



GOVERNMENT OF KERALA

Abstract

General Education Department No Objection Certificate for CBSE Affiliation to Huda Trust Public School, Kumarapuram P.O, Haripad, Alapuzha District, and MES Fathima Rahim Central School, Kaithapoyil, Venchery P.O, Kannothe, Kozhikode District - Judgment dated 01.02.2013 in WP(C) No.726/2013 and dated 12.11.2012 in WP(C) No.26683/12.- Complied with - Orders issued.

GENERAL EDUCATION (N) DEPARTMENT

G.O.(MS)No.119/2013/G.Edn.

Thiruvananthapuram, Dated 03.04.2013

- 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 12.11.2012 in WP(C) No.26683/12 filed by the Manager, MES Fathima Rahim Central School, Kaithapoyil, Venchery P.O, Kannothe, Kozhikode District
 6. Judgment dated 14.09.2012 in WP(C) No.1042/2012 filed by the Manager, Huda Trust Public School, Kumarapuram P.O, Haripad, Alapuzha District.
 7. Letter No:NS2/51468/12/DPI dated 23.11.2012 and NS(2)/67715/12/DPI dated 15.03.2013 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 3rd & 4th paper above. As per the reference read as 5th & 6th paper above, the Hon'ble High Court of Kerala has directed the Government to consider the applications of Huda Trust Public School, Kumarapuram P.O, Haripad, Alapuzha District, and MES Fathima Rahim Central School, Kaithapoyil, Venchery P.O, Kannothe, Kozhikode 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 above schools were 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 applications of the said schools are defective due to the following reasons:

Huda Trust Public School, Kumarapuram P.O, Haripad, Alapuzha District, Kozhikode

1. Students strength is only 219 from Std. I to IX

2. Photo ID of only 167 students submitted

MES Fathima Rahim Central School, Kaithapoyil, Venchery P.O, Kannothe, Kozhikode District.
1. Landed property is only 200,950 cents.

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 Managers of Huda Trust Public School, Kumarapuram P.O, Haripad, Alapuzha District, and MES Fathima Rahim Central School, Kaithapoyil, Venchery P.O, Kannothe, Kozhikode District have filed Contempt of Court Case against the Secretary to Government, General Education Department alleging non compliance of the judgment referred as 5th & 6th paper above.

Government have examined the matter in detail and are pleased to issue NOC for CBSE affiliation in respect of Huda Trust Public School, Kumarapuram P.O, Haripad, Alapuzha District, and MES Fathima Rahim Central School, Kaithapoyil, Venchery P.O, Kannothe, Kozhikode 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 Orders read above is thus complied with.

(By Order of the Governor)

GEORGE THOMAS
Deputy Secretary to Govt.

- To
- The Manager, Huda Trust Public School, Kumarapuram P.O, Haripad, Alapuzha District.
 - The Manager, MES Fathima Rahim Central School, Kaithapoyil, Venchery P.O, Kannothe, Kozhikode District
 - The Director of Public Instruction, Thiruvananthapuram.
 - The Deputy Director of Education, Alapuzha/Kozhikode (through the DPI, Tvpm.)
 - The District Educational Officer, Alapuzha/ Kozhikode (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.