



केन्द्रीय माध्यमिक शिक्षा बोर्ड
(शिक्षा विभाग, भारत सरकार के अधीन एक स्वायत्त संस्था)
CENTRAL BOARD OF SECONDARY EDUCATION
(An Autonomous Organisation under the Ministry of Education, Govt. of India)



NO. CBSE/AFF./ 2730752/2024 /01556

Date: 29.10.2024

ORDER

THE VIVEKANAND SCHOOL, SHIV MANDIR COLONY NARELA DELHI-110040 was given Provisional affiliation with the Board for Secondary Level w.e.f. 01.04.2016 to 31.03.2019 & further upgraded to Senior Secondary Level w.e.f. 01.04.2017 to 31.03.2020. The affiliation is renewed from time to time and is affiliated till **31.03.2030** with affiliation number **2730752**. As per conditions of affiliation, the school shall abide by the provisions of the Examinations and Affiliation Bye-Laws of the Board.

AND WHEREAS, all affiliated schools have already been informed through Board's notification dated 18.10.2018 to ensure compliance with the terms and condition mentioned in the Affiliation Bye-Laws, 2018 and also that the Board may conduct surprise inspection of school(s) any time to verify the status of compliance. Clause No. 12 of Affiliation Bye-Laws clearly lays down that any non-compliance of Examination and Affiliation Bye-Laws shall be considered as violation and action shall be taken as per the Rules in Chapter 12 of the Affiliation Bye-Laws, 2018.

AND WHEREAS, Chapter 14 – "General Rules", provides for the general rules which are required to be mandatorily followed clause No. 14.1 states that, "Every school is bound to follow the Affiliation Bye Laws of the Board mutatis mutandis."

AND WHEREAS, clause No. 14.2 of the Affiliation Bye-Laws, 2018, stipulates that, "It is mandatory for every affiliated school to follow the Examination Bye-laws of the Board mutatis mutandis. Further, the clause 14.2.1 of the Affiliation Bye-Laws, 2018, provides that, "Every affiliated school shall present a list of number of students and their particulars in respect of Classes IX, X, XI & XII at the time of beginning of an academic session in the manner prescribed by the Board."

AND WHEREAS, the clause 14.2.2 of the Affiliation Bye-Laws, 2018, provides that, "No affiliated school shall present the candidates to the Board's examination who are not on its rolls." The clause 14.2.4 of the Affiliation Bye-Laws, 2018, provides that "No affiliated school shall present the candidates to the Board's examination who are on its roll but have not



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CENTRAL BOARD OF SECONDARY EDUCATION

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attended the school regularly or do not meet the requirement of minimum attendance for appearance in the Board's examination."

The clause 14.2.5 of the Affiliation Bye-Laws, 2018 further provides that, "Every affiliated school shall sponsor regularly its bona-fide and eligible students in Boards Class X and Class XII examinations from the year mentioned while granting affiliation/ upgradation regularly without break or inform with reasons thereof in writing well in time about the non-sponsoring of the candidates".

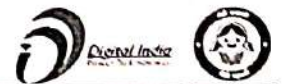
AND WHEREAS, Chapter 11 of the Affiliation Bye-Laws provides that the Board may conduct the inspection of the Schools including the surprise inspection to ascertain and ensure that schools are following the provisions of the Examination Bye-Laws, Affiliation Bye-Laws and any other instructions issued by the Board from time to time. Clause 11.4 of CBSE Affiliation Bye Laws, 2018 related to the Surprise Inspection of the schools states that, "The Board may any time get an affiliated school inspected by a committee of one or more members without giving any notice to the school." This activity of surprise inspection can be carried out any time to ensure the due compliance of Statutory Provisions, Bye-Laws of the Board and compliance of any legal mandate and all the schools are bound to offer themselves for such inspection as and when directed.

AND WHEREAS, Clause No. 14.7 of the Affiliation Bye-Laws, 2018, stipulates that, "The school shall take steps to see that physical & health education, life skills education, digital education for students and teachers, experiential learning, value education with particular emphasis on National Integration is imparted to students through teaching of various subjects and activities in the school curriculum."

