regulation of education; (b) admission to recognised schools (c) fees and other charges to be levied in recognised aided schools, including fee concessions; (d) pupils; fund; (e) inspection and supervision of schools

**Amendments in Schedule of the
Delhi School Education Rules, 1973**

- A. In the Delhi School Education Rules, 1973, in the Schedule appended thereto, for Form V, the following Form shall be substituted, namely: -

“FORM-V

[See rule 192 (3) and Rule 194]

Form of Inspection Report

1	School ID	
2	Name of School	
3	Date of Establishment	
4	Date of last recognition as: Primary / Middle (Secondary / Senior Secondary School).	
5	Subjects/Streams at Senior Secondary Level	
6	Names of feeder schools	
7	Date of last inspection	
8	Date of present inspection	

1. ADMINISTRATIVE

- a) *Whether its Management Committee is duly elected? List of latest MC and the minutes of last election held along with qualification of Manager be procured. Whether the school Managing Committee meetings are held regularly by adopting the proper procedure?*
- b) *Whether the school is appointing over-aged staff / teachers, ad-hoc teachers / staff, contract teachers / staff with salaries not consistent with the provisions of DSEAR'73 and whether maintaining separate attendance register of teachers appointed on regular basis and on contract / ad-hoc basis? (Staff statement alongwith their Name, Qualification, Date of Birth, Designation, Date of appointment & period of service be also furnished alongwith inspection report).*
- c) *Whether the school is providing free-ship to the students of weaker Section of society in accordance with instructions issued so far by the department and whether those admitted during previous years are still on rolls? If not, reasons thereof. This is to be physically checked.*
- d) *Whether appointment of Principal has been done as per rules? Obtain the copy of the SSC minutes and the certificates of the Principal.*

2. OFFICE PROCEDURE

- a) *Whether the school has recruited staff as per the post fixation norms(for aided schools)?*

- b) Whether the service books and personal files of teachers and staff are being maintained as per rule?*
- c) Whether the school has maintained its records in proper order as per the office procedure?*
- d) Whether the school is following promotion rules of the Department?*
- e) Whether the services of any teacher have been terminated / suspended without observing the proper procedure as per provision of DSEAR'73?*
- f) Whether the school staff is being granted annual increment or not?*

3. MANAGEMENT OF SCHOOL

- a) Whether the Managing Committee of the school has managed its affairs as per provision of rule 181, 182, & 185 of DSEAR'73?*
- b) Whether the management of the school has parted with the possession of part of the building for commercial purpose?*
- c) Whether any commercial activity or any other institution is being run within the school complex?*
- d) Whether there is any complaint against the management / functioning of the school? If yes, the same may be looked into.*
- e) Any Complaint received from parents & staffs against the school.*
- f) Whether lady teachers have to suffer any kind of exploitation, sexual harassment, overstay, overwork etc.?*

4. ACADEMICS

- a) I) How has the teacher planned his lesson?*
II) The type of lesson / notes written by the teacher and how far are they useful.
- b) Whether the teacher has covered the specified course and syllabus for the term and has adhered to it in the programme of teaching?*
- c) Was the lesson taught on the day of inspection already scheduled and planned for the day?*
- d) I) Were the questions put to the students thought-provoking and well-distributed?*
II) How far the teacher encouraged the students to put questions to him on the subject?
- e) What types of audio-visual aids were used by the teacher in the class and how far were they effectively used?*
- f) I) Did the teacher write a proper black-board summary?*
II) How far was it a true synopsis of the lesson taught?
- g) Are the assignments given by the teacher and if so, are they judicious and scientifically given?*

