



GOVERNMENT OF KERALA

Abstract

General Education Department - No Objection Certificate for CBSE/ICSE Affiliation to Schools - Orders issued.

GENERAL EDUCATION (N) DEPARTMENT

G.O.(MS)No.335/2012/G.Edn.

Thiruvananthapuram, Dated 16.10.2012.

- 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. Interim Order dated 22.05.2012 in WP(C) No.10437/12
 5. Letter No:NS2/42300/12/DPI dated 28.06.2012 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 paper above. As per the reference read as 4th paper above, the Hon'ble High Court of Kerala has directed the Government to consider the application of Salsabeel Green School, Kiraloor P.O, Thrissur Dt 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 Salsabeel Green School, Kiraloor P.O, Thrissur is defective in terms of the following shortcomings:

1. Copy of Photo ID not submitted
2. Decleration of the Manager regarding payment of salary to Teachers and Staff at Government rate in stamp paper worth Rs.50/- not submitted.
3. Student strength is 143 from Std I to VIII (Less than 300)

Government have taken up the matter with advisory departments to file SLP against the judgment of the Hon'ble High Court of Kerala. In the meantime, the Manager Salsabeel Green School has initiated Contempt of Court proceedings against the Secretary to Government, General Education Department alleging disobedience and violation of Court direction. The Hon'ble High Court of Kerala in CC(c)No.1334/2012 has directed the Secretary to Government, General Education Department to appear before the Court in person on 18th October 2012 at 10.15 AM and shall continue to attend the Court on all days thereafter to which date the case against him stands adjourned subject to orders passed by the Hon'ble Court from time to time and showcase why such action as is deemed fit should not be taken against him.

MANAGER
SALSABEEL GREEN SCHOOL
KIRALLOOR

MANAGER
SALSABEEL GREEN SCHOOL
KIRALLOOR

Government have examined the matter in detail and are pleased to issue NOC for CBSE affiliation in respect of Salsabeel Green School, Kiraloor P.O, Thrissur Dt. subject to the outcome of the SLP to be filed by the Government against the judgment dated 14.09.2012 in Writ appeal No. 1042/2012, interim order dated 22.05.2012 in WP(C) No.10437/2012 (D) and execution of agreement with Government in the prescribed format regarding payment of salary to teachers and staff at prescribed rates as well.

(By Order of the Governor)

M.SIVASANKAR
Secretary to Govt.

To

The Manager, Salsabeel Green School, Kiraloor P.O, Thrissur Dt.
The Director of Public Instruction, Thiruvananthapuram,
The Deputy Director of Education, Thrissur through the DPI, Thiruvananthapuram
The District Educational Officer, Thrissur through the DPI, Thiruvananthapuram.
The Advocate General, Ernakulam.(with covering letter)
The Standing Counsel, New Delhi. (with covering letter)
The Secretary, CBSE. New Delhi (with covering letter)
Stock File/Office Copy.

Forwarded/By Order



Section Officer.



PRINCIPAL
SALSABEEL GREEN SCHOOL
KIRALLOOR



MANAGER
SALSABEEL GREEN SCHOOL
KIRALLOOR