

GOVERNMENT OF NCT OF DELHI
DIRECTORATE OF EDUCATION,
(PRIVATE SCHOOL BRANCH)
OLD SECRETARIAT, DELHI-54

No.DE.15/315/PSB/Pt. File-I/2016/ 19303-308

Dated:- 26/9/17

CIRCULAR

Subject: - To verify and confirm that the Private Unaided Recognized Schools, wherein the EWS/DG category candidates selected through computerized draw of lots have been kept under "Inwaiting" category, had actually made attempt to fill all General Category seats at their entry level classes.

Directorate of Education has already conducted two rounds of computerized draw of lots for admission under EWS/DG category in Private Unaided Schools recognized under the provisions of DSEAR, 1973 for the session 2017-18. On the basis of the computerized draw of lots, lists of successful candidates were forwarded online to the concerned schools with the direction to complete the admission formalities for admission under EWS/DG category and update the status of each and every candidate (Admitted/Rejected/Not-Reported/In-waiting/Provisionally Admitted) on the online module available on the department website.

Now, department is going to conduct third computerized draw of lots for the EWS/DG category seats remained vacant after completion of the admission process of second round of draw of lots. However, as per the data updated by the respective schools, it has come to notice that many schools have kept the candidates under "Inwaiting" category mainly due to the reason of having less general category admission than the declared seats in the school.

In this regard, it is submitted that Hon'ble High Court of Delhi vide judgement dated 30/09/2013 passed in WPC No. 3358 of 2013 titled as "*The Sovereign School Vs Directorate of Education, GNCTD*" has held that "*if the petitioner-school made attempt to admit 105 students from the General Category but was able to admit only 51 students, it cannot be compelled to admit more than 17 students belonging to Economically Weaker Sections of society. The impugned order dated 15.05.2013 passed by the Directorate of Education is hereby quashed subject to the Directorate verifying and confirming, within one (1) week from today that the petitioner-school had actually made attempt to admit 105 students from the General category during the academic year 2013-14.*"

From the said judgement of Hon'ble Court, it can be concluded that schools has to make adequate attempt to fill all its General Category admissions and if the school has actually made efforts to fill all its declared seats (which cannot be lower than the maximum number of seats during the last three years/session), only then the schools can admit EWS/DG category candidates in proportion of 1:3 to General Category and keep other allotted EWS/DG category candidates under "Inwaiting" category.

However, if it is established that adequate efforts have not been made by the school to fill their declared General Category seats, then the calculation of EWS/DG category seats will be based on the total sanctioned strength (which cannot be lower than the maximum number of seats during last 3 years).

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Therefore, all district DDEs are directed to check and verify the number of the General Category admissions done by all Private Unaided Recognized School of Delhi falling under their jurisdiction where the selected candidates are still being kept under "Inwaiting" category on account of less General Category admission at their entry level classes during the session 2017-18 and to ensure that the schools have made actual attempt to fill all the declared General Category seats in the school. However, if any school has not made adequate efforts to fill all declared General Category seats then the school shall be directed to give admission to all the EWS/DG category candidates allotted through computerized draw of lots and shall ensure that no EWS/DG category candidate allotted through computerized draw of lots is kept under "Inwaiting" category by that school.

This issues with the prior approval of the Competent Authority.

(ARTI LAL, IAS)

ADDITIONAL DIRECTOR OF EDUCATION (PSB)

To,

All District DDEs,
Directorate of Education, GNCTD

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Copy for information to:-

1. PS to Secretary (Education), Directorate of Education, Govt. of NCT of Delhi.
2. PS to Director (Education), Directorate of Education, Govt. of NCT of Delhi.
3. PA to Addl. Director of Education (PSB), Directorate of Education, Govt. of NCT of Delhi.
4. All Regional Directors, Directorate of Education, Govt. of NCT of Delhi.
5. OS (IT) to upload the same on the department website.
6. Guard File.

(YOGESH PRATAP)

DEPUTY DIRECTOR OF EDUCATION (PSB)