

CHAPTER IV RECOGNITION OF SCHOOLS

49. Form and Manner of application for recognition— 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 acknowledgment due.

50. Conditions for recognition— No private school shall be recognised, or continue to be recognised, by the appropriate authority unless the school fulfils the following conditions, namely :—

- (i) the school is run by a society 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;
- (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;
- (iii) the school follows approved courses of instructions as provided elsewhere in these rules;
- (iv) the school is not run for profit to any individual, group of association of individuals or any other persons;
- (v) admission to the school is open to all without any discrimination based on religion, caste, race, place of birth or any of them;

1. Subs. by DSE(A)R, 1990, R. 10(a).

2. Subs. by DSE(A)R, 1990, R. 11.

- (vi) the managing committee observes the provisions of the Act and the rules made thereunder;
 - (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;
 - (viii) the arrangements in the building or other structure and in the furnishings thereof meet adequately the requirements of health and hygiene;
 - (ix) the school buildings or other structures or the grounds are not used during the day or 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;
 - (x) the accommodation is sufficient for the classes under instruction in the school;
 - (xi) there is no thoroughfare or public passage through any part of the school premises;
 - (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;
 - (xiii) arrangements are made for the supply of good drinking water to the students and suitable facilities are provided to enable them to take refreshments, lunch or the like;
 - (xiv) the school is so conducted as to promote discipline and orderly behaviour and to maintain a high moral tone;
 - (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 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;
 - (xvi) facilities are provided for teaching of languages in accordance with the three language formula, adopted by the Central Government;
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- (xvii) the school is open to inspection by any of the following officers, namely :—
 - (a) any officer authorised by the appropriate authority or the Director;
 - (b) Director of Medical Services or Health Officer of the local authority concerned;
 - (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;
- (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;
- (xix) all records of the school are open to inspection by any officer authorised by the Director or the appropriate authority at any time, 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.

51. Facilities to be provided by a school seeking recognition— (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 exercise;

(ii) Library service :

- (a) (i) adequate library facilities, in the case of primary school, and
- (ii) in the case of any 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 authority;
 - (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;
- (iv) Workshop practice :
- (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;
 - (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;
- (v) Co-curricular activities :
- 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 :
- (a) debates;
 - (b) recitation or elocution;
 - (c) dramatics;
 - (d) music (including folk songs), dancing (including folk dances);
 - (e) hobbies of different types;
 - (f) model parliament;
 - (g) house system;
 - (h) prefectorial system;
 - (i) class competition;
 - (j) junior wing of the National Cadet Corps;
 - (k) scouting and guiding;
 - (l) activities providing for social service; and
 - (m) any other co-curricular activity.

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.

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 from the date of commencement of the school year.

54. Recognition to lapse if not availed of within a year— (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.

(2) ¹[* * * * *]

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 :

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.

55. Lapse of recognition in other cases— (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.

(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.

56. Suspension or withdrawal of recognition— (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 :

1. Omitted by DSE(A)R, 1990, R. 12.

2. Subs. by DSE(A)R, 1990, R. 13(B).

3. Subs. by DSE(A)R, 1990, R. 13(a).

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 think fit to enable the managing committee of the school to remedy the deficiencies or defects to the satisfaction of the appropriate authority :

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.

(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.

(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.

(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.

57. Restoration of recognition— 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 of recognition have been removed and that in all other respects the school complies with the provisions of the Act and the rules made thereunder.

58. Authorities to which appeals may be preferred— (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 :—

- (a) 'where' the appropriate authority is an authority designated or sponsored by the Central Government, to that Government;
- (b) where the appropriate authority is the Administrator, to the Central Government;
- (c) where the appropriate authority is an officer authorised by the Administrator, to the Administrator;
- (d) where the appropriate authority is a local authority, to the Administrator.

(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 :

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].