

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR.S.MANIKUMAR

&

THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

THURSDAY, THE 26<sup>TH</sup> DAY OF AUGUST 2021 / 4TH BHADRA, 1943

WP(C) NO. 13763 OF 2021

PETITIONER:

YADUNANDAN M (MINOR)

AGED 49 YEARS

S/O.SURESH BABU.A,AGED 15 YEARS,HARIGOVIND  
HOUSE, PUTHUKAI,

PUTHUKAI.P.O, HOSDURG,KASARGODE-671314.

REPRESENTED BY HIS FATHER SURESH BABU,S/O.LATE KRISHNAN  
NAIR,HARIGOVIND HOUSE, PUTHUKAI,

PUTHUKAI.P.O, HOSDURG,

KASARAGODE-671314.

BY ADVS.

PHILIP T.VARGHESE

THOMAS T.VARGHESE

ACHU SUBHA ABRAHAM

V.T.LITHA

K.R.MONISHA

SHRUTHI SARA JACOB

RESPONDENTS:

- 1 STATE OF KERALA  
REPRESENTED BY THE SECRETARY TO GOVERNMENT,DEPARTMENT  
OF GENERAL EDUCATION,GOVENMENT SECRETARIAT,  
THIRUVANANTHAPURAM-695001.
- 2 THE DIRECTOR OF GENERAL EDUCATION,  
OFFICE OF DIRECTOR OF GENERAL EDUCATION,  
THIRUVANANTHAPURAM-695001.
- 3 THE COMMISSIONER OF EXAMINATIONS,  
OFFICE OF THE COMMISSIONER OF EXAMINATIONS,PARIKSHA  
BHAVAN,  
POOJAPURA,THIRUVANANTHAPURAM-695012.
- 4 THE STATE CHIEF COMMISSIONER OF BHARAT SCOUTS AND  
GUIDES (DIRECTOR OF GENERAL EDUCATION) ,

JAGATHY, POOJAPURA,  
THIRUVANANTHAPURAM-695014.

5 THE STATE ORGANISER AND COMMISSIONER,  
THE KERALA STATE BHARAT SCOUTS AND GUIDES, STATE  
HEADQUARTERS,  
VIKAS BHAVAN POST, THIRUVANANTHAPURAM-695033.

6 THE HEAD MASTER,  
GOVERNMENT HIGH SECONDARY SCHOOL, KAKKAT, BANGALAM. P. O,  
VIA NILESHWAR, MADIKKAI VILLAGE,  
KASARAGODE-671314.

BY SENIOR GOVERNMENT PLEADER K.P.HARISH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
26.08.2021, ALONG WITH WP(C).13378/2021, 13396/2021 AND CONNECTED  
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR.S.MANIKUMAR

&

THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

THURSDAY, THE 26<sup>TH</sup> DAY OF AUGUST 2021 / 4TH BHADRA, 1943

WP(C) NO. 13378 OF 2021

PETITIONER:

ABIN VINOD A  
AGED 18 YEARS  
ASSARIVILLA HOUSE, KUTTUMUKKU, RAMAVARMAPURAM P.O,  
THRISSUR - 680631.  
BY ADVS.  
LINDONS C.DAVIS  
E.U.DHANYA

RESPONDENTS:

- 1 STATE OF KERALA  
REPRESENTED BY ITS SECRETARY, GENERAL EDUCATION  
DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM - 695001.
- 2 DIRECTOR OF GENERAL EDUCATION  
OFFICE OF DIRECTOR OF GENERAL EDUCATION, JAGATHY,  
THIRUVANANTHAPURAM - 695014.
- 3 NATIONAL SERVICE SCHEME  
HIGHER SECONDARY EDUCATION, HOUSING BOARD BUILDING,  
SANTHI NAGAR, THIRUVANANTHAPURAM - 695001, REPRESENTED  
BY ITS PROGRAM COORDINATOR.  
BY SENIOR GOVERNMENT PLEADER K.P.HARISH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
26.08.2021, ALONG WITH WP(C).13763/2021 AND CONNECTED CASES, THE  
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR.S.MANIKUMAR

&

THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

THURSDAY, THE 26<sup>TH</sup> DAY OF AUGUST 2021 / 4TH BHADRA, 1943

WP(C) NO. 13396 OF 2021

PETITIONER:

FAZEEH RAHMAN (MINOR)

AGED 16 YEARS

S/O. SIDHEEQUE MADATHIL, ELLANGAL VEEDU, NELLIKKAPARAMBA  
P.O, MUKKAM, KOZHIKODE 673 602 REPRESENTED BY HIS  
FATHER SIDHEEQUE MADATHIL, AGED 44, S/O. MAYINMADATHIL,  
ELLANGALVEEDU, NELLIKKAPARAMBA P.O, MUKKAM, KOZHIKODE -  
673 602

BY ADVS.

SAIJO HASSAN

P.PARVATHY

RAFEEL. V.K.

BENOJ C AUGUSTIN

MANAS P.HAMEED

RESPONDENTS :

- 1 DEPARTMENT OF GENERAL EDUCATION  
REPRESENTED BY ITS SECRETARY, 3RD FLOOR, ANNEX II,  
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001
- 2 DIRECTORATE OF GENERAL EDUCATION,  
REPRESENTED BY ITS DIRECTOR, JAGATHI,  
THIRUVANANTHAPURAM 695 014
- 3 DIRECTORATE OF HIGHER SECONDARY EDUCATION,  
REPRESENTED BY ITS DIRECTOR, HOUSING BOARD BUILDING,  
SANTHI NAGAR, THIRUVANANTHAPURAM 695 001
- 4 KERALA PAREEKSHA BHAVAN,  
REPRESENTED BY ITS SECRETARY, POOJAPPURA,  
THIRUVANANTHAPURAM 695 012
- 5 STATE COUNCIL OF EDUCATIONAL RESEARCH AND  
TRAINING (SCERT KERALA) REPRESENTED BY ITS DIRECTOR,  
VIDYABHAVAN, POOJAPPURA P.O, THIRUVANANTHAPURAM 695 012

**BY SENIOR GOVERNMENT PLEADER K.P.HARISH**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26.08.2021, ALONG WITH WP(C).13763/2021 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR.S.MANIKUMAR

&

THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

THURSDAY, THE 26<sup>TH</sup> DAY OF AUGUST 2021 / 4TH BHADRA, 1943

WP(C) NO. 13709 OF 2021

PETITIONERS:

