



AASTHA INSTITUTE FOR ADVANCED STUDIES

(An Autonomous Organization Regd. Under National Trust Act of 1882)
Regn. No. 1041/05

Running Aastha Public School since 1-4-2005.

Ref. No.

Dated 23-04-2012

Genral Dy. No. 24
Dated 23/4/12
Urban Development Authority
Delhi

To

The Director Planning (MPR),
D.D.A., 6th Floor, Vikar Minar,
I.P. Estate, New Delhi - 110002

Sub :- Review of Master Plan Delhi-2021 - Request for grant of relaxation in recognition to Primary Schools which were functioning on the date of notification i.e. 07-02-2007 - your advertisement dated 18-2-2012

Respected Sir,

Primary Schools imparting education to Nursery and Primary students of economically weaker sections of the unauthorized colonies prior to notification of MPD-2021. They applied for recognition of Primary Schools to M.C.D. after completing formalities under Delhi School Education Act & Rules, 1973. On 07-02-2007, the Delhi Master Plan was notified by the Ministry of Urban Development, in which under section 4.2.2.2 B requirement of land for Primary Schools increased from 200 sq.yards to 1000 sq.yards (800 sq.mtr) per 5000 population. It is not possible physically & financially to procure 5 times increased land in any colony of Delhi. This will jeopardize the Govt.'s Right to Education Act, 2009 for providing compulsory education to all. Standing Committee of MCD passed the Resolution No. 834 dated 07-11-2008 to reduce the requirement of 800 sq.mtr land.

In order to improve the physical & social infrastructure in the context of Right to Education Act, the Development Control Norms of MPD-2021 need to be relaxed. As a social justice, it is very much desirable to allow recognition of private schools which were actually functioning on the date of MPD-2021 notification in the larger public interest.

MCD's thrust for relaxation and request for various sizes of plot of land say 200/300/400/800 sq.mtr (based on No. of sections) for recognition of schools vide dated 21.04.2009 & 07.03.2011 are enclosed for your kind consideration at an early date.

Thanking You,

Yours faithfully

P.S. Bhati
(P.S. Bhati)
Chairman

M - 9136402716

OFFICE OF THE DIR (Plg.)
MPR/TC, D.D.A. N. DELHI-2
Dy.No. 2072
Dated 24-4-12

Shmt
24/4
AD (P/S) I

1ST APPELLATE AUTHORITY & DIRECTOR (Pry. Edn.)
MUNICIPAL CORPORATION OF DELHI
UNDER RIGHT TO INFORMATION ACT, 2005
Contact No.-011-23226508

No.: APL-327/Dir PE/2011

Dated: 07/3/11

Mr. P.S. Bhati
G-20, East of Kailash
New Delhi-110065




APPEAL DECISION

The appellant is present in person. He states that he has received a reply in r/o his RTI application but he is not satisfied with it. He further states that he doesn't press further information in r/o Q. No.1, 2, 3 & 4 but wants complete information in r/o Q. No.-5.

Addl. Dir.-II/PIO and DDE (Grants) informed that the Delhi Master Plan 2021 has been notified in February 2007 and after the notification the recognition has to be considered as per the provisions contained in Delhi Master Plan 2021. The schools which were existing on the date of notification can be considered only if the relaxation is granted by the Ministry of Urban Development, Govt. of India. Thus, nothing survives in the appeal and the appeal is disposed off accordingly.

The appellant is at liberty to appeal against the said order, if not satisfied, before the Chief Information Commissioner, Central Information Commission, 'B' Wing, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066.


Director (Edn.)/1st A.A.

Copy to:

1. Ms. Swatantar Bala, Addl. Director-II/PIO
2. Mr. Hari Chand ADC (Edn.)
3. Mr. S. P. Jain, Dy. Law Officer (Edn.)
4. Dr. Tara Gupta, DDE (Coord. /RTI/CW)

MUNICIPAL CORPORATION OF DELHI
EDUCATION DEPARTMENT: H.Q.
KASHMERE GATE, DELHI-06

No.: D-365/AEO/Grant/Edu./HQ/2009

Dated: 21/11/09

To,
The Secretary,
Ministry of Urban Development,
Govt. of India,
New Delhi.

Subject: Regarding grant of Recognition to Schools.

Sir,

I am directed to enclose herewith a copy of the Corporation Resolution No. 739 dated 12.01.09 on the above noted subject. The cases for grant of recognition which had a minimum 200 square yards of land and fulfill other norms were being considered. Section 4.2.2.2 B of MPD-2021 provides that in all unauthorized colonies whether on private or public land, from time to time, it must be ensured that for improvement of physical and social infrastructure, the minimum necessary / feasible land of services and community facilities are provided. For primary school it is 800 sq. m per 5000 population. Similarly the planning norms prescribed on Table 13.3 of MPD-2021 prescribes an area of 0.2-0.4 hectare for a primary school for 10,000 populations.

A preamble was put up before the Corporation for approval of Consolidated Revised Guidelines for Recognition of Private School. The Education Committee vide its resolution No. 14, dated 13.10.08, approved as under: -

"Having considered the proposal of the Commissioner as contained in his letter No. F.33/PE/1730/C&C dated 23.09.08 resolved that it be recommended to the corporation through the Standing Committee that proposal as contained in the letter referred to above, be approved subject to the following modifications: -

- (1) MCD should consider all those cases for private schools running in unauthorised or authorised colonies for recognition which are running on a piece of land measuring 200 sq. yards including space of 80 sq. yards for play ground as already approved in the Corporation Vide its Resolution No. 435 dated 17.01.2000.