- h) I) *Does the teacher give the class-work to students regularly?*
II) *If so, is it regularly corrected and corrections followed up?*
- i) I) *How much home work is given by the teacher?*
II) *Is it regularly corrected and followed up?*
- j) I) *How far is the assignment for class work and home work assessed and evaluated?*
II) *Has any record of such assessment been kept by the teacher and if so, how?*
- k) I) *Are periodical tests held? If so, at what intervals?*
II) *What type of papers are given to the students?*
III) *How are they evaluated?*
- l) *How are the tests and examinations in schools organized?*
- m) I) *What remedial steps have been taken by the teacher to remove the weakness of students in different areas?*
II) *Does he keep any record of such students and of the progress achieved by them?*
- n) I) *What efforts has the teacher made in helping the gifted children?*
II) *Is there any record of their progress and achievement kept?*
- o) *How does the teacher encourage love for the subject and love for reading amongst the students?*
- p) *Comparative result of Class IX, X, XI, & XII alongwith enrolment in these classes be examined.*
- q) *Whether students have been admitted and classes are being carried out without getting the statutory recognition / permission?*
- r) *Whether additional illegal Sections are being run in school class without proper sanction?*
- s) *The details of number of court cases / cases pending against the school management in various courts / authorities / commission be examined and documentary evidence be provided along with their latest status.*
- t) *Whether election of PTA has been held or not?*

5. FACILITIES IN SCHOOL

- a) *Whether the school has requisite infrastructural facilities as per provisions of Section 4 read with rule 50 & 51 of DSEAR'73?*
- b) *Whether the school has received certificates from the local authorities in r/o building completion, drinking water facilities and so on?*
- c) *Whether the school has Fire Safety Certificate from competent authority?*
- d) *Latest Health Certificate from the competent authority may also be procured.*

- e) *Whether the school / class rooms are spacious enough for housing the school students?*
- f) *Whether playground is spacious enough for students and whether it is in good condition or not?*
- g) *Whether school toilets and environment is hygienic or not?*

6. FINANCIAL

- a) *Whether the school has transferred any fund to any Society or Trust, and if so, the details along with the name of Society / Trust, amount, date etc.?*
- b) *Whether school is maintaining all vouchers of each item of expenditure? All vouchers of major expenditure may be physically checked to find whether expenditure items were justified and genuineness of vouchers be looked into.*
- c) *Whether school has given any loans / advances to society / any other institution?*
- d) *Whether the school has raised / charged fee and other dues from students which are not consistent with the department instructions and the provisions contained in the DSEAR'73?*
- e) *Whether the school management has maintained its accounts as per provision of Rules 173 &175 of DSEAR'73?*
- f) *Whether the school is regularly filing the statement of the fees to be levied by such school during the ensuing academic session as per the provision of Section 17 of DSEAR'73 since the date of its recognition?*
- g) *Whether the school is regularly filing the annual return under Section 180(1) of DSEAR'73 since the date of its recognition? (Financial returns for the last three years be also furnished along with the inspection report.*
- h) *Whether the school management is paying salary to the teachers and staff as per the recommendations of 5th Pay Commission or whether it is violating provision of Section 10(1) of DSEAR'73?*
- i) *Whether money collected by the school is utilized for the development activities and / or for augmenting the existing facilities, providing safely measures etc. of the school.*
- j) *Whether the Managing Committee of the school is financially viable to manage affairs of the school?*
- k) *Whether donations in any form are demanded by the school management at the time of admissions to the school or when results are declared by the school?*

7. MISCELLANEOUS

- a) *Whether there has been regular auditing of the school account and if yes, copies of the same for the last three years be obtained.*
- b) *Whether there is an extension counter of any bank operational in the school and whether that is meant only for the payment of fees by the students and salary to the teachers. And whether the school has taken permission from the DOE to run such a counter or not?*
- c) *Any other point which the inspection team deems appropriate in the interest of the students / education.*

FOR AIDED SCHOOLS

Accounts of the school and their Maintenance

1. *What are the sources of income of the school?*
2. *Are payment of salaries of staff made by the 7th day of each month?*
3. *How are the records pertaining to the fees and funds as specifies by the Director maintained by the school?*
4. *When was last Audit done?*
 - a) *By A.G.C.R.*
 - b) *By Internal Auditors.*
 - c) *By Chartered Accountants.*
5. a) *Have the observations or requirements of the Audit been settled?*
 - b) *What are the pending Audit objections?*
 - c) *Reasons for delay, if any, in their settlement.*
6. *Have the purchases been made according to rule?*
7. *The Test check of the Vouchers, Cash Books and Stock Registers may be made and remarks about their maintenance be given.*
8. *Are the stocks verified annually and if so, what action has been taken on the deficiencies noted, if any?*
9. *Is the Cash Book regularly maintained and verified by the Head of school?*
10. *Who handles the cash in the school and what are the arrangements of keeping it safe?*
11. *How are the accounts of fees and funds maintained in the school (General report may be given)?*