- 1 ARPITH RAJAGOPAL,  
AGED 17 YEARS  
S/O. MANOJ RAJAGOPAL,  
RESIDING AT LEKSHMI NIVAS, KANKATHUMUKKU,  
THIRUMULLAVARAM P.O. KOLLAM 12 (MINOR), REPRESENTED BY  
THE GUARDIAN SRI. MANOJ RAJAGOPAL.
- 2 JATHAVED B.,  
AGED 17 YEARS  
S/O. BALAMURALI N., RESIDING AT EDAMANA ILLOM,  
MANIKANTESWARAM P.O. PEROORKADA TRIVANDRUM - 13.  
(MINOR) REPRESENTED BY THE GUARDIAN SRI. BALAMURALI N.
- 3 V ABHIJITH,  
AGED 18 YEARS  
S/O. VIJAYAKUMAR N RESIDING AT SREEPATHAM, SNEHA NAGAR  
286, AYATHIL P.O. KOLLAM 21.
- 4 A S DEVADUTH  
AGED 18 YEARS  
S/O. ANIL KUMAR, RESIDING AT PUTHUVAL PUTHEN VEEDU, SNC  
JUNCTION, KOLLAM 01.
- 5 ABHISHEK S.,  
AGED 18 YEARS  
S/O. SUNIL KUMAR P., RESIDING AT KOTHARA VADKKATHIL  
VARADHEKSHINA, SOUHRIDA NAGAR 259, ERVIPURAM P.O.  
KOLLAM 11.
- 6 A SHAHUL,  
AGED 18 YEARS  
S/O. J ABDUL KALAM, RESIDING AT SHAHUL COTTAGE IKYA  
NAGAR, PALLIMUKKU, VADAKKEVILA P.O KOLLAM - 10
- 7 ABHINAV M S,  
AGED 17 YEARS  
S/O. SREEJA L, RESIDING AT KAVAD KIZHAKKATTHIL,  
KAVADIPURAM NAGAR 62, ASRAMAM P.O. KOLLAM - 02 (MINOR)

REPRESENTED BY THE GUARDIAN SREEJA L.  
BY ADV J.S.AJITHKUMAR

RESPONDENTS :

- 1 STATE OF KERALA,  
REPRESENTED BY THE PRINCIPAL, GENERAL EDUCATION  
DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM  
695 001.
- 2 THE DIRECTOR OF GENERAL EDUCATION,  
THE DIRECTORATE OF GENERAL EDUCATION, DPI JUNCTION,  
THIRUVANANTHAPURAM - 695 014.  
BY SENIOR GOVERNMENT PLEADER K.P.HARISH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
26.08.2021, ALONG WITH WP(C).13763/2021 AND CONNECTED CASES, THE  
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR.S.MANIKUMAR

&

THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

THURSDAY, THE 26<sup>TH</sup> DAY OF AUGUST 2021 / 4TH BHADRA, 1943

WP(C) NO. 13820 OF 2021

PETITIONER:

KERALA STUDENTS UNION (KSU)  
STATE COMMITTEE, INDHIRA BHAVAN, VELLAYAMBALAM  
P.O. THIRUVANANTHAPURAM-695 0101, REPRESENTED BY THE  
STATE SECRETARY. P.H.ASLAM, AGED 29, S/O P.M. HANEEFA,  
PANDIYALAPARAMBIL HOUSE, KUNNUSSERY, ATHANI P.O.  
ERNAKULAM-683 585.

BY ADVS.

GEORGE POONTHOTTAM (SR.)  
MANAS P HAMEED

RESPONDENTS:

- 1 STATE OF KERALA  
REPRESENTED BY ITS SECRETARY, DEPARTMENT OF GENERAL  
EDUCATION, 3RD FLOOR , ANNEX 11, GOVERNMENT  
SECRETARIAT, THIRUVANANTHAPURAM-695 001.
- 2 DIRECTORATE OF GENERAL EDUCATION,  
REPRESENTED BY ITS DIRECTOR, JAGATHI,  
THIRUVANANTHAPURAM-695 014.
- 3 DIRECTORATE OF HIGHER SECONDARY EDUCATION,  
REPRESENTED BY ITS DIRECTOR, HOUSING BOARD BUILDING,  
SANTHI NAGAR, THIRUVANANTHAPURAM-695 001.
- 4 KERALA PAREEKSHA BHAVAN,  
REPRESENTED BY ITS SECRETARY, POOJAPPURA,  
THIRUVANANTHAPURAM-695 012.  
BY SENIOR GOVERNMENT PLEADER K.P.HARISH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
26.08.2021, ALONG WITH WP(C).13763/2021 AND CONNECTED CASES, THE  
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR.S.MANIKUMAR

&

THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

THURSDAY, THE 26<sup>TH</sup> DAY OF AUGUST 2021 / 4TH BHADRA, 1943

WP(C) NO. 13881 OF 2021

PETITIONERS:

- 1 ANTONY JOSEPH JOYAL  
AGED 18 YEARS  
S/O. K.A FRANCIS, KOTTACKAL HOUSE, PALLURUTHY P.O,  
KOCHI 682 006
- 2 NIKHITHA GORDEN  
AGED 18 YEARS  
D/O. E.G GORDEN, EZHUTHAIKKAL HOUSE, KUMBALANGII,  
KOCHI 682 007  
BY ADVS.  
PUSHPARAJAN KODOTH  
K.JAYESH MOHANKUMAR  
VANDANA MENON  
VIMAL VIJAY

RESPONDENTS:

- 1 DEPARTMENT OF GENERAL EDUCATION  
REPRESENTED BY ITS PRINCIPAL SECRETARY, ANNEX II,  
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001
- 2 DIRECTORATE OF GENERAL EDUCATION  
REPRESENTED BY ITS DIRECTOR, JAGATHI,  
THIRUVANANTHAPURAM 695 014
- 3 DIRECTORATE OF HIGHER SECONDARY EDUCATION  
REPRESENTED BY ITS DIRECTOR, HOUSING BOARD BUILDING,  
SHANTHI NAGAR, THIRUVANANTHAPURAM 695 001
- 4 KERALA PAREEKSHA BHAVAN  
REPRESENTED BY ITS SECRETARY, POOJAPURA,  
THIRUVANANTHAPURAM 695 012
- 5 NATIONAL SERVICE SCHEME  
DIRECTORATE OF HIGHER SECONDARY EDUCATION, REPRESENTED  
BY ITS DIRECTOR, HOUSING BOARD BUILDING, SHANTHI NAGAR,  
THIRUVANANTHAPURAM 695 001

**BY SENIOR GOVERNMENT PLEADER K.P.HARISH**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26.08.2021, ALONG WITH WP(C).13763/2021 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR.S.MANIKUMAR

&

THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

THURSDAY, THE 26<sup>TH</sup> DAY OF AUGUST 2021 / 4TH BHADRA, 1943

WP(C) NO. 13972 OF 2021

PETITIONERS:

MUHAMMED MURSHID,  
AGED 18 YEARS  
STUDENT & N.S.S. LEADER, PMSAMA HIGHER SECONDARY  
SCHOOL, CHEMMAKADAVU, S/O.ABDUL MAJEED, MURUNGATHODAN  
HOUSE, CHOLAKKAL, KODUR P.O., MALAPPURAM-676 504.  
BY ADVS.  
P.E.SAJAL  
S.KABEER

RESPONDENTS:

