

CHAPTER VIII MISCELLANEOUS

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 recognised private schools;
- (c) managers of the recognised private schools;
- (d) representatives of parents or guardians of students of recognised 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.

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.

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.

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.

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.

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

- (a) omits or fails, without any reasonable excuse, to carry out any 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 authorised 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 extend to one thousand rupees, or with both.

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 of 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, travelling 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 after it 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.

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 :

- Provided that no such order shall be made after the expiry of a period of two years from the commencement of this Act.