

The Delhi School Education Act, 1973

(Act No. 18 of 1973)¹

[9th April, 1973]

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

Be it enacted by Parliament in the Twenty-fourth Year of the Republic of India as follows :

CHAPTER I PRELIMINARY

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.

2. Definitions— In this Act, unless the context otherwise requires :—

- (a) **“Administrator”** means the Administrator of the Union Territory of Delhi appointed by the President under article 239 of the Constitution;
- (b) **“Advisory Board”** means the Board referred to in section 22;
- (c) **“Aid”** means any aid granted to a recognised school by the Central Government, Administrator, a local authority or any other authority designated by the Central Government, Administrator of a local authority;
- (d) **“Aided School”** means a recognised private school which is receiving aid in the form of maintenance grant from the Central Government, Administrator or a local authority or any other authority designated by the Central Government, Administrator or a local authority;
- (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;

¹ As published in Gazette of India, Extraordinary Part II. Sec. 1 dt. 10.4.73

- (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 authorised by him in this behalf;
- (f) "**Delhi**" means the Union Territory of Delhi;
- (g) "**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;
- (h) "**employee**" means a teacher and includes every other employee working in a recognised school;
- (i) "**existing employee**" means an employee of an existing school who is employed in such school immediately before the commencement of this Act, and includes an employee who was employed in such school for a period of not less than twelve months immediately preceding the 2nd day of September, 1972.
- (j) "**existing school**" means a recognised private school which is in existence at the commencement of this Act;
- (k) "**Head of school**" means the principal academic officer, by whatever name called, of a recognised school;
- (l) "**Local authority**" means,—
 - (i) in relation to an area within the local limits of the Municipal Corporation of Delhi, that Corporation;
 - (ii) in relation to an area within the local limits of the New Delhi Municipal Committee, that Committee;
 - (iii) in relation to an area within the local limits of the Delhi Cantonment Board, that Board;
- (m) "**manager**" in relation to a school, means the person, by whatever name called, who is entrusted, either on the date on which this Act comes into force or, as the case may be, under a scheme of management made under section 5, with the management of the affairs of that school;
- (n) "**managing committee**" means the body of individuals who are entrusted with the management of any recognised private school;
- (o) "**minority school**" means a school established and administered by a minority having the right to do so under clause (1) of article 30 of the Constitution;
- (p) "**notification**" means a notification published in the Official Gazette;

- (q) "**prescribed**" means prescribed by rules made under this Act;
- (r) "**private school**" means a school which is not run by the Central Government, Administrator, a local authority or any other authority designated or sponsored by the Central Government, Administrator or a local authority;
- (s) "**public examination**" means an examination conducted by the Central Board of Secondary Education, Council for Indian School Certificate Examinations or any other Board which may hereafter be established for the purpose, and recognised by the Administrator or any other officer authorised by him in this behalf;
- (t) "**recognised school**" means a school recognised by the appropriate authority;
- (u) "**school**" includes a pre-primary, primary, middle and higher secondary school, and also includes any other institution which imparts education or training below the degree level, but does not include an institution which imparts technical education;
- (v) "**school property**" means all moveable and immovable property belonging to, or in the possession of, the school and all other rights and interests in, or arising out of, such property, and includes land, building and its appurtenances, playgrounds, hostels, furniture, books, apparatus, maps, equipment, utensils, cash, reserve funds, investments and bank balances;
- (w) "**teacher**" includes the Head of school;
- (x) "**unaided minority school**" means a recognised minority school which does not receive any aid.