- 1 STATE OF KERALA,  
REPRESENTED BY THE SECRETARY TO GOVERNMENT, GENERAL  
EDUCATION (C) DEPARTMENT, SECRETARIAT,  
THIRUVANANTHAPURAM-695 001.
- 2 DIRECTOR OF GENERAL EDUCATION,  
DIRECTORATE OF GENERAL EDUCATION, JAGATHI,  
THIRUVANANTHAPURAM-695 014.
- 3 THE COMMISSIONER FOR GOVERNMENT EXAMINATIONS,  
PAREEKSHA BHAVAN, POOJAPURA, THIRUVANANTHAPURAM-695  
012.  
BY SENIOR GOVERNMENT PLEADER K.P.HARISH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
26.08.2021, ALONG WITH WP(C).13763/2021 AND CONNECTED CASES, THE  
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR.S.MANIKUMAR

&

THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

THURSDAY, THE 26<sup>TH</sup> DAY OF AUGUST 2021 / 4TH BHADRA, 1943

WP(C) NO. 14112 OF 2021

PETITIONER:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR.S.MANIKUMAR

&

THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

THURSDAY, THE 26<sup>TH</sup> DAY OF AUGUST 2021 / 4TH BHADRA, 1943

WP(C) NO. 14112 OF 2021

PETITIONERS:

- 1 SIVAPRADEESH M.,  
AGED 18 YEARS  
S/O. MAHADEVAN C., GANAPATHY, ANUGRAKHA, NEAR  
VANITHA SOCIETY, NELLIMOODU P.O.,  
THIRUVANANTHAPURAM-695 524.
- 2 JIBIN JOY,  
AGED 18 YEARS  
S/O. JOY D., KAMALA BHAVAN, NELLIMOODU P.O.,  
THIRUVANANTHAPURAM-695524.
- 3 ANUGRAH S.S.,  
AGED 19 YEARS  
S/O. SUNIL KUMAR V., SUNILBHAVAN, KURIPARACHA,  
NELLIMOODU P.O., THIRUVANANTHAPURAM-695524.  
BY ADVS.  
SAIJO HASSAN  
BENOJ C AUGUSTIN  
RAFEEL. V.K.  
P.PARVATHY  
AATHIRA SUNNY

MANAS P HAMEED  
NASEEBA K.T.

RESPONDENTS:

- 1 STATE OF KERALA,  
REPRESENTED BY ITS SECRETARY, DEPARTMENT OF GENERAL  
EDUCATION, 3RD FLOOR, ANNEX II, GOVERNMENT  
SECRETARIAT, THIRUVANANTHAPURAM-695001.
- 2 DIRECTORATE OF GENERAL EDUCATION,  
REPRESENTED BY ITS DIRECTOR, JAGATHI,  
THIRUVANANTHAPURAM-695014.
- 3 DIRECTORATE OF HIGHER SECONDARY EDUCATION,  
REPRESENTED BY ITS DIRECTOR, HOUSING BOARD  
BUILDING, SANTHI NAGAR, THIRUVANANTHAPURAM-695001.
- 4 KERALA PAREEKSHA BHAVAN,  
REPRESENTED BY ITS SECRETARY, POOJAPPURA,  
THIRUVANANTHAPURAM-695012.  
BY SENIOR GOVERNMENT PLEADER K.P.HARISH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 26.08.2021, ALONG WITH WP(C).13763/2021 AND CONNECTED  
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR.S.MANIKUMAR

&

THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

THURSDAY, THE 26<sup>TH</sup> DAY OF AUGUST 2021 / 4TH BHADRA, 1943

WP(C) NO. 14884 OF 2021

PETITIONERS:

- 1 RISHIKESH MANOJ (MINOR)  
AGED 17 YEARS  
S/O. K.V MANOJ KUMAR, LAKSHMI, CHAVANAPUZHA, KARIMBAM  
P.O, TALIPARAMBA, KANNUR 670 142  
THROUGH FATHER K.V MANOJ KUMAR, AGED 49 , S/O. M.  
ACHUTHA MENON, LAKSHMI, CHAVANAPUZHA, KARIMBAM P.O,  
TALIPARAMBA, KANNUR 670 142
- 2 RITHWIN MANOJ(MINOR)  
AGED 16, S/O. K.V MANOJ KUMAR, LAKSHMI, CHAVANAPUZHA,  
KARIMBAM P.O, TALIPARAMBA, KANNUR 670 142  
THROUGH FATHER K.V MANOJ KUMAR, AGED 49 , S/O. M.  
ACHUTHA MENON, LAKSHMI, CHAVANAPUZHA, KARIMBAM P.O,  
TALIPARAMBA, KANNUR 670 142  
BY ADV K. REMIYA RAMACHANDRAN

RESPONDENTS:

- 1 STATE OF KERALA  
REPRESENTED BY ITS SECRETARY, DEPARTMENT OF GENERAL  
EDUCATION, 3RD FLOOR, ANNEX II, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM 695 001.  
DIRECTORATE OF GENERAL EDUCATION  
REPRESENTED BY ITS DIRECTOR, JAGATHI,  
THIRUVANANTHAPURAM 695 014
- 3 DIRECTORATE OF HIGHER SECONDARY EDUCATION  
REPRESENTED BY ITS DIRECTOR, HOUSING BOARD BUILDING,  
SANTHI NAGAR, THIRUVANANTHAPURAM 695 001
- 4 KERALA PAREEKSHA BHAVAN  
REPRESENTED BY BY ITS SECRETARY, POOJAPPURA,  
THIRUVANATHAPURAM 695 012

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
26.08.2021, ALONG WITH WP(C).13763/2021 AND CONNECTED CASES, THE  
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

## **JUDGMENT**

### **SHAJI P.CHALY, J.**

The captioned writ petitions are materially connected in respect of a communication dated 29/6/2021 issued by the Additional Secretary to State Government, General Education Department, to the Director, Public Education Department, Thiruvananthapuram informing that the State Government have decided not to award grace marks for the general examinations in the academic year 2020-2021 for the S.S.L.C & Plus Two examinations, to the students participated in extracurricular activities through Scouts and Guides, Student Police Cadet, National Cadet Corps, Junior Red Cross and National Service Scheme. We are of the opinion that though a common question arises for consideration, in order to avoid any confusion the reliefs sought for in the writ petitions are briefly narrated.

2. W.P.(C) No.13820/2021 is a Public Interest Litigation filed by Kerala Students' Union, a students' organisation said to be formed for upholding and protecting the rights of the students, seeking direction to the State and the Education Department to continue with the policy of awarding of grace marks for S.S.L.C and Plus Two examinations in the academic year 2020-2021.

3. W.P.(C)No.13396/2021 is filed by a minor student seeking a writ of mandamus to call for the records leading to Exhibit P2 Government Communication

dated 29/6/2021 withdrawing the grace marks and seeking direction to the State and its officials to declare that the students who have participated in the extra curricular activities specified above cannot be deprived of grace marks in S.S.L.C or Plus Two since they have actively participated in COVID prevention works during the year 2020-2021.

