

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE N. NAGARESH

TUESDAY, THE 17TH DAY OF NOVEMBER 2020/26TH KARTHIKA, 1942

WP(C).No.21086 OF 2020(I)

PETITIONER:

HARISH P.A.,
AGED 52 YEARS,
S/O P.M. PADMANABHAN, 68/1550,
K.K.PADMANABHAN ROAD,
POWER HOUSE JUNCTION, KOCHI-682 018.

BY ADVS.

SRI.T.SETHUMADHAVAN (SR.)
SMT.PREETHI. P.V.
SRI.M.V.BALAGOPAL

RESPONDENTS:

- 1 THE SECRETARY,
CENTRAL BOARD OF SECONDARY EDUCATION,
SHIKSHA KENDRA, 2 PREET VIHAR,
NEW DELHI-110 092.
- 2 THE REGIONAL OFFICER,
CENTRAL BOARD OF SECONDARY EDUCATION BLOCK B,
2ND FLOOR, LIC DIVISIONAL OFFICE,
PATTOM, THIRUVANANTHAPURAM-695 004.

R1-2 BY SRI.NIRMAL S., SC, CBSE

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 17.11.2020, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP (C) .No .21086/2020 (I)

: 2 :

J U D G M E N T

~ ~ ~ ~ ~ ~ ~ ~ ~

Dated this the 17th day of November, 2020

The petitioner, who is father of a student undergoing education in a school affiliated to Central Board of Secondary Education, is before this Court seeking to direct the respondents to take up Ext.P8 representation and to consider the request made therein by issuing a fresh registration format or an addendum registration form by adding additional columns calling upon the applicants to show the expansion of the initials/surname of the student, father, mother/guardian for registration to class IX for the academic year 2020-'21 under the CBSE.

2. According to the petitioner, the CBSE has issued a Circular regarding registration of Class IX/XI students for session 2020-'21 and a format for registration of the students. The instructions of the CBSE require the Schools

to ensure that the expanded name of the student/mother/father/guardian should be given and no abbreviations should be used. The instructions required that the data furnished should be similar in all documents like certificate of Date of Birth, school records, Aadhaar, Passport, etc.

3. The instructions further required that the data furnished should be similar in all documents like Date of Birth certificate, school records, Aadhaar, Passport, etc. According to the petitioner, as per the birth certificate of the petitioner's son, the name of his son is Tarun A. In order to comply with the directions issued by the CBSE, the petitioner may have to correct the name of his son in the birth register which is a cumbersome and time-consuming process.

4. The petitioner therefore submitted a representation to respondents 1 and 2 explaining his difficulty and suggesting that the CBSE should provide an additional column showing the expansion of the initials of the student/father/mother/guardian, in the same way names are provided in passports and school leaving certificates. It is

under such circumstances that the petitioner has filed this writ petition.

5. The 1st respondent defended the writ petition filing a statement. The 1st respondent stated that the instructions issued by the CBSE are only advisory in nature. The students have to check that their data is similar in all the documents like Date of Birth certificate, school records, Aadhaar, Passport, etc. They should anticipate the requirement of surname when visiting abroad since the visiting country may insist for disclosure of name as well as surname.

6. The advice is given by CBSE solely for the benefit of the students and option is given to all students to either continue with the particulars entered in the admission register unchanged or to take an informed decision to add, remove or modify their particulars, which shall not be permitted later.

7. The grievance of the petitioner raised in the writ petition raises an issue faced by many citizens in the State of

WP (C) .No .21086/2020 (I)

: 5 :

Kerala. Members of some of the communities in Kerala, traditionally have no surnames. A good section of citizens having surnames, do not state or display surnames because surnames mostly are indicative of caste status. Keralites use abbreviations along with their names, which need not necessarily be the abbreviations of their surname. Sometimes the abbreviations are indicative of one's father's name, sometimes of mother's name. Many a time, the abbreviations are indicative of their family name.

8. As the abbreviations along with names are not definite indicatives of surname/father's name/mother's name/family name, the abbreviations without its expansions are used as integral part of their names. In short, the expansion of abbreviations need not be their surnames. Due to lack of options in some forms required to be filled for official purposes, citizens in Kerala are forced to give the expansion of abbreviations attached to their names in the 'surname' column, which may further cause complications in their official transactions. The grievance raised by the petitioner

WP (C) .No .21086/2020 (I)

: 6 :

therefore merits consideration by CBSE.

9. As the Standing Counsel for CBSE has stated that the instructions of the CBSE in this regard are only advisory in nature, this Court does not deem it necessary to pass any orders in respect of the name of the petitioner's son. However, as the grievance raised by the petitioner is one faced by many parents/students in the State, it would be only just and proper that the CBSE considers Ext.P8 representation of the petitioner for the benefit of all who are facing the same problem.

10. In the circumstances, it will be sufficient to direct that the 1st respondent shall consider the grievance raised in Ext. P8 representation while formatting their registration forms next time, and it is ordered accordingly.

The writ Petition is disposed as above.

Sd/-
N. NAGARESH, JUDGE

aks/17.11.2020

WP (C) .No .21086/2020 (I)

: 7 :

APPENDIX

PETITIONER'S EXHIBITS:

- | | |
|------------|--|
| EXHIBIT P1 | TRUE COPY OF THE RELEVANT PORTION OF THE CIRCULAR ISSUED BY THE 1ST RESPONDENT DATED 1.9.2020 |
| EXHIBIT P2 | TRUE COPY OF THE INSTRUCTION MANUAL ALONG WITH THE SPECIMEN FORMAT FOR REGISTRATION ISSUED BY THE SCHOOL |
| EXHIBIT P3 | TRUE COPY OF THE BIRTH CERTIFICATE OF THE PETITIONER'S SON ISSUED BY THE CORPORATION OF KOCHI |
| EXHIBIT P4 | TRUE COPY OF THE AADHAR CARD ISSUED BY UNIQUE IDENTIFICATION AUTHORITY OF INDIA OF THE GOVERNMENT OF INDIA |
| EXHIBIT P5 | TRUE COPY OF THE RELEVANT PAGE OF THE PASSPORT OF THE PETITIONER'S SON DATED 26.3.2019 |
| EXHIBIT P6 | TRUE COPY OF THE SCHOOL LEAVING CERTIFICATE OF THE MOTHER OF THE CHILD |
| EXHIBIT P7 | TRUE COPY OF THE SCHOOL LEAVING CERTIFICATE OF THE PETITIONER ISSUED BY THE GOVERNMENT OF KERALA |
| EXHIBIT P8 | TRUE COPY OF THE REPRESENTATION SUBMITTED TO THE 1ST RESPONDENT DATED 29.9.2020 |