AND WHEREAS, Clause No. 2.4.8 QUALITY OF EDUCATION of the Affiliation Bye-Laws, 2018, stipulates that, "The school must be quality driven and must strive for excellence in all aspect of its activities. It must follow the directions issued by the Board from time to time regarding introduction of innovative practices in areas of curriculum, pedagogy and evaluation"

AND THEREFORE, on the basis of the enabling provisions contained in clause 11.4 of the Affiliation Bye-Laws, 2018, the Board conducted Surprise Inspection of THE VIVEKANAND

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CENTRAL BOARD OF SECONDARY EDUCATION

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SCHOOL, SHIV MANDIR COLONY NARELA DELHI-110040 on 03.09.2024 through a two member Inspection Committee.

- A. On the basis of the report submitted by the Inspection Committee and analysing the data available with the Board, following *inter alia* violations were noticed:-
- As per the enrolment details provided to the surprise inspection committee by the school, there are total 35 students enrolled in class XI and 848 students are enrolled in Class XII. Number of increase in students in class XII as compared to class XI is significantly disproportionate. The inspection committee who visited the school mentioned that "...The team was shocked to observe that students of all subject (streams) of XI & XII were sitting in one section only.... Though the records have been maintained well". There were total 848 students registered in class XII with 21 sections but in actual there was only 01 section being run by the school. The Committee has also mentioned that the school taking admission of dummy students which is violation of clause 14.2.2, 14.2.3, 14.2.4 & 2.4.5 (c). This Observation of the Committee report clearly indicates illegal sponsoring of dummy / non attending students by the school which is the most severe violations of Affiliation Bye Laws of the Board.
 - Last year, the school had registered 900 students in class XI (in the academic session 2023-24) which would have been promoted to class XII this year (in 2024-25) by natural progression but at the time of inspection only 25 students were found present in class XII. This is a violation of Clause 14.2 of the affiliation/Examination Bye-laws of the Board.
 - The IC has reported that, when the team met the children of class XII, it was a history period but students who were not having this subject in their course, were also sitting which is violation of clause 14.2.
 - It has further been observed by the Committee that "the Physics and the Chemistry Labs lack adequate facilities". The Committee has further informed that "... the Chemistry lab can only accommodate 12 students for practical session at a time. With an enrolment of 848 students, it would take more than 23 days to complete Practical of one subject (Even if three sessions of practical of three hours are done each day). The Physics Lab faces similar challenges"
 - As per the Committee , Library was also not fully functional and appears to be there in name only which is violation of clause 4.3.2, 4.3.3 & 4.3.6

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CENTRAL BOARD OF SECONDARY EDUCATION
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- vi. The committee has further reported that one cannot define the designation such as PGT/TGT/PRT. As per the details available with the inspection report, the school is not maintaining section teachers' ratio i.e. 1:1.5 excluding Principal, Physical Education Teacher and Counsellor, to teach various subjects. Clause 5.4
- vii. The staff is being paid poorly which is violation of clause 5.2.2 which stipulates that teaching & non-teaching staff appointed in the school is not being paid as per pay scales and allowances prescribed by the Appropriate Government.
- viii. The Owner of the school did not allow the inspection Committee to interact freely with students and teachers of the school and thus created hindrance in the work of Inspection Committee which is violation of clause 10.1.12 of Affiliation Bye Laws of the Board.

B. In order to follow the course of natural justice and to maintain transparency, a copy of the inspection report was provided to the school along with the Show Cause Notice dated 13.09.2024.

C. The school vide its reply dated 09.10.2024 has inter-alia made, the following submissions on the show cause notice dated 13.09.2024:

1. In reply to allegation no. (i) the respondent School had denied the allegations in total as the same are misconceived, incorrect. The significant disparity in student numbers between Class XII and Class XI can be attributed to a series of administrative decisions. On March 22, 2024, the school received a circular indicating a downgrade from Senior Secondary to Secondary level, which explicitly stated that no new admissions would be accepted in Class XI. This restriction led to a substantial decrease in enrollment for that class. Subsequently, on July 9, 2024, the school received permission from CBSE to admit Class XI students. However, by the time admissions were opened, it was too late for many students to enroll, resulting in a significantly lower number of students in Class XI compared to Class XII.