4. W.P.(C) No.13378/2021 is filed by a Plus Two student seeking to quash the Government Communication specified above dated 29.6.2021 and for a direction to the respondents to grant 2% grace marks since he was a NSS volunteer having NSS certificate by virtue of Exhibit P1 Government Order dated 27.5.2009 issued by the Government of Kerala bearing No.GO(MS)43/2009/H.Edn., whereby grace marks are offered to NSS volunteers having NSS certificates, NSS volunteers attended national camps and NSS volunteers attended Republic Day camps at the rate of 2%, 3% and 5% respectively.

5. W.P.(C) No.13709/2021 is filed by two Plus Two students seeking to quash Government Communication specified above withdrawing grace marks, and for a further direction to grant grace marks at 3% since they have participated in the activities of Scouts & Guides and NSS by virtue of a Government Order dated 11/1/2016.

6. W.P.(C) No.13763 of 2021 is filed by a S.S.L.C student claiming grace marks on account of participation in Bharat Scouts and Guides activities apart from seeking to quash the Government communication withdrawing grace marks.

7. W.P.(C) No.13881 of 2021 is filed by a Plus Two student seeking 2% grace marks on the basis of NSS certificate.

8. W.P.(C) No.13972 of 2021 is filed by a Plus Two student claiming 2% grace marks on the basis of NSS certificate.

9. W.P.(C) No.14112 of 2021 is filed by a Plus Two student claiming grace marks on the basis of participation in the Scouts Unit apart from challenging the Government Order withdrawing the grace marks.

10. W.P.(C) No.14884 of 2021 is filed by two Plus Two students claiming grace marks on the basis of participation in the Scouts & Guides and NCC respectively.

11. The State Government has filed a statement and an additional statement refuting the claims raised by the petitioners. According to the Government, grace marks are awarded to students who have participated in extracurricular activities in schools so as to help them to cope up with the educational hours lost consequent to participation in such extracurricular activities and thus to support them to come up with such talents during their school days. However, during the academic year 2020-2021 there were no regular classes in the State due to COVID-19 pandemic and consequent to which, there was no loss of education hours for the students as that of the normal times while conducting physical classes. It is also submitted that in view of COVID-19 pandemic Education Department did not conduct any Sports Events, Kalolsavam, Sastrolsavam, Work Experience Mela and IT Fair during the

academic year 2020-2021 and it has been a policy decision not to award grace marks to students generally during the current academic year since there was no regular classes, and therefore, according to the State, there is no loss of education hours suffered by the students.

12. That apart it is stated that the Government could view the student community as a whole and cannot take partisan decisions in the matter of grant of grace marks. It is also the case of the Government that the Government Orders relied upon by the petitioners claiming grace marks were issued with the avowed object of protecting the interest of the students who are unable to attend classes due to the participation in such extracurricular activities. It is also its submission that the percentage of the result during the current academic year for S.S.L.C examination is 99.47 compared to the percentage of 98.82 in the previous year. The number of students who have secured A plus grade is 1,21,318 in the place of 41,906 during the previous academic year which according to the Government, is after adding the grace marks. Therefore, the submission is that the students could perform in their examination in a much better manner than the previous year.

13. That apart it is further submitted that the students could come out with more flying colours due to the fact that the General Education Department took stock of the entire situation prior to the conduct of the examination and the plight of the students who did not have the opportunity to be a part of regular classes in view of the pandemic, and accordingly, it was decided to form an examination

pattern in order to suit the situations prevailing and thus, focus areas were decided to each subject, and 60% of the questions were taken from the said focus area. Further the total mark was doubled by increasing the number of questions without restricting internal choice and the students were given the option to answer any or all questions without any internal choice restriction. Thus, according to the Government, the Education Department proactively joined hands with the students to cope up with the potential problems faced by the students for the examinations during the academic year 2020-2021 and the deficiency due to want of regular classes and loss of opportunity to secure grace marks were averted by the timely intervention of the department. Therefore, by the said pattern of question paper setting, students could attain top grades or full marks in each subject even without grace marks and accordingly, the decision not to award grace marks during the current academic year has not affected the student community at all and the grievances highlighted in the writ petitions are unsustainable.

14. However, students holding certificates of NCC with 75% attendance, Student Police Cadet, Scouts & Guides (recipient of Rastrapathi Puraskar/Rajya Puraskar etc. would get bonus points and thus get priority at the time of their admission to Higher Secondary courses and accordingly, the interests of the students are safeguarded largely and substantially.

15. An additional statement is filed explaining how the bonus point is counted for the purpose, which reads thus:

"As per the prospectus for Single Window system for admission to Plus one course, the eligibility for bonus points is detailed as follows:

Eligibility for bonus points

Category	Bonus Point
Children of Jawan killed in action (legally adopted children also are eligible)	5
Children of Serving and Ex-service personnel (army, navy, air force only) (legally adopted children also are eligible)	3
NCC (Certificate showing 75% attendance is required), Scout & Guide (Recipients of Rashtrapati Puraskar/ Rajya Puraskar only)/ Proficiency in Swimming (Certificate issued by the Sports Council under the resident local body of the applicant is required), Students Police Cadet (as stipulated in G.O.No.214/2012/Home dated 4/8/2012)	2
Student of the same school	2
Student of the same local body	2
Student of the Same Taluk	1
Students whose resident local body does not have either Govt. Or Aided HSS but seeks admission in schools of the same Taluk	2
Students who passed SSLC Examination Kerala State Syllabus)	3

The above list of eligible category of students would show that the students belonging to the above organizations like N.C.C etc. are one among the other category of students scheduled therein entitled to bonus points in the process of admission to Higher

## Secondary Courses.

3. Further, it is submitted that the eligibility for admission to the Higher Secondary Courses is determined by calculating the WGPA (Weighted Grade Point Average) of the students. The method of calculation of WGPA is as shown below.

First of all, grade points are given to the grades obtained by the applicant for each subject in the qualifying examination as indicated below.

Grade	A+	A	B +	B	C+	C	D+
Grade Point	9	8	7	6	5	4	3

- Total Grade Point (TGP) is calculated by adding the grade points obtained for each subject (Eg: the TGP of a candidate who has been awarded A+ grade for all the 10 subjects is 90).
- The candidates are eligible for weightage points for some subjects in the qualifying examination depending on the course combination they are opting for. Weightage is given to the subjects in 10th Standard which are the same or allied with the subjects in the course combination opted by the candidate.
- The total grade points of weightage subjects is calculated separately. It is indicated by the abbreviation GSW (total Grade value of Subjects for which Weightage is given).
- Bonus points (BP) as detailed in Para 3 above, if applicable, are calculated. Minus Points (MP), if any, are also reckoned.
- WGPA is calculated using the formula given below limiting the sum total to seven decimal points.

$$\text{WGPA} = \frac{\text{TGP} + \text{GSW}}{\text{TS} + \text{TSW}} + \frac{\text{BP} - \text{MP}}{10}$$

Expansion of the formula is as follows:

WGPA : Weighted Grade Point Average

TGP: Total Grade Value of Subjects for which Weightage is given

BP: Bonus Point

MP: Minus Point

TS : Total no. of Subjects

TSW : Total no. of Subjects for which Weightage is given

In order to demonstrate the calculation of the WGPA, an example is given under :

Grades of the candidate

Sub	MalI	MalII	Eng	Hindi	Phy	Chem	Bio	SS	Maths	IT
Grade	A	A	A	A+	A+	A	B+	A+	A+	A
Grade point	8	8	8	9	9	8	7	9	9	8

- Option of the Candidate : Combination with subjects Physics, Chemistry, Maths, Biology (Course Code : 1)
- TGP = 83, GSW = 33, BP = 2, MP = 0, TS 10, TSW=4

$$\text{WGPA} = \frac{83+33 + 2}{10 + 4 + 10} = 8.4857143$$

4. It is submitted that in the case of award of grace mark, the grace mark is added to the marks obtained in the academic level and thus the total mark obtained in the examination is raised which may result in change of grades in the final result, as reflected in the school leaving certificate. Whereas the bonus point is added to the grade value obtained in the examination at the time of admission to Higher Secondary Courses and the students belonging to Categories mentioned in the schedule above will get priority in admission to Higher Courses."