The schools to be inspected will be given advance intimation for the inspections and the inspecting team will ensure that a copy of the inspection report is sent to the school concerned within 15 days from the date of inspection positively under rule 190(6) of DSEAR'73. A copy of consolidated report along with all documents shall also be sent to the DE through Act branch within 10 days of the inspection."

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B. In the Delhi School Education Rules, 1973, in the Schedule appended thereto, after Form V, the following Form shall be inserted, namely: -

“FORM-VI

[See rule 180]

Form of Return to be submitted by private unaided school

PART 1 - GENERAL INFORMATION

1	Name of the School	
----------	--------------------	--

2	Address/Location of the School	
----------	--------------------------------	--

3	Registration number of School	
----------	-------------------------------	--

4	E-mail id	
----------	-----------	--

5	Financial Year	
----------	----------------	--

6	Type of School	
a)	Recognised	
b)	Unrecognised	
c)	Aided	
d)	Unaided	

7	Type of Ownership	
a)	Trust	
b)	Society	
c)	U/s 25 of Companies Act	

PART 2 - QUANTITATIVE INFORMATION

1 Student Strength

1(a) Student Strength	Current Year (Nos.)		Previous Year (Nos.)			
	Boys	Girls	Total	Boys	Girls	Total
Pre School						
Primary School						
Elementary School						
Secondary School						

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Senior Secondary School						
Total						

*Any Increase/Decrease in number with more than or equal to 15% compared with previous year shall be specified with reason(s)

1(b) Detail of students under 'Concessional Education Scheme'

Particulars	Current Year (Nos.)						Previous Year (Nos.)					
	Merits/ Scholar	E W S	Sta ff	Oth ers	Tot al	% of the total Stude nt Stren gth	Mer its/ Sch olar	E W S	S t a ff	Oth ers	Tot al	% of the total Stude nt Stren gth
Pre School												
Primary School												
Elementary School												
Secondary School												
Senior Secondary School												
Total												

*Details to be submitted for full concession or partial concession separately.

2 Staff Strength

Particulars	Current Year (Nos.)	Previous Year (Nos.)
Teaching staff		
1) PGT		
2) TGT		
3) NTT		
4) Asst. Teacher		
5) Others, if any (Music, Yoga etc.)		
Total Teaching Staff		
Non-teaching		
1) Technical-Librarian, Lab Asst, Etc		
2) Non-Technical-Admin & Others		
Total Non Teaching Staff		

3 Staff Statement as on 1st April ----

S. No.	Name of Incumbment	Classes/ Subject	Qualifications	Grade of Pay	Date of Appointment
A. Present Strength					
1					
2					
3					
4					
so on....					
B. Resigned / Retired during previous year					
1					
2					
3					
4					
so on....					

4 **Infrastructure**

4(a)	Capital Assets	Current Year (Nos.)	Previous Year (Nos.)
	Building		
	(a) Owned		
	(b) Rented		
	Total Area of School Plot		
	Covered Area of School		
	No. of Class Rooms		

4(b)	No. of Class Sections	Current Year (Nos.)	Previous Year (Nos.)
	Pre School		
	Primary School		
	Elementary School		
	Secondary School		
	Senior Secondary School		

4(c)	Average Per Section	Current Year (Nos.)	Previous Year (Nos.)
	Students		

Teachers		
Rooms		
Teachers Student Ratio		

5 **No. of Students Availing Facilities**

Particulars	Current Year (Nos.)	Previous Year (Nos.)
School Transport/ Bus Services		
Computer Education		
Judo/Karate		
Swimming		
Horse Riiding		
Any Other, Specify		