The assertion made by the inspection team regarding students of Class XI and Class XII sitting in one section is inaccurate. In reality, students from Class XI and Class XII are seated in separate classrooms. It is important to note that while Class XII students from all streams may occasionally gather together, this is primarily during preparation holidays for

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CENTRAL BOARD OF SECONDARY EDUCATION

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half-yearly examinations. During these holidays, only a few students, specifically those with doubts in their subjects, attend school. As a result, it may appear that students are sitting together in one room; however, this does not reflect the regular seating arrangement, which maintains a clear distinction between the two classes. This chain of events ultimately created an imbalance in student enrollment across these two grades. So, there is no question of enrolment of dummy students as alleged in the corresponding allegations and also there is no violation of the Clause 14.2.2, 14.2.3, 14.2.4 and 2.4.5C of the Bylaws as alleged in the show cause notice.

2. The claim made by the inspection team that students from Class XI and Class XII are sitting in the same section is incorrect. In fact, students from both classes are accommodated in separate classrooms. It should be emphasized that although students in Class XII from various streams might occasionally gather in one place, this typically happens during preparation holidays for the half-yearly examinations. During these holidays, only a small number of students, particularly those seeking help with their subjects, attend school. Therefore, it may give the impression that students are together in a single room; however, this does not accurately represent the usual seating arrangement, which clearly distinguishes between the two classes. Hence there is no violation of the Clause 14.2 of the Bylaws as alleged in the show cause notice. Rest mentioned in above Para.
3. In reply to allegation no. (iii), it had stated that there very few student of the different streams who came for clearing their doubts, therefore, the students were in one class as the subject teacher were came to clear the doubts during different periods and also maintain the discipline among the students also. Hence there is no violation of the Clause 14.2 of the Bylaws as alleged in the show cause notice. Rest mentioned in above Para.
4. In reply to allegation no. (iv), the respondent School had denied the allegations in total as the same are misconceived, incorrect. it had stated that the Chemistry and Physics labs of the Respondent school are adequately equipped having an area of 620 Square Feet and which can easily accommodate about 30 students Batch at a time and practical time is about 80 minutes per Batch, so the allegation (iv) of the show cause notice is incorrect

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and not properly checked by the inspection team and there is no violation of the Clause 14.2 of the Bylaws as alleged in the show cause notice.

5. In reply to allegation no. (v), the respondent School had denied the allegations in total as the same are misconceived, incorrect. It is denied that the Library is not functional. School library is functional. However, when the inspection team visited our school, maintenance work was ongoing, which led the team to believe that the library was not operational. We would like to clarify that our library is indeed functional, and a photo has been attached to support this claim. Therefore, there is no violation of the Clause 4.3.2, 4.3.4 and 4.3.6 of the Bylaws as alleged in the show cause notice.
6. In reply to allegation no. (vi), the respondent School had denied the allegations in total as the same are misconceived, incorrect. It is denied that the Respondent (School) had not maintained the section teachers ratio i.e. 1:1.5 to teach various subjects which is violation of Clause 5.2 of the Bylaws. The school had maintained properly ratio of teacher and students as per bylaws and there is no violation Clause 5.4 as alleged in the show cause.
7. In reply to allegation no. (vii), the respondent School had denied the allegations in total as the same are misconceived, incorrect. It is denied that the Respondent (School) had not paid the teaching and Non Teaching staff as per the norms of the appropriate government. In this regards, it is stated that the Salary of the teaching and non teaching staff is not the subject matter of the CBSE and there is no violation of the prescribed Salary Norms of the Delhi Government. It is further stated that Inspection team had not checked any Salary records of the teaching and non teaching staff of the respondent School. Supporting Documents has been attached to support this claim. Therefore, there is no violation of Clause 5.2.2 of the Bylaws as alleged in the show cause notice.
8. In reply to allegation no. (viii), the respondent School had denied the allegations in total as the same are misconceived, incorrect. It is denied that the owner of the School had not allowed inspection committee to interact with students and teachers freely and cause hindrance in the work of inspection committee. In this regards, it is stated the inspection committee had carried out videography of the inspection of the school and there was no

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CENTRAL BOARD OF SECONDARY EDUCATION
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hindrance caused by the owner of the school and there is no violation of the clause 10.1.12 of the Bylaws.