Therefore, according to the Government, the petitioners are not entitled to get the reliefs as are sought for by them.

16. We have heard, learned counsel for petitioners Sri.Manas P.Hameed, Sri.Rafeeq.V.K., Sri.Lindons C. Davis, Sri.Philip T.Varghese, Sri.P.E.Sajal and Sri.Jayesh Mohan Kumar, Smt.K.Remiya Ramachandran, Sri.J.S.Ajith Kumar, learned Senior Government Pleader Sri.K.P.Harish Kumar for the respondents, and perused the pleadings and materials on record.

17. Learned counsel for petitioners basically relied upon the Government Orders issued by the State Government awarding grace marks to the students who participate in the extracurricular activities mentioned above and submitted that such benefits provided as per Government Orders cannot be withdrawn by a mere communication issued by an additional Secretary. It was also pointed out that the Government Orders were issued by exercising the powers conferred under Article 162 of the Constitution of India, which was a policy decision and therefore, the Additional Secretary to the Government cannot issue a communication and withdraw the benefits granted by the State Government.

18. One of the learned counsel has relied upon the judgment of the Apex Court in **Navajyothy Coo-Group Housing Society v. Union of India and Others** [(1992) 4 SCC 477] and specifically paragraph 15 to canvass a point that such group of students were having a legitimate expectation of securing grace marks, which reads thus:

“**15.** It also appears to us that in any event the new policy decision as contained in the impugned memorandum of January 20, 1990 should not have been implemented without making such change in the existing criterion for

allotment known to the Group Housing Societies if necessary by way of a public notice so that they might make proper representation to the concerned authorities for consideration of their viewpoints. Even assuming that in the absence of any explanation of the expression "first come first served" in Rule 6(v) of Nazul Rules there was no statutory requirement to make allotment with reference to date of registration, it has been rightly held, as a matter of fact, by the High Court that prior to the new guideline contained in the memo of January 20, 1990 the principle for allotment had always been on the basis of date of registration and not the date of approval of the list of members. In the brochure issued in 1982 by the DDA even after Gazette notification of Nazul Rules on September 26, 1981 the policy of allotment on the basis of seniority in registration was clearly indicated. In the aforesaid facts, the Group Housing Societies were entitled to 'legitimate expectation' of following consistent past practice in the matter of allotment, even though they may not have any legal right in private law to receive such treatment. The existence of 'legitimate expectation' may have a number of different consequences and one of such consequences is that the authority ought not to act to defeat the 'legitimate expectation' without some overriding reason of public policy to justify its doing so. In a case of 'legitimate expectation' if the authority proposes to defeat a person's 'legitimate expectation' it should afford him an opportunity to make representations in the matter. In this connection reference may be made to the discussions on 'legitimate expectation' at page 151 of Volume 1(1) of *Halsbury's Laws of England*, 4th edn. (re-issue). We may also refer to a decision of the House of Lords in *Council of Civil Service Unions v. Minister for the Civil Service* [(1984) 3 All ER 935] . It has been held in the said decision that an aggrieved person was entitled to judicial review if he could show that a decision of the public authority affected him of some benefit or advantage which in the past he had been permitted to enjoy and which he legitimately expected to be permitted to continue to enjoy either until he was given reasons for withdrawal and the opportunity to comment on such reasons. "

19. The basic contention advanced on the basis of the said judgment of the Apex Court was that the eligible students had a legitimate expectation while participating in the examinations that they are entitled to the benefits of the government orders providing grace marks which cannot be withdrawn after the examinations are over. So also the judgment of the Apex Court in **Union of India v.Dinesh Engineering Corporation and Another** [(2001)8 SCC 491] was relied upon to contend that the policy framed taking into account all relevant facts cannot be withdrawn by issuing a mere communication. Paragraph 12 reads thus :

“**12.** A perusal of the said letter shows that the Board adopted this policy keeping in mind the need to assure reliability and quality performance of the governors and their spare parts in the context of sophistication, complexity and high degree of precision associated with governors. It is in this background that in para (i) the letter states that the spares should be procured on a proprietary basis from EDC. This policy proceeds on the hypothesis that there is no other supplier in the country who is competent enough to supply the spares required for the governors used by the Indian Railways without taking into consideration the fact that the writ petitioner has been supplying these spare parts for the last over 17 years to various divisions of the Indian Railways which fact has been established by the writ petitioner from the material produced both before the High Court and this Court and which fact has been accepted by the High Court. This clearly establishes the fact that the decision of the Board as found in the letter dated 23-10-1992 suffers from the vice of non-application of mind. On

behalf of the appellants, it has been very seriously contended before us that the decision vide letter dated 23-10-1992 being in the nature of a policy decision, it is not open to courts to interfere since policies are normally formulated by experts on the subjects and the courts not being in a position to step into the shoes of the experts, cannot interfere with such policy matters. There is no doubt that this Court has held in more than one case that where the decision of the authority is in regard to a policy matter, this Court will not ordinarily interfere since these policy matters are taken based on expert knowledge of the persons concerned and courts are normally not equipped to question the correctness of a policy decision. But then this does not mean that the courts have to abdicate their right to scrutinise whether the policy in question is formulated keeping in mind all the relevant facts and the said policy can be held to be beyond the pale of discrimination or unreasonableness, bearing in mind the material on record. It is with this limited object if we scrutinise the policy reflected in the letter dated 23-10-1992, it is seen that the Railways took the decision to create a monopoly on proprietary basis on EDC on the ground that the spares required by it for replacement in the governors used by the Railways required a high degree of sophistication, complexity and precision, and in the background of the fact that there was no party other than EDC which could supply such spares. There can be no doubt that an equipment of the nature of a spare part of a governor which is used to control the speed in a diesel locomotive should be a quality product which can adhere to the strict scrutiny/standards of the Railways, but then the pertinent question is: has the Board taken into consideration the availability or

non-availability of such characteristics in the spare parts supplied by the writ petitioner or, for that matter, was the Board alive to the fact that like EDC the writ petitioner was also supplying the spare parts as the replacement parts for the GE governors for the last over 17 years to the various divisions of the Railways? A perusal of the letter dated 23-10-1992 does not show that the Board was either aware of the existence of the writ petitioner or its capacity or otherwise to supply the spare parts required by the Railways for replacement in the governors used by it, an ignorance which is fatal to its policy decision. Any decision, be it a simple administrative decision or a policy decision, if taken without considering the relevant facts, can only be termed as an arbitrary decision. If it is so, then be it a policy decision or otherwise, it will be violative of the mandate of Article 14 of the Constitution. "

