

## Education Act, 1983

### Section 39 - Withdrawal of Recognition

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(1) Where any local authority or the Governing Council of any private educational institution,-

(a) fails to fulfill all or any of the conditions of recognition or fails to comply with the orders of the competent authority in regard to accommodation, equipments, syllabi, text books, appointment, punishment and dismissal of teachers;

(b) denies admission to any citizen on ground of religion, race, caste, language or any of them;

(c) directly or indirectly encourages in the educational institution any propaganda or practice wounding the religious feelings of any class of citizens of India or insulting religion or the religious belief of that class;

(d) employs or continues to employ any teacher whose certificate has been cancelled or suspended by the competent authority after due enquiry or who has been considered by the competent authority after due enquiry to be unfit or undesirable to be a teacher or arbitrarily terminates the services of a teacher or fails to comply with the orders of the competent authority in this regard;

(e) fails to remedy the defects in the instruction or accommodation or deficiencies in the management or discipline within such time as may be specified therefor by the competent authority;

(f) contravenes any of the provisions of this Act, the rules and orders made thereunder,

the competent authority may, for reasons to be recorded in writing, withdraw the recognition of the institution or take such other action as is deemed necessary, after giving to the local authority or as the case may be, the Governing Council an opportunity of making its representation against such withdrawal or action.

(2) Where the State Government is of the opinion that the recognition granted to any local authority institution or private educational institution should, in the public interest be withdrawn, they may after giving to the local authority or as the case may be the Governing Council of the institution one month's notice to make any representation, withdraw by notification the recognition granted to the said institution.

(3) Notwithstanding anything contained in any other law for the time being in force, no educational institution which has not been recognised, or the recognition of which has been withdrawn under this Act shall be entitled to,-

(a) receive any grant-in-aid from the State funds or other financial assistance or other facilities from the Government;

(b) send up or present candidates for examinations in courses of study conducted by a University or the Government.