In light of the above facts, we can state that the school has not disregarded any rules set by CBSE. We deeply regret receiving the show cause notice on 13-09-2024, which requires us to respond to several allegations. The school has consistently been committed to upholding the highest standards of education and compliance with all regulations. We respectfully request that the authorities consider the future of the school and its students when making a decision in Favor of the institution.

D. The analysis of the submissions in its reply dated 09.10.2024 and the violations committed by the School:-

- (i) The statement of the school "..... In reality, students from Class XI and Class XII are seated in separate classrooms....." is contradictory with the inspection committee report. On the day of physical inspection, the committee found that students of all subject (streams) of XI & XII were sitting in one section only. Though, the school has stated that class XII student from all streams may occasionally gather together, primarily during preparation holidays for half yearly examinations, but no notice with regard to preparatory holidays declared by the school, was shown as evidence to the committee. The notice for preparatory leave given with the reply of the Show Cause Notice might have been shown to the committee on the day of inspection itself. The submission of the school to the effect that XII students from all streams sits together for clearance of their doubts also does not hold good, as it is practically not possible for a teacher of a particular subject to teach all the subjects. The purpose of doubt clearance session is to give students in depth knowledge about a particular topic. Further, students of a particular stream e.g. science stream student might have wasted their precious time in the class taught by teacher of another stream i.e. commerce, which is against the submission of the school that student sits together for clearance of doubts. The submission of school is not sustainable. If the intention of the school was non malafide and the school did not have dummy students then the school could have provided alongwith the reply of the Show Cause Notice, other circumstantial evidences

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such as the project note book, practical note book, details of leave, admission form, AWR, any other previous photograph of the students during school events/in the class rooms, Lab attendance registers, records of Class XI of the students of class XII etc. Even along with the reply of show cause notice dated 13.09.2024, the school has not submitted any such evidence to substantiate its claim of non-sponsoring of dummy students.

The IC has categorically stated that *"when the team met children of class XII, it was history period, but students not having the subject in their course were also sitting. The school has only one section, irrespective of number of students. Though, records have been maintained well"*. and the IC has also stated that *"THE TEAM WAS SHOCKED TO OBSERVE THAT STUDENTS OF ALL SUBJECT (STREAMS) OF CLASS XI & XII WERE SITTING IN ONE SECTION ONLY"*. This makes it evident that irrespective of the records maintained by the School, on ground reality, the school was found to be accommodating all of the students of class XI & XII in one section only which is in itself a proof that the school is still having dummy/ non-attending students. Further, as per the LOC submitted by the school for 2024-25 session, the school has 827 science students in class XII, whereas the committee has categorically stated that *"Chemistry and physics laboratories lack adequate facilities. The chemistry lab, for instance can only accommodate 12 students for practical session at a time. Within enrolment of 850 student in class XII (science) it would take more than 23 days to complete one practical. The physics lab faces similar challenges. (Even if three sessions of practical of 3 hrs are done each day)"*. Though, in its reply, the school has denied having inadequate laboratories, however the school has not submitted any concrete evidence to substantiate its submission. The school has not addressed the point of having only one section in class XII against 848 students. Therefore, the fact of violation of clause 14.2.2, 14.2.4 of the Affiliation Bye-laws of the Board is established.

- (ii) In reply to the second point, the school has not addressed the issue of having only 25 students being present in class XII on the day of inspection, against a strength of 848 students in class XII. Therefore, it is assumed that the school does not have anything to say on this point and it has accepted the facts that there was a disproportionate

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CENTRAL BOARD OF SECONDARY EDUCATION