20. On the other hand, learned Senior Government Pleader apart from advancing arguments on the basis of the statements, relied upon the judgment of the Apex Court in **Centre for Public Interest Litigation and Others v. Union of India and Others** [(2012) 3 SCC 1] in the matter of the formulation of policy by the Government against public interest. The relevant paragraph reads thus:

"99. In majority of the judgments relied upon by the learned Attorney General and the learned counsel for the respondents, it has been held that the power of judicial review should be exercised with great care and circumspection and the Court should not ordinarily interfere with the policy decisions of the Government in financial matters. There cannot be any quarrel with the proposition that the

Court cannot substitute its opinion for the one formed by the experts in the particular field and due respect should be given to the wisdom of those who are entrusted with the task of framing the policies. We are also conscious of the fact that the Court should not interfere with the fiscal policies of the State. However, when it is clearly demonstrated that the policy framed by the State or its agency/instrumentality and/or its implementation is contrary to public interest or is violative of the constitutional principles, it is the duty of the Court to exercise its jurisdiction in larger public interest and reject the stock plea of the State that the scope of judicial review should not be exceeded beyond the recognised parameters."

21. So also the judgment of a learned single Judge of this court in **Rajesh and another v. State of Kerala and others** [(1998)KHC 282] was relied upon to contend that the grace marks cannot be claimed as a matter of right. Learned Government Pleader has also relied upon judgment of the learned single Judge in **Abhishek T.M. and Others v. State of Kerala and others** [2020 (5) KHC 578] whereby in the realm of sports quota candidates it was held that grace marks are granted by way of an encouragement and it cannot be claimed as a vested right and further that Government decides marks based on the recommendations of expert bodies and thus, the Government is vested with ample powers to modify or amend or alter the prospectus. Yet another judgment of a learned single Judge in **Jamshid Jamal K.J. v. General Education Department, Tvm. And Others** [2014(2)KHC 736] was pressed into service by the learned Senior Government

Pleader to canvass the proposition that the policy decision of the Government in the matter of modification of grace marks in the middle of the academic year cannot be said as arbitrary.

22. Learned counsel for petitioners have also invited our attention to rule 10 of Chapter VIII of Kerala Education Rules dealing with extracurricular activities and submitted that such activities by virtue of the rule should form an integral part of education imparted in the school and the Headmaster and teachers should devote a definite time to such activities, and therefore in the best interest of the students, it is inevitable that the grace marks are awarded.

23. We have evaluated the rival submissions made across the Bar. The sole question that emerges for consideration is, whether any interference is required in the matter of withdrawal of grace marks for the academic year 2020-2021 ? Even though learned counsel for petitioners have submitted that a policy decision of the Government can only be withdrawn by yet another Government Order issued under Article 162 of the Constitution of India, we are of the considered opinion that the communication was issued by the Additional Secretary to the Education Department on the basis of a policy decision taken by Government to withdraw the grace marks for various reasons including the fact that during the academic year 2020-2021 there was no organised extracurricular activities due to the COVID-19 pandemic, which is an admitted fact. Further, there is no dispute for any of the learned counsel for petitioners that the education was imparted during the

academic year through online in view of the safety measures adopted by the Central and State Governments to prevent the spread of COVID-19 disease. It is also an admitted fact that there was no occasion for the students to lose the educational hours in the absence of any activities due to the restrictions imposed by the Government. It is clear from the Government Orders relied upon by the petitioners that the State Government has decided to award grace marks to compensate the working hours lost by such students, which is undoubtedly the basic and foundational criteria for awarding the grace marks. Therefore once it is established that the students could not participate in such extracurricular activities, the foundation of the Government Orders guiding the field would vanish dis-entitling the beneficiaries to secure the grace marks. Which thus also means the substratum of the Government Orders relied upon by the petitioners was not existing for want of educational hours. Moreover going by the principles of law enunciated by the Apex Court and the judgments rendered by the learned single Judges of this Court, it is clear that the petitioners are not entitled to harp up on the policy decision of the Government since grace mark is a concession extended by the Government under certain specific and dedicated circumstances, and in absentia of such eventualities the Government was justified in withdrawing the grace marks.

24. We have also evaluated the circumstances leading to the extraordinary results of the terminal examinations and the manner in which the question papers

were set taking into account the present precarious situations of the pandemic. Therefore, indeed the State Government was conscious of the difficulties faced by the student community as a whole without carving out any exception, and viewed in those circumstances we are of the view that the Government was right in taking the decision not to grant grace marks. Therefore, it cannot be said that there was any arbitrary, illegal or unfair action on the part of the Government in withdrawing the benefit extended to the students. There is no case for the petitioners that there was any *malafide* intention to withdraw the concession of grace marks offered to the students participating in the extracurricular activities in question. Moreover, we are also the considered opinion that the pass percentage and the marks secured by the students in the academic year 2020-2021 would clearly show that such high marks and percentage could be secured due to the peculiar examination pattern adopted by the Government referred to in the discussions made above, which in our considered opinion, was taking into account the difficulties faced the student community as a whole consequent to the pandemic and with the bonafide intention of helping them to withstand the extraordinary situation .

25. Above all these aspects, the State Government have decided to provide bonus marks to the specific class of students while they are seeking admission to higher classes in the pattern and formula discussed, and in that view of the matter also, it can never be said that any manner of prejudice is caused to such students, who were entitled to secure the benefits of the Government Orders . Moreover, it

is for the Government to decide the manner in which the interests of such students are to be protected and once their admissions to higher classes are taken care of by awarding bonus marks no manner of illegality or arbitrariness can be imputed against the State especially due to the fact that it is for the State to take stock of the situation prevailing and act accordingly so as to avoid any arbitrariness among the student community. This we say also bearing in mind the fact that the the State could achieve very high percentage of pass and high marks when compared to the previous academic year and therefore, if any further marks are awarded to a smaller group of student community, it may seriously prejudice the other larger student community, competing for higher studies on the basis of marks alone. It is also worthwhile to note that the grace marks were withdrawn only for the academic year 2020-2021.

Deducing the facts, law and circumstances, we have no hesitation to hold that the petitioners are not entitled to get any reliefs as are sought in the writ petitions. Needless to say, writ petitions fail, and accordingly they are dismissed.

