



## GOVERNMENT OF KERALA

### Abstract

General Education Department - No Objection Certificate for CBSE Affiliation to Alpha Public School, Peroor P.O, Kilimanoor, Thiruvananthapuram District - Judgment dated 26.06.2012 in WP(C) No.14803/12 - Complied with - Orders issued.

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### GENERAL EDUCATION (N) DEPARTMENT

G.O.(MS)No. 410/2012/G.Edn.

Thiruvananthapuram, Dated 29.12.2012.

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- 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 26.06.2012 in WP(C) No.14803/12 filed by the Chairman, Alpha Public School, Peroor P.O, Kilimanoor, Thiruvananthapuram Dt.
  6. Letter No:NS2/51718/12/DPI dated 06.09.2012 from the Director of Public Instruction, Thiruvananthapuram.
  7. Govt.letter No.71252/N3/2012/G.Edn dated 13.12.2012.

### 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 **Alpha Public School, Peroor P.O, Kilimanoor, Thiruvananthapuram District** for grant of NOC without insisiting on compliance with Clauses (iv) and (xiv) of the Guidelines and to pass appropriate orders within two 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 Alpha Public School, Peroor P.O, Kilimanoor, Thiruvananthapuram District is defective in terms of the following shortcomings and the school authorities have been notified the same as per letter read as 7<sup>th</sup> paper above.