(2) That area of the land (for school) including 40% for play ground should be 200 sq. yards up to 7 section, 300 sq. yards upto 10 section, 400 sq. yards upto 12 sections, 800 sq. yards for more than 12 sections and annual tuition fee as proposed in the consolidated Revised Guidelines for recognition of Private Schools in Para 3 (10) be not charged.

(3) Hence forth, Rs. 5,000/- in place of Rs. 1000/- be charged as processing fee from the Private School applying for recognition without aid.

Thereafter Standing Committee vide its Resolution No. 834 dated 07.11.08 approved as under:

A Sub-Committee consisting of the following members is constituted to look into the matter and to submit its recommendations:-

1. Dr. Rajni Abbi, Convener
2. Sh. yogender Chandolia
3. Sh. Mohan Prasad Bhardwaj
4. Sh. Khavinder Singh Captain

Keeping in view the recommendation of the Sub Committee, Standing Committee vide its Resolution No. 1008 dated 24.12.08, approved as under: -

"Having considered the proposal as contained in Commissioner's letter No. F.33/P.Education/1730/C&C dated 23.09.2008 and the recommendations made by the Education Committee vide its Resolution No. 14 dated 13.10.2008 resolved that it be recommended to the Corporation that the proposal of the Commissioner as contained in his aforesaid letter and the recommendations made by the Education Committee referred to above be approved alongwith following recommendations made by the sub-committee constituted by the Standing Committee vide its Resolution No. 834 dated 07.11.2008:-

1. मद संख्या 412 में निजी विद्यालयों को मान्यता देने के संबंध में क्रम संख्या 2 में संशोधन करते हुए निर्णय लिया गया कि अगले वर्ष के शैक्षणिक वर्षों के हिसाब पर वर्गमाटर किया जाना चाहिए।
2. प्रोसेसिंग फीस 5,000/- रुपये ली जानी चाहिए।

3. जो निजी विद्यालय छात्रों को सुविधाएं नहीं दे रहे हैं उन विद्यालयों को मान्यता नहीं दी जानी चाहिए।
4. जो निगम के बड़े विद्यालय हैं उनमें एक अनुभाग मानसिक और शारीरिक रूप से विकलांग छात्रों के लिए रखा जाये तो ज्यादा बेहतर होगा। इस पर निदेशक, प्राथमिक शिक्षा द्वारा जानकारी दी गयी कि इस विषय से संबंधित मामला कोर्ट में चल रहा है।
5. अतिरिक्त आयुक्त (शिक्षा) ने कहा कि अनाधिकृत क्षेत्रों में प्रावधान के अनुसार 800 वर्गमीटर भूमि उपलब्ध होना सम्भव नहीं है। अतः 800 वर्गमीटर से कम भूमि को मंजूरी देने हेतु भारत सरकार को मामला भेजा जायेगा। अतिरिक्त आयुक्त ने कहा कि भविष्य में इसे किया जा सकता है।

Keeping in view the Resolution No. 1008 of the Standing Committee, Corporation vide its Resolution No. 739, dated 12.01.09, resolved as under:-

"Having considered the proposal of the Commissioner's as contained in his letter No. F.33/Pry.Edn./1730/C&C dated 23.09.2008 and the recommendations made by the Education Committee vide its Resolution No. 14 dated 13.10.08, resolved that the proposal of the Commissioner as contained in his letter referred to above, be approved alongwith the following recommendations made by the sub-committee constituted by the Standing Committee vide its Resolution No. 834 dated 07.11.2008:-

1. मद संख्या 412 में निजी विद्यालयों को मान्यता देने के सम्बन्ध में क्रम संख्या 2 में संशोधन करते हुए निर्णय लिया गया कि भूमि का क्षेत्रफल वर्गगज के स्थान पर वर्गमीटर किया जाना चाहिए।
2. प्रोसेसिंग फीस 5,000/- रुपये ली जानी चाहिए।
3. जो निजी विद्यालय छात्रों को सुविधाएं नहीं दे रहे हैं उन विद्यालयों को मान्यता नहीं दी जानी चाहिए।
4. जो निगम के बड़े विद्यालय हैं उनमें एक अनुभाग मानसिक और शारीरिक रूप से विकलांग छात्रों के लिए रखा जाये तो ज्यादा बेहतर होगा। इस पर निदेशक, प्राथमिक शिक्षा द्वारा जानकारी दी गयी कि इस विषय से संबंधित मामला कोर्ट में चल रहा है।
5. अतिरिक्त आयुक्त (शिक्षा) ने कहा कि अनाधिकृत क्षेत्रों में प्रावधान के अनुसार 800 वर्गमीटर भूमि उपलब्ध होना सम्भव नहीं है। अतः 800 वर्गमीटर से कम भूमि को

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मंजूरी देने हेतु भारत सरकार को मामला भेजा जायेगा। अतिरिक्त आयुक्त ने कहा कि भविष्य में इसे किया जा सकता है।

It is, therefore, requested that the relevant provisions of MPD-2021 may be relaxed as per Resolution No. 739 dated 12.01.09 to facilitate consideration of cases for recognition of private schools in larger public interest.

Yours faithfully,

Hal
Addl. Commissioner (Edn.)

Copy to the:-

Secretary to Commissioner for information of the Commissioner

Copy for kind information to:-

1. The Hon'ble Mayor, MCD
2. Hon,ble Deputy Mayor, MCD
3. Leader of the House, MCD
4. Chairman, Standing Committee, MCD
5. Chairman, Education Committee, MCD