Sd/-

**MANIKUMAR**  
**CHIEF JUSTICE**

Sd/-

**SHAJI P.CHALY**  
**JUDGE**

APPENDIX OF WP(C) 13378/2021

**PETITIONER EXHIBITS**

- Exhibit P1** TRUE COPY OF GO (MS) NO.43/2009/HEDN DATED  
27.5.2009
- Exhibit P2** TRUE COPY OF RELEVANT PAGES SHOWING THE GRACE  
MARKS OFFERED TO NSS VOLUNTEERS WORK BOOKS
- Exhibit P3** TRUE COPY OF LETTER NO.G/1055/2021/G.EDN  
DATED 29-06-2021 COMMUNICATED BY THE 1ST  
RESPONDENT TO THE 2ND RESPONDENT

**RESPONDENTS' ANNEXURES**

- ANNEXURE R2 (a)** TRUE COPY OF G.O. (MS) NO.176/95/G.EDN DATED  
02.06.1995
- ANNEXURE R2 (b)** TRUE COPY OF ENGLISH TRANSLATION OF ANNEXURE  
R2 (a)

APPENDIX OF WP(C) 13396/2021

**PETITIONER EXHIBITS**

- Exhibit P1** LIST SHOWING THE NAMES OF 115 STUDENTS OF PTMHS KODIYATHUR WHO WERE AWARDED RAJYAPURASKAR IN THE YEAR 2021
- Exhibit P2** TRUE COPY OF LETTER NUMBERED AS G/1055/2021/G.ED DATED 29-06-2021 COMMUNICATED BY THE 1ST RESPONDENT TO THE 2ND RESPONDENT
- Exhibit P3(A)** TRUE COPY OF ONLINE NEWS REPORT OF MATHRUBHUMI.COM DATED 14-05-2021 REGARDING NCC CADETS JOINING COVID DUTY IN PATHANAMTHITTA AND KOTTAYAM
- Exhibit P3(B)** TRUE COPY OF ONLINE NEWS REPORT OF TIMES OF INDIA REGARDING SWANTHANAM PROJECT OF JRC OF RAMAMANGALAM HIGH SCHOOL IN ERNAKULAM DISTRICT
- Exhibit P3(C)** TRUE COPY OF ONLINE NEWS REPORT OF THE HINDU WITH HEADER NCC CADETS HELP POLICE REGULATE HARBOUR WORK DATED 06-05-2020
- Exhibit P4** TRUE PHOTOGRAPHS SHOWING THE WORKS OF SCOUTS AND GUIDES OF PTMHS KODIYATHUR DURING THE LOCKDOWN
- Exhibit P5** TRUE COPY OF PAPER REPORT DATED 01-07-2021 OF DEEPIKA DAILY
- Exhibit P6** TRUE COPY OF REPRESENTATION DATED 01-07-2021 SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENTS 1 TO 4

APPENDIX OF WP(C) 13709/2021

**PETITIONER EXHIBITS**

- Exhibit P1** COPY OF THE ORDER (K) NO. 11/2016 GE DTD 11.01.2016 OF THE FIRST RESPONDENT.
- Exhibit P2** COPY OF THE GOVERNMENT ORDER G/1055/2021 /G.EDN DATED 29/06/2021.
- Exhibit P3** COPY OF THE REPRESENTATION OF THE PETITIONER DATED 01/07/2021 TO THE FIRST AND SECOND RESPONDENTS.

APPENDIX OF WP(C) 13820/2021

PETITIONER EXHIBITS

- Exhibit P1 TRUE COPY OF LETTER NUMBERED AS G/1055/2021/G.ED DATED 29.6.201 COMMUNICATED BY THE 1ST RESPONDENT TO THE 2ND RESPONDENT DIRECTORATE OF GENERAL EDUCATION, ALONG WITH ITS ENGLISH TRANSLATION
- Exhibit P2(A) TRUE COPY OF ONLINE NEWS REPORT OF MATHRUBHUMI DATED 14.5.2021 REGARDING NCC CADETS JOINING COVID DUTY IN PATHANAMTHITTA AND KOTTAYAM
- Exhibit P2(B) TRUE COPY OF THE ONLINE NEWS REPORT OF TIMES OF INDIA REGARDING SWANTHANAM PROJECT OF JRC OF RAMAMANGALAM HIGH SCHOOL IN ERNAKULAM DISTRICT DATED 18.5.2021
- Exhibit P2(C) TRUE COPY OF ONLINE NEWS REPORT OF THE HINDU WITH HEADER NCC CADETS HELP POLICE REGULATE HARBOR WORK DATED 6.5.2020
- Exhibit P3 TRUE COPY OF REPRESENTATION DATED 1.7.2021 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT
- Exhibit P4 TRUE COPY OF THE JUDGMENT IN PHILIP XAVIER ANTONY VS VICE CHANCELLOR, MG UNIVERSITY KTYM & ORS CITED AS 2017 (50 KHC 992).

RESPONDENTS' EXHIBITS:

- ANNEXURE R2(a) TRUE COPY OF G.O. (MS) NO.176/95/G.EDN DATED 02.06.1995
- ANNEXURE R2(b) TRUE COPY OF ENGLISH TRANSLATION OF ANNEXURE R2(a)

APPENDIX OF WP(C) 13881/2021

## PETITIONER EXHIBITS

- Exhibit P1 TRUE COPY OF THE RELEVANT PAGE SHWOING THE DETAILS OF AWARDING OF GRACE MARKS FOR THE STUDENTS WHO ARE REGISTERED WITH NSS.
- Exhibit P2 TRUE COPY OF THE RELEVANT PAGES OF THE NSS DIARY SHOWING THE ACTIVITIES COMPLETED BY THE 1ST PETITIONER DURING 2020-2021
- Exhibit P3 TRUE COPY OF THE RELEVANT PAGES OF THE NSS DIARY SHOWING THE ACTIVITIES COMPLETED BY THE 2ND PETITIONER DURING 2020-2021
- Exhibit P4 TRUE COPY OF PHOTOGRAPHS OF THE ACTIVITIES CARRIED OUT BY PETITIONERS AND OTHER NSS VOLUNTEERS DURING THE COVID PANDEMIC
- Exhibit P5 TRUE COPY OF THE FIRST PAGE OF THE NSS DIARY OF THE 1ST PETITIONER
- Exhibit P6 TRUE COPY OF THE FIRST PAGE OF THE NSS DIARY OF THE 2ND PETITIONER.
- Exhibit P7 TRUE COPY OF THE RELEVANT PAGES OF THE NSS DIARY OF THE 1ST PETITIONER, WHICH SHOWS THAT 1ST PETITIONER COMPLETED REQUIRED HOURS FOR NSS CERTIFICATE AND FOR GRACE MARK
- Exhibit P8 TRUE COPY OF THE RELEVANT PAGES OF THE NSS DIARY OF THE 2ND PETITIONER, WHICH SHOWS THAT 2ND PETITIONER COMPLETED REQUIRED HOURS FOR NSS CERTIFICATE AND FOR GRACE MARK
- Exhibit P9 TRUE COPY OF THE COMMUNICATION DATED 29-06-2021 BY THE 1ST RESPONDENT TO THE 2ND RESPONDENT.
- Exhibit P10 TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 1ST PETITIONER DATED 05-07-2021 WITH POSTAL RECEIPT BEFORE THE 1ST RESPONDENT.
- Exhibit P11 TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 1ST PETITIONER DATED 05-07-2021 WITH POSTAL RECEIPT BEFORE MINISTER FOR EDUCATION
- Exhibit P12 TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 2ND PETITIONER DATED 05-07-2021 WITH POSTAL RECEIPT BEFORE THE 1ST RESPONDENT
- Exhibit P13 TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 2ND PETITIONER DATED 05-07-2021 WITH POSTAL RECEIPT BEFORE MINISTER FOR EDUCATION.

