



# CHAPTER



## 19. Withdrawal of Affiliation of Provisionally Affiliated Schools under CBSE-i

1. An Institution may be disaffiliated if the Board is satisfied that the school concerned is not fit to enjoy continuing affiliation to the Board. The Board either in a particular subject or in all subjects may withdraw affiliation as the case be.
- 2 a. The Board may initiate proceedings for withdrawal of affiliation in case a school is found guilty of following after reasonable notices:
  - i) Not paying salaries and allowances to teachers and other employees at least at par with those obtaining in State/Union Territory institutions; default or delay in payment of salaries and allowances.
  - ii) Financial irregularities including channeling of funds for purposes other than those provided for in these Byelaws.
  - iii) Engagement in activities prejudicial to the interest of the State, inculcating or promoting feelings of disloyalty or disaffection against the Government established byelaws.
  - iv) Encouraging or tolerating disharmony/hatred between different sections of the Society.
  - v) Non-fulfillments of conditions laid down regarding deficiencies to be removed, even after due notice.
  - vi) Disregard of rules and conditions of affiliation even after receiving warning letters.
  - vii) Hindrance in the smooth functioning of the school on account of dispute between rivals within the school management.
  - viii) Absence of approved terms and conditions of service, or frequent dismissal of teachers from service.
  - ix) Poor academic performance of the school for three consecutive years in not being able to keep at least 50 per cent of passes of the general pass percentage.
  - x) Non-availability of proper equipment/space/staff for teaching a particular subject.
  - xi) Any other misconduct in connection with the admissions/examinations/any other area which in the opinion of the Board warrants immediate disaffiliation of the school.
  - xii) In case of transfer of property/sale of school by one Society/Trust/Company Registered under section 25 of the Companies Act, 1956 or under the appropriate Acts of relevant country /Management to another Society/Trust/ Company Registered under section 25 of the Companies Act, 1956 or under the appropriate Acts of relevant country /Management through agreement/Sale deed.



(xiii) Any violation of the norms that have been prescribed by the Hon'ble Supreme Court of India in the writ petition (Criminal) nos. 666-70 of 1992 Vishaka and others V/s State of Rajasthan and others delivered on 13-8-1997 for protection of women from sexual harassment at the work place if established would attract strict action against the institution which may even lead to disaffiliation or guidelines issued by the courts of relevant country.

(xiv) Violation of provision of sub-clause 3.3 (f) of Chapter II.

(xv) Violation of Item 20.2 (vii) of Chapter VI.

b. Once Provisional/Regular Affiliation granted to the school is withdrawn by the Board on establishment of serious irregularities which amount to cheating the Board/causing embarrassment to it, the Board may blacklist such a school to debar it from seeking re-affiliation in future.

3. The Board shall provide adequate time and opportunity to the Management of the school served with a 'Show Cause Notice', upto a maximum of one year for adequate compliance/ removal of defects failing which the Board may declare the institution disaffiliated. Such decision by the Board shall be final and binding.

The maximum period of 'Show Cause Notice' due to clause 17(2) (xi) may not exceed one month.

4. In case a school seeks legal redressal from the Court against the decision of the Board, the jurisdiction of the court of Law shall be Union Territory of Delhi only and not any other place.

## 20. Withdrawal of Regular Affiliation

(1) Within the general framework of Section 17 of this chapter, the Board reserves the right to withdraw regular affiliation in the event of a school failing to observe affiliation norms and rules and/or the pass percentage in most of the subjects goes lower than the pass percentage of each subject at the examinations of the Board, continuously for three years. The Board will ask such a school to rectify the deficiencies and given adequate time (6 months to one year). If the school fails to show improvement, it will lose the status of a regular affiliation school and will revert to a provisionally affiliated school status.

(2) In the event of a school failing to maintain the prescribed norms for regular affiliation for affiliated schools and/or rules of the Board and/or the school deteriorates in standards of performance, the Board will ask such a school to rectify the deficiencies and come upto Boards expectations within a period not exceeding one year. If the school fails to show improvement it may lose the status of a regular affiliated school and will revert to being a provisionally affiliated school or even may be disaffiliated, if considered necessary by the Board.