6 **Performance Percentage**

No. of Students	Current Year			Previous Year		
	75-100	51-75	below 51	75-100	51-75	below 51
Pre School						
Primary School						
Elementary School						
Secondary School						
Senior Secondary School						

PART 3 - FINANCIAL INFORMATION

1 **Budgeted Income and Expenditure**

(For the year _____ To _____)

Receipts	Rs.
Admission Fee	
Tuition Fee	
Annual Charges	
Development Fund	
Transport Charges	
Computer Fee	
Newspapers & Periodicals	
Interest Income from:	
a) Development Fund	
b) Others	
Other Income	

<i>Total Receipts (A)</i>	
<i>Expenditures</i>	
<i>Salary & Allowance</i>	
<i>Repair & Maintenance</i>	
<i>Co Curriculum Activities</i>	
<i>Consumable Stores</i>	
<i>Development Fund Expenses</i>	
<i>Administrative Expenses</i>	
<i>Depreciation</i>	
<i>Total Expenditure (B)</i>	
<i>Surplus/(Deficit) - (A-B)</i>	

2 Statement showing Comparison of Budget and Actual Income and Expenditure for the year

	<i>Budget Estimates</i>	<i>Actuals- Current Yr.</i>	<i>Variance</i>	<i>Variance more than 20%</i>
<i>Receipts</i>				
<i>Admission Fee</i>				
<i>Tuition Fee</i>				
<i>Annual Charges</i>				
<i>Development Fund</i>				
<i>Transport Charges</i>				
<i>Computer Fee</i>				
<i>Newspapers & Periodicals</i>				
<i>Interest Income</i>				
<i>Other Income</i>				
<i>Total Receipts (A)</i>				
<i>Expenditures</i>				
<i>Salary & Allowance</i>				
<i>Repair & Maintenance</i>				
<i>Co Curriculum Activities</i>				

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<i>Consumable Stores</i>				
<i>Development Fund Expenses</i>				
<i>Administrative Expenses</i>				
<i>Depreciation</i>				
Total Expenditure (B)				
Surplus/(Deficit) - (A-B)				

3 Statements Of Accounts - Details of Sources and Application of Fund -

I Balance Sheet

	<i>Particulars</i>	<i>Current Year</i>	<i>Previous Year</i>
(A)	<u>Sources of fund</u>		
1	<i>Capital Fund</i>		
2	<i>Reserves & Surplus</i>		
3	<i>Development Fund</i>		
4	<i>Loan Fund (Secured)</i>		
	<i>Total</i>		
(B)	<u>Application of Fund</u>		
1	<i>Fixed Assets</i>		
	<i>a) Gross Block</i>		
	<i>b) less: Depreciation</i>		
	<i>c) Net Block</i>		
2	<i>Investments</i>		
3	<i>Current Assets & Loans and Advances</i>		
	<i>a) Inventories</i>		
	<i>b) Sundry Debtors</i>		
	<i>c) Cash & Bank Balance</i>		
	<i>d) Loans & Advances</i>		
4	<i>Less: Current Liabilities & Provisions:</i>		
	<i>a) Current Liabilities</i>		
	<i>b) Provisions</i>		
5	<i>Net Current Assets (3-4)</i>		
	<i>Total (1+2+5)</i>		