APPENDIX OF WP(C) 13972/2021

PETITIONER EXHIBITS

- Exhibit P1 TRUE COPY OF THE CERTIFICATE ISSUED TO THE PETITIONER BY THE 2ND RESPONDENT DATED 30.07.2019.
- Exhibit P2 TRUE COPY OF THE NEWS ITEM APPEARED IN THE NEWS MATHRUBHUMI DAILY.
- Exhibit P3 TRUE COPY OF THE NEWS ITEM APPEARED IN THE MATHRUBHUMI NEWS DAILY DATED 28.05.2020.
- Exhibit P4 TRUE COPY OF THE GO(MS) NO.43/2009/H.EDN. DATED 27.05.2009.
- Exhibit P5 TRUE COPY OF THE CIRCULAR DATED 01.02.2012 ISSUED BY THE NSS CELL.
- Exhibit P6 TRUE COPY OF THE COMMUNICATION DATED 29.06.2021 ISSUED BY THE FIRST RESPONDENT TO THE DIRECTOR OF GENERAL EDUCATION.
- Exhibit P7 TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE FIRST RESPONDENT ON 02.07.2021.

APPENDIX OF WP(C) 14884/2021

**PETITIONER EXHIBITS**

- Exhibit P1** TRUE COPY OF LETTER NUMBERED AS  
G/1055/2021/G.ED DATED 29-06-2021  
COMMUNICATED BY THE THE 1ST RESPONDENT TO THE  
2ND RESPONDENT DIRECTORATE OF GENERAL  
EDUCATION ALONG WITH ITS ENGLISH TRANSLATION
- Exhibit P2** TRUE COPY OF CERTIIFCATE DATED 31-12-2020  
ISSUED BY KERALA STATE BHARAT SCOUTS AND  
GUIDES FOR THE COMPLETION OF PLASTIC TIDE  
TURNERS CHALLENGE, A GLOBAL YOUTH MOVEMENT TO  
FIGHT PLASTIC
- Exhibit P3** TRUE COPY OF CERTIIFICATE DATED 31-12-2020  
ISSUED BY KERALA STATE BHARAT SCOUTS AND  
GUIDES, TALIPARAMBA DISTRICT ASSOCIATION  
CERTIFYING THAT THE 1ST PETITIONER HAS  
QUALIFIED DWITIYA SOPAN BADGE
- Exhibit P4** TRUE COPY OF SSLC EXAMINATION RESULT OF THE  
SECOND PETITIONER.

APPENDIX OF WP(C) 13763/2021

**PETITIONER EXHIBITS**

- Exhibit P1** TRUE COPY OF SSLC ADMISSION TICKET ISSUED TO THE PETITIONER BEARING REGISTER NUMBER 606155
- Exhibit P2** TRUE COPY OF RAJYA PURASKAR CERTIFICATE ISSUED TO THE PETITIONER DATED 10.02.2020
- Exhibit P3** TRUE COPY OF THE CIRCULAR BEARING NO.E.X/C.G.L(4)/043207/2019/C.E.G ISSUED BY 3RD RESPONDENT DATED 20.02.2020
- Exhibit P4** TRUE COPY OF CIRCULAR NO.G/1055/2021/PUB.INFO DATED 29.06.2021 ISSUED BY 1ST RESPONDENT.

APPENDIX OF WP(C) 14112/2021

## PETITIONER EXHIBITS

- Exhibit P1(A) TRUE COPY OF THE SCHOOL IDENTITY CARD OF THE 1ST PETITIONER.
- Exhibit P1(B) TRUE COPY OF THE SCHOOL IDENTITY CARD OF THE 2ND PETITIONER.
- Exhibit P1(C) TRUE COPY OF THE SCHOOL IDENTITY CARD OF THE 3RD PETITIONER.
- Exhibit P2 TRUE COPY OF LETTER NUMBERED AS G/1055/2021/G.ED DATED 29/06/2021 COMMUNICATED BY THE 1ST RESPONDENT TO THE 2ND RESPONDENT DIRECTORATE OF GENERAL EDUCATION, ALONG WITH THE ENGLISH TRANSLATION.
- Exhibit P3 TRUE COPY OF THE LIST OF ELIGIBLE SCOUTS FOR THE GRACE MARKS IN HIGHER SECONDARY EXAMINATION ISSUED BY PRINCIPAL, NEW HSS NELLIMOOD.
- Exhibit P4 TRUE COPY OF THE NOTIFICATION DATED 06/01/2021 INVITING APPLICATIONS FOR THE CHIEF MINISTER'S SHIELD COMPETITION ISSUED BY THE KERALA STATE BHARAT SCOUTS AND GUIDES, ALONG WITH ITS ENGLISH TRANSLATION.
- Exhibit P5 TRUE COPY OF THE CERTIFICATE DATED 15/03/2021 ISSUED BY THE KERALA STATE BHARAT SCOUTS AND GUIDES TO THE NEW HIGHER SECONDARY SCHOOL FOR PARTICIPATING IN THE CHIEF MINISTER'S SHIELD COMPETITION AT DISTRICT LEVEL FOR THE YEAR 2019-2021.
- Exhibit P6(A) TRUE COPY OF THE ONLINE NEWS REPORT OF MATHRUBHUMI.COM DATED 14/05/2021 REGARDING NCC CADETS JOINING COVID DUTY IN PATHANAMTHITTA AND KOTTAYAM.
- Exhibit P6(B) TRUE COPY ONLINE NEWS REPORT OF 'TIMES OF INDIA' REGARDING 'SWANTHANAM' PROJECT OF JRC OF RAMAMGNALAM HIGH SCHOOL IN ERNAKULAM DISTRICT.
- Exhibit P6(C) TRUE COPY OF ONLINE NEWS REPORT OF 'THE HINDU' WITH HEADER 'NCC CADETS HELP POLICE REGULATE HARBOR WORK' DATED 06/05/2020.
- Exhibit P7 TRUE COPY OF THE JUDGMENT IN PHILIP XAVIER ANTONY VS VICE CHANCELLOR, MG UNIVERSITY KTYM AND ORS. CITED AS 2017(5)KHC 992.

**RESPONDENT ANNEXURES**

**Annexure R2 (A)**

**TRUE COPY OF THE GOVERNMENT ORDER NO. GO (MS)  
NO.176/95/EDN. DATED 02/06/1995.**

**Annexure R2 (B)**

**TRUE COPY OF THE ENGLISH TRANSLATION OF ABOVE  
GOVERNMENT ORDER.**