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absence of students in class XII with respect to the actual enrolment. The school simply harped upon justifying the students of IX and XII sitting in a single room, which has already been detailed and analysed in point no. 01 above. The school has submitted notice of "Half yearly examination 2024 and date sheet" along with the reply of the Show Cause Notice, however, the same was not shown to the inspection committee members, therefore, the authenticity of the same cannot be established. Further, as per Affiliation Bye Laws of the Board Clause 14.7 *"The school shall take steps to see that physical & health education, life skills education, digital education for students and teachers, experiential learning, value education with particular emphasis on National Integration is imparted to students through teaching of various subjects and activities in the school curriculum."* and as per clause 2.4.8 QUALITY OF EDUCATION *"The school must be quality driven and must strive for excellence in all aspect of its activities. It must follow the directions issued by the Board from time to time regarding introduction of innovative practices in areas of curriculum, pedagogy and evaluation."* If the school does not maintain regular attendance of students, quality education which includes physical & health education, life skills education, digital education would not be possible under any circumstance. Therefore, the school has violated the clauses No. 14.2.4, 14.2.5, 14.7 and 2.4.8 of Affiliation Bye-Laws of the Board. **Further the students are not attending the classes regularly** which is violation of **Clause 6.5** of Examination Bye-Laws of the Board *"...the candidate shall complete the required percentage of attendance (75%) for Class IX, X, XI & XII as per Examination Bye Laws of the Board to make him/ her eligible for the examinations. In such cases where the admission by the candidate could not be taken in a higher class by the stipulated date because of the late declaration of result by the Board such permission would not be required, provided the candidate applied for admission within a fortnight of the declaration of the result."*

AND Clause 13.1(i) *"...Candidates taking up a subject(s) involving practicals shall also be required to have put in at least 75% of the total attendance for practical work in the subject in the laboratory. Heads of Institutions shall not allow a candidate who has offered subject(s) involving practicals to take the practical examination(s) unless the candidate fulfils the attendance requirements as given in this Rule."*

Page 9 of 13

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CENTRAL BOARD OF SECONDARY EDUCATION

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AND Clause 13.2(i) "No student from a School affiliated to the Board shall be eligible to take the examination unless he has completed 75% of attendances counted from the opening of class X/XII upto the first of the month preceding the month in which the examination commences in the subjects of internal assessment."

- (iii) On the day of physical inspection, the committee found that students of all subject (streams) of XI & XII were sitting in one section only. The submission of the school to the effect that class XII students from all streams sits together for clearance of their doubts also does not hold good, as it is practically not possible for a teacher of a particular subject to teach all the subjects. The purpose of doubt clearance session is to give students in depth knowledge about a particular topic. Further, students of a particular stream e.g. science stream student might have wasted their precious time in the class taught by teacher of another stream i.e. commerce, which is against the submission of the school that student sits together for clearance of doubts. The submission of school is not sustainable. If the intention of the school was non malafide and the school did not have dummy students then the school could have provided alongwith the reply of the Show Cause Notice, other circumstantial evidences such as the project note book, practical note book, details of leave, admission form, AWR, any other previous photograph of the students during school events/in the class rooms, Lab attendance registers, records of Class XI of the students of class XII etc. Even along with the reply of show cause notice dated 13.09.2024, the school has not submitted any such evidence to substantiate its claim of non-sponsoring of dummy students. Therefore, the fact of violation of clause 14.2 of the Affiliation Bye-laws of the Board is established.

- (iv) The statement of the school given in reply to the Show Cause Notice to the effect that Physics and Chemistry labs can easily accommodate about 30 students Batch is contradictory with the inspection committee report. The inspection committee has categorically stated that Chemistry lab can only accommodate 12 students for practical session at a time. School has not provided any evidence in support of its claim such as photographs etc. Further, school itself has accepted that Chemistry labs can accommodate about 30 students Batch, which is not as per Recommendation of

Page 10 of 13

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CENTRAL BOARD OF SECONDARY EDUCATION