Income &
Expenditure
Account

II

(A)	<i>Income</i>	<i>Current Year</i>	<i>Previous Year</i>
1	<i>Admission Fee</i>		
2	<i>Tuition Fees</i>		
3	<i>Annual Charges</i>		
4	<i>Newspaper & Magazine</i>		
5	<i>Transportation Charges</i>		
6	<i>Computer Fees</i>		
7	<i>Interest</i>		
	<i>i) On FDR</i>		
	<i>ii) Other</i>		
8	<i>Donation</i>		
9	<i>Other Income</i>		
	<i>Total Income</i>		
(B)	<u><i>Expenditure</i></u>		
1	<i>Salary & Wages</i>		
2	<i>Libraries & Books</i>		
3	<i>Newspaper & Magazines</i>		
4	<i>Science Equipments</i>		
	<i>i) Lab Consumables</i>		
	<i>ii) Others</i>		
5	<i>Repair & Maintenance</i>		
	<i>- Building</i>		
	<i>- Furniture</i>		
	<i>- Electrical</i>		
	<i>- Office Maintenance</i>		
	<i>- Transport Vehicles</i>		
	<i>- Computers</i>		
	<i>- General</i>		
6	<i>Cleaning Charges</i>		
7	<i>Lawns & Gardens</i>		
8	<i>Sanitation & Cleaning</i>		
9	<i>Fire Fighting etc.</i>		
10	<i>Electricity & Water Charges</i>		
11	<i>Games & Sports</i>		

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	<i>Expenses</i>		
12	<i>Rent, Rates & taxes</i>		
	<i>- Property Taxes</i>		
	<i>- Rent etc.</i>		
13	<i>Insurance</i>		
14	<i>Legal & Professional Charges</i>		
15	<i>Audit fees</i>		
16	<i>Travelling & Conveyance</i>		
17	<i>Printing & Stationary</i>		
18	<i>Telephone, Postage, Tax & Interest Charges</i>		
19	<i>Training & Orientation of Staff</i>		
20	<i>Advertisement</i>		
21	<i>Staff Welfare</i>		
22	<i>Entertainment Of Guests</i>		
23	<i>School Journals</i>		
24	<i>Subscriptions</i>		
25	<i>Examination Expenses</i>		
26	<i>Functions</i>		
	<i>- Annual Function Expenses</i>		
	<i>- Light & Tents</i>		
27	<i>Budgets & Prices</i>		
28	<i>Depreciation (except transport vehicle)</i>		
29	<i>Loss on sale of assets</i>		
30	<i>Transportation Expenses</i>		
	<i>- Vehicle Hire Charges</i>		
	<i>- Other Expenses</i>		
31	<i>Computer Education Charges</i>		
	<i>- Computer lab expenses</i>		
	<i>- Others, if any</i>		
32	<i>Expenses on special sports:-</i>		
	<i>- Judo</i>		
	<i>- Karate</i>		
	<i>- Horse Riding</i>		
	<i>- Swimming</i>		
33	<i>Depreciation</i>		

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	- Building		
	- Furniture & Fixtures		
	- Electrical Fittings		
	- Computers		
	- Vehicles		
	- Others, if any		
	Total Expenditure		
	Surplus/(Deficit)		

4 Statement showing surplus /deficit per student - Tuition Fees for the Year ended 31st March 20 .

I - A	No. of Students - Pre School	
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	<i>Expenditure</i>	<i>Amount (Rs.)</i>	<i>Per Student (Rs.)</i>		<i>Variance more than 20%</i>
			<i>Curr. Yr.</i>	<i>Prev. Yr.</i>	
1	<i>Salary & Wages</i>				
2	<i>Libraries & Books</i>				
3	<i>Newspaper & Magazines</i>				
4	<i>Science Equipments</i>				
	<i>i) Lab Consumables</i>				
	<i>ii) Others</i>				
5	<i>Others, if any</i>				
	Total Expenditure	-	-	-	-
	Income				
	<i>Admission Fee</i>				
	<i>Tuition Fees</i>				
	<i>Newspaper & Magazines</i>				
	<i>Other Income</i>				
	Total Income - Tuition Fees				
	Net Surplus/ (Deficit)	-	-	-	-

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1 - B	<i>No. of Students - Primary School</i>	
--------------	---	--

	<i>Expenditure</i>	<i>Amount (Rs.)</i>	<i>Per Student (Rs.)</i>		<i>Variance more than 20%</i>
			<i>Curr. Yr.</i>	<i>Prev. Yr.</i>	
<i>1</i>	<i>Salary & Wages</i>				
<i>2</i>	<i>Libraries & Books</i>				
<i>3</i>	<i>Newspaper & Magazines</i>				
<i>4</i>	<i>Science Equipments</i>				
	<i>i) Lab Consumables</i>				
	<i>ii) Others</i>				
<i>5</i>	<i>Others, if any</i>				
	<i>Total Expenditure</i>	-	-	-	-
	<i>Income</i>				
	<i>Admission Fee</i>				
	<i>Tuition Fees</i>				
	<i>Newspaper & Magazines</i>				
	<i>Other Income</i>				
	<i>Total Income - Tuition Fees</i>				
	<i>Net Surplus/ (Deficit)</i>	-	-	-	-

