



## GOVERNMENT OF KERALA

### Abstract

General Education Department - No Objection Certificate for CBSE Affiliation to Holy Family Public School, Vellaramkallu, Kalloorkadu, Thazhuvamkunnu P.O, Ernakulam District - Judgment dated 08.11.2012 in WP(C) No.26440/12 - Complied with - Orders issued.

### GENERAL EDUCATION (N) DEPARTMENT

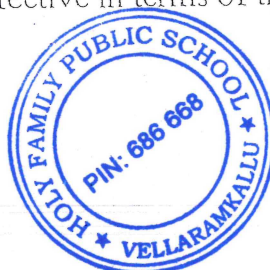
G.O.(MS)No. 74/2013/G.Edn.

Thiruvananthapuram, Dated 22/02/2013

- Read
1. G.O.(MS)No.18/88/G.Edn. dated 12.01.1988.
  2. Order dated 18.7.2011 of the Hon'ble Supreme Court of India in SLP No.11666-11667/2009.
  3. G.O.(MS)No.202/11/G.Edn. dated 07.10.2011.
  4. G.O.(MS)No.384/12/G.Edn. dated 07.12.2012.
  5. Judgment dated 08.11.2012 in WP(C) No.26440/12 filed by the Manager, Holy Family Public School, Vellaramkallu, Kalloorkadu, Thazhuvamkunnu P.O, Ernakulam District.
  6. Letter No:NS2/2983/13/DPI dated 16.02.2013 from the Director of Public Instruction, Thiruvananthapuram.

### ORDER

Government have issued new guidelines for the issuance of NOC for CBSE/ICSE affiliation of Schools as per G.O. read as 3<sup>rd</sup> & 4<sup>th</sup> paper above. As per the reference read as 5<sup>th</sup> paper above, the Hon'ble High Court of Kerala has directed the Government to consider the application of Holy Family Public School, Vellaramkallu, Kalloorkadu, Thazhuvamkunnu P.O, Ernakulam District for grant of NOC without insisiting on compliance with Clauses (iv) and (xiv) of the Guidelines and to pass appropriate orders within 6 weeks from the date of receipt of the copy of the order subject to further orders to be passed in the WPs. The application of the school was deferred in view of the common Writ Appeal filed by the Government against the Interim Order dated 20.4.2012 in WP(C) No.32940/2011 and other similar cases. The Hon'ble High Court in its judgment dated 14.9.2012 dismissed the Writ Appeal No.1042/2012 repealing the guidelines in respect of minimum strength of pupils (Clause (xiv)) area of land (Clause (iv)) UID details etc. The application of Holy Family Public School, Vellaramkallu, Kalloorkadu, Thazhuvamkunnu P.O, Ernakulam District is defective in terms of the following shortcomings.



*[Handwritten signature]*

Manager  
Holy Family Public School  
Kalloorkadu, Thazhuvamkunnu  
Ernakulam (Dist.)

1. The School has only 2 acres of land.
2. Students strength is 151 only. Photo ID of students not submitted.

Government have decided to file SLP against the judgment of the Hon'ble High Court of Kerala and action is being taken for the purpose. In the meantime, the Manager, Holy Family Public School has filed Contempt of Court Case No.152/2013 against the Secretary to Government, General Education Department alleging non compliance of the order in WP(C) No.26440/12.

Government have examined the matter in detail and are pleased to issue NOC for CBSE affiliation in respect of Holy Family Public School, Vellaramkallu, Kalloorkadu, Thazhuvamkunnu P.O, Ernakulam District subject to the outcome of the SLP to be filed by the Government against the judgment dated 14.09.2012 in WA No.1042/12 and execution of agreement with Government in the prescribed format and also subject to the rectification of the defects notified.

The Interim Order read above is thus complied with.

(By Order of the Governor)  
GEORGE THOMAS  
Deputy Secretary to Govt.

To

The Manager, Holy Family Public School, Vellaramkallu, Kalloorkadu,  
Thazhuvamkunnu P.O, Ernakulam District-686 668.

The Director of Public Instruction, Thiruvananthapuram,  
The Deputy Director of Education, Thiruvananthapuram (through the DPI, Tvpm.)  
The District Educational Officer, Attingal (through the DPI, Tvpm.)  
The Advocate General, Ernakulam.(with covering letter)  
The Secretary, CBSE, New Delhi (with covering letter)  
Stock File/Office Copy.

Forwarded/By Order

Section Officer.

  
Manager  
Holy Family Public School  
Kalloorkadu, Muvattupuzha  
Ernakulam (Dist.)

