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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ **W.P.(C) 6142/2010, CM APPL. 12110/2010 and CM APPL. 12112/2010**

DAV COLLEGE TRUST AND MANAGEMENT SOCIETY AND ANOTHER

.....Petitioner

Through: None.

versus

UNION OF INDIA & OTHERS

.....Respondent

Through: Appearance not given.

CORAM:
HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

% **17.02.2026**

1. None is present on behalf of the petitioner, despite the matter being called out in second round.

2. The petitioner *vide* the instant petition seeks for quashment of order dated 26.02.2010, on the ground that the petitioner is not a 'Public Authority' under the Right to Information Act, 2005.

3. *Vide* order dated 10.01.2012, the Court has noted that the issue as to whether the petitioner is a 'public authority' was pending for consideration before the Supreme Court and, therefore, the hearing was adjourned *sine die*.

4. The Supreme Court has now decided the SLP (C) no. 12736 of 2009, *vide* judgement dated 17.09.2019 and the some of the DAV institutions have been held to be a 'public authority'.

5. It is seen that the petitioner herein was also one of the appellants therein, and has been held to be an 'public authority'. The relevant paragraphs of the said judgement are extracted as under:-

> ***"Civil Appeal No. 9828 of 2013***
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> *"31. This has been filed by D.A.V. College Trust and Management Society, New Delhi; D.A.V. College, Chandigarh; M.C.M. D.A.V. College, Chandigarh and D.A.V. Senior Secondary School, Chandigarh.*
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> *32. Appellant no.1 is the Society which runs various colleges/schools but each has an identity of its own and, in our view, each of the college/school is a public authority within the meaning of the Act. It has been urged that these colleges/schools are not being substantially financed by the Government in as much as that they do not receive more than 50% of the finance from the Government. Even the documents filed by the appellants themselves show that M.C.M. D.A.V. College, Chandigarh, in the years 200405, 200506 and 200607, has received grants in excess of 1.5 crores each year which constituted about 44% of the expenditure of the College. As far as D.A.V. College, Chandigarh is concerned the grant for these three years ranged from more than 3.6 crores to 4.5 crores and in percentage terms it is more than 40% of the total financial outlay for each year. Similar is the situation with D.A.V. Senior Secondary School, Chandigarh, where the contribution of the State is more than 44%. [*
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> *33. Another important aspect, as far as the colleges are 17 concerned, is that 95% of the salary of the teaching and nonteaching staff of the College is borne by the State Government. A major portion of the remaining expenses shown by the College is with regard to the hostels, etc. It is teaching which is the essential part of the College and not the hostels or other infrastructure like auditorium, etc. The State has placed on record material to show that now these grants have increased substantially and in the years 201314, 201415 and 201516, the D.A.V. College, Chandigarh received amounts more than Rs.15 crores yearly, M.C.M. D.A.V. College, Chandigarh received amounts more than Rs.10 crores yearly and the D.A.V. Senior Secondary School, Chandigarh received grant of more than Rs.4 crores yearly. It can be safely said that they are substantially financed by the Government.*
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> ***
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> *35. These are substantial payments and amount to almost half the expenditure of the Colleges/School and more than 95% of the*

> *expenditure as far as the teaching and other staff is concerned. Therefore, in our opinion, these Colleges/School are substantially financed and are public authority within the meaning of Section 2(h) of the Act."*

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6. Thus, the issue involved herein is fully covered by the decision of the Supreme Court in the case of ***D.A.V. College Trust And Management Society & Ors.*** v. ***Director Of Public Instructions & Ors***[1] arising out of SLP (C) no. 12736 of 2009.

7. In view of the aforesaid, nothing more remains to be adjudicated in the instant petition.

8. With the aforesaid observations, the instant petition stands disposed of along with all pending applications.

PURUSHAINDRA KUMAR KAURAV, J

FEBRUARY 17, 2026
Nc/amg

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[1] 2019 INSC 1042