1 - C	<i>No. of Students - Elementary School</i>	
--------------	--	--

	<i>Expenditure</i>	<i>Amount (Rs.)</i>	<i>Per Student (Rs.)</i>		<i>Variance more than 20%</i>
			<i>Curr. Yr.</i>	<i>Prev. Yr.</i>	
<i>1</i>	<i>Salary & Wages</i>				
<i>2</i>	<i>Libraries & Books</i>				
<i>3</i>	<i>Newspaper & Magazines</i>				
<i>4</i>	<i>Science Equipments</i>				
	<i>i) Lab Consumables</i>				

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	<i>ii) Others</i>				
5	<i>Others, if any</i>				
	Total Expenditure	-	-	-	-
	Income				
	<i>Admission Fee</i>				
	<i>Tuition Fees</i>				
	<i>Newspaper & Magazines</i>				
	<i>Other Income</i>				
	Total Income - Tuition Fees				
	Net Surplus/ (Deficit)	-	-	-	-

1 - D	<i>No. of Students - Secondary School</i>	
--------------	---	--

	<i>Expenditure</i>	<i>Amount (Rs.)</i>	<i>Per Student (Rs.)</i>		<i>Variance more than 20%</i>
			<i>Curr. Yr.</i>	<i>Prev. Yr.</i>	
1	<i>Salary & Wages</i>				
2	<i>Libraries & Books</i>				
3	<i>Newspaper & Magazines</i>				
4	<i>Science Equipments</i>				
	<i>i) Lab Consumables</i>				
	<i>ii) Others</i>				
5	<i>Others, if any</i>				
	Total Expenditure	-	-	-	-
	Income				
	<i>Admission Fee</i>				
	<i>Tuition Fees</i>				
	<i>Newspaper & Magazines</i>				
	<i>Other Income</i>				
	Total Income - Tuition Fees				
	Net Surplus/ (Deficit)	-	-	-	-

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1 - E	<i>No. of Students - Senior Secondary School</i>	
--------------	--	--

			<i>Per Student</i>		
	<i>Expenditure</i>	<i>Amount (Rs.)</i>	<i>Curr. Yr.</i>	<i>Prev. Yr.</i>	<i>Variance more than 20%</i>
<i>1</i>	<i>Salary & Wages</i>				
<i>2</i>	<i>Libraries & Books</i>				
<i>3</i>	<i>Newspaper & Magazines</i>				
<i>4</i>	<i>Science Equipments</i>				
	<i>i) Lab Consumables</i>				
	<i>ii) Others</i>				
<i>5</i>	<i>Others, if any</i>				
	<i>Total Expenditure</i>	-	-	-	-
	<i>Income</i>				
	<i>Admission Fee</i>				
	<i>Tuition Fees</i>				
	<i>Newspaper & Magazines</i>				
	<i>Other Income</i>				
	<i>Total Income - Tuition Fees</i>				
	<i>Net Surplus/ (Deficit)</i>	-	-	-	-

5 *Statement showing surplus /deficit per student - Annual Charges for the Year ended 31st March 20 .*

2	<i>Total No. of Students</i>	
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			<i>Per Student</i>		
	<i>Expenditure</i>	<i>Amount (Rs.)</i>	<i>Curr. Yr.</i>	<i>Prev. Yr.</i>	<i>Variance more than 20%</i>
<i>1</i>	<i>Repair & Maintenance</i>				
	<i>- Building</i>				