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- infrastructure and facilities in the Laboratories vide CBSE Circular No. circular no.11 dated 04.10.2022. The school has simply harped upon stating that it has sufficiently big laboratories, however, the school has not been able to justify the fact that they do not commensurate with the strength of 827 science students (in class XII) registered in LOC of 2024-25 session. Therefore, the fact of violation of clause 14.13 and 14.17 of the Affiliation Bye-laws of the Board is established.
- (v) The inspection committee has categorically stated that Library was also not fully functional and appears to be there in name only. The submission of the school that it has functional Library is not true. Had the maintenance work was going on at the time of physical inspection, the school might have kept the mandatory documents like Accession Register, Book issue register etc.in other rooms, which could have been shown to the inspection committee. Further, now school has also not submitted any copy of accession register or other related documents with its reply to the Show Cause Notice, except two photographs, which proves that the school was not operating a fully functional library at the time of inspection. The school has also not submitted a copy of the issuance register to substantiate that the books were getting issued and returned regularly in past as well. Therefore, the fact of violation of clause 4.3.2, 4.3.3 of the Affiliation Bye-laws of the Board is established.
- (vi) The school has 54 sections from class I to XII as per Oasis updated on 26/09/2024. Further school has submitted teacher Staff list of 69 from where it has been observed that only 54 teachers are available (excluding Principal, PET, NTT, special educator, Counselor and Librarian). This is not as per pupil teachers' ration of 1.5 teachers per section. Therefore, the fact of violation of clause 5.4 of the Affiliation Bye-laws of the Board is established.
- (vii) The school has not shown to the committee any documentary evidence to disburse Salary of teacher as per pay scales and allowances Prescribed by the Appropriate Government. The school has produced request letter dated 08.10.2024 to the Bank for transferring Salary to Staff form the month of September only. Therefore, it can not be established if the school was paying appropriate salary in past as well. The school's reply,"... Salary of the teaching and non teaching staff is not the subject matter of the

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CBSE and there is no violation of the prescribed Salary Norms of the Delhi Government..." does not hold good as per Clause no 5.2.2 of the Affiliation Bye Laws, teaching and non-teaching staff should be appointed on pay scales and allowances prescribed by the Appropriate Government. Therefore, the fact of violation of clause 5.2.2 of the Affiliation Bye-laws of the Board is established.

- (viii) The IC has stated that "School owner did not allow them to interact freely with students and teacher and was present throughout the inspection even after repeated requests". This has been established from the inspection video submitted by the inspection committee, wherein a person has been seen regularly with the inspection committee during the interaction with the students of the school.

(E) Conclusion :

The school was downgraded from senior secondary level to secondary level vide this office's order dated 22.03.2024 due to violation of the Affiliation Bye-Laws. On submissions and representations submitted by the school and in the interest of the students fraternity and their future, the Board took a lenient view and modified the order dated 22.03.2024 to restore the affiliation of the school upto Senior Secondary level with a restriction of 7 sections each in Class XI and XII each with a financial penalty of Rs 2 Lacs and the students who had passed XI in 2023-24 were permitted to continue from the school in 2024-25 session. In order to ascertain if the school had mended its ways and started adhering to the affiliation Bye-Laws, a surprise inspection was conducted on 03.09.2024, however it was found that the school is still in the practice of violating Board's Affiliation Bye-Laws. Thus, the following violations are established beyond doubt:-

1. The school is indulged in sponsoring dummy/non attending students.
2. The school has a high absenteeism of students in senior classes.
3. The school has manipulated its records to mislead the Board.
4. The school has severe infrastructural deficiencies.
5. The school has not maintained 1:1.5 section teacher ratio.
6. The school non-functional library.

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7. The school has not cooperated with the Inspection committee to freely interact with the students and teachers.

Accordingly, it is for consideration as to which of the penalties mentioned in the clause 12.1 of the Affiliation Bye Laws be imposed on the school. Since the violation observed are clearly manifesting wilful non-observance of the Affiliation Bye Laws to the extent of deliberately sponsoring non bonafide students and manipulation of records, therefore it can only be concluded that the school is liable for the severest of the penalty as can be imposed viz. withdrawal of affiliation.

Hence, as per the approval of the competent authority of the Board, the following orders are issued:-

1. The affiliation granted to the school upto senior secondary level be withdrawn with immediate effect.
2. Student in class X and XII are permitted to appear from the same school for session 2024-25.
3. However, the students who are presently in class IX and XI shall be shifted to nearby school by Regional Officer, Delhi (West). The school shall not take any new admissions or promote the students of lower classes in IX and XI by natural progression, hereafter
4. The school may seek restoration of affiliation upto secondary level after lapse of one academic year i.e. from 2026-27 after ameliorating the deficiencies pointed out with regard to running upto secondary level.
5. The school may seek restoration of affiliation upto senior secondary level only at least after 02 academic years of restoration upto secondary level, if so sought and granted.

SPChadpreet
29/10/2024
JOINT SECRETARY (Aff.)

THE MANAGER,
THE VIVEKANAND SCHOOL
SHIV MANDIR COLONY
NARELA DELHI-110040