



GOVERNMENT OF KERALA

Abstract

General Education Department - No Objection Certificate for CBSE Affiliation to Christ Church Vidyapith, Kodukulanji P.O, Chengannur, Alappuzha Dt., - Judgment dated 15.05.2012 in WP(C) No.11108/12 - Complied with - Orders issued.

GENERAL EDUCATION (N) DEPARTMENT

G.O.(MS)No.167/2013/G.Edn.

Thiruvananthapuram, Dated 16.05.2013

- 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 15.05.2012 in WP(C) No.11108/12 filed by the Manager, Christ Church Vidyapith, Kodukulanji P.O, Chengannur, Alappuzha Dt.
 6. Letter No:NS(2)/70970/12/DPI dated 05.03.2013 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 paper above, the Hon'ble High Court of Kerala has directed Government to consider the application of Christ Church Vidyapith, Kodukulanji P.O, Chengannur, Alappuzha 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 a copy of the order subject to further orders to be passed in the WPs. The application of the above 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 requirement of minimum strength of pupils (Clause (xiv)) area of land (Clause (iv)) UID details etc. The application of the said school is defective due to the following reasons:

1. land documents not produced.
2. Possession Certificate, Location Certificate, Health & Sanitation Certificates are photocopies. Original needed.
3. Site plan not submitted
4. Photocopy of the certificate for the age of school is produced. Original needed.
5. Agreement as specified in Clause x not submitted.
6. List of UID not countersigned by DEO

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 of Christ Church Vidyapith, Kodukulniji P.O, Chengannur, Alappuzha District has filed Contempt of Court Case against the Secretary to Government, General Education Department alleging non compliance of the judgment referred as above.

Government have therefore reconsidered the matter and are pleased to issue NOC for CBSE affiliation in respect of Christ Church Vidyapith, Kodukulanji P.O, Chengannur, Alappuzha 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)

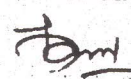
GEORGE THOMAS

Deputy Secretary to Government

To

- ✓ The Manager, Christ Church Vidyapith, Kodukulanji P.O, Chengannur, Alappuzha District.
- The Director of Public Instruction, Thiruvananthapuram,
- The Deputy Director of Education, Alapuzha (through the DPI, Tvpm.)
- The District Educational Officer, ~~Mavelikkara~~ (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.