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	- Furniture				
	- Electrical				
	- Office Maintenance				
	- General				
	Cleaning Charges				
	Lawns & Gardens				
	Sanitation & Cleaning				
	Fire Fighting etc.				
2	Electricity & Water Charges				
3	Games & Sports Expenses				
4	Rent, Rates & taxes				
	- Property Taxes				
	- Rent etc.				
5	Insurance				
6	Legal & Professional Charges				
7	Audit fees				
8	Travelling & Conveyance				
9	Printing & Stationary				
10	Telephone, Postage, Tax & Interest Charges				
11	Training & Orientation of Staff				
12	Advertisement				
13	Staff Welfare				
14	Entertainment Of Guests				
15	School Journals				
16	Subscriptions				
17	Examination Expenses				
18	Functions				
	- Annual Function Expenses				
	- Light & Tents				
19	Budgets & Prices				
20	Depreciation (except transport vehicle)				
21	Loss on sale of assets				
22	Others				
	Total Expenditure	-	-	-	-
	Total Income - Annual Fees				

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	<i>Net Surplus/ (Deficit)</i>	-	-	-	-
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6 Statement showing surplus /deficit per student - Transport Facility for the Year ended 31st March 20__.

- - - -

3	<i>No. of Students availing Transport facility</i>	
---	--	--

			<i>Per Student</i>		
	<i>Expenditure</i>	<i>Amount (Rs.)</i>	<i>Curr. Yr.</i>	<i>Prev. Yr.</i>	<i>Variance more than 20%</i>
1	<i>Transportation Expenses</i>				
	- <i>Salary & Wages</i>				
	- <i>Repair & Maintenance</i>				
	- <i>Vehicle Hire Charges</i>				
	<i>Depreciation</i>				
	<i>Other Expenses, if any</i>				
	<i>Total Expenditure</i>	-	-	-	-
	<i>Total Income - Transportation Fees</i>				
	<i>Net Surplus/ (Deficit)</i>	-	-	-	-

7 Statement showing surplus /deficit per student - Computer Education for the Year ended 31st March

4	<i>No. of Students - (Computer Education)</i>	
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			<i>Per Student</i>	
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	<i>Expenditure</i>	<i>Amount (Rs.)</i>	<i>Curr. Yr.</i>	<i>Prev. Yr.</i>	<i>Variance more than 20%</i>
<i>1</i>	<i>Computer Education Fees</i>				
	<i>- Salary & wages</i>				
	<i>- Repair & Maintenance</i>				
	<i>- Computer lab expenses</i>				
	<i>Depreciation</i>				
	<i>Other Expenses, if any</i>				
	<i>Total Expenditure</i>	-	-	-	-
	<i>Total Income - Computer Education Fees</i>				
	<i>Net Surplus/ (Deficit)</i>	-	-	-	-

8 Statement showing surplus /deficit per student - Sports for the Year ended 31st March

For example:

-	- Judo	-	-	-
-	- Karate	-	-	-
-	- Horse Riding	-	-	-
-	- Swimming, etc.	-	-	-

<i>5</i>	<i>No. of Students -</i>	
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			<i>Per Student</i>		
	<i>Expenditure</i>	<i>Amount (Rs.)</i>	<i>Curr. Yr.</i>	<i>Prev. Yr.</i>	<i>Variance more than 20%</i>
	<i>Expenses on special sports:-</i>				
	<i>Please specify with details</i>				
	<i>Total Expenditure</i>			-	-

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		-	-		
	Total Income				
	Net Surplus/ (Deficit)	-	-	-	-

9 Summary of surplus /deficit - activity wise for the Year ended 31st March

	<i>Particulars</i>	<i>Surplus/(Deficit)</i>	
1. Tuition Fees			
	<i>Pre School</i>	-	
	<i>Primary School</i>	-	
	<i>Elementary School</i>	-	
	<i>Secondary School</i>	-	-
	<i>Senior Secondary School</i>		
2. Annual Charges			-
3. Transportation Charges			-
4. Computer Education			-
5. Sports			-
6. Others, if any			
Total Surplus/(Deficit)			-
Add: Income not considered			
Less: Expenses not considered above			

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<i>Total Surplus/(Deficit) as per finance</i>				”
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