

(2025) 06 KL CK 0900

In the High Court Of Kerala

Case No : Writ Petition (C) No. 2585 Of 2024

Aathika Mariyam Bindu Nowfal

APPELLANT

Vs

The University Of Kerala

RESPONDENT

Date of Decision : 24-06-2025

Acts Referred:

Citation : (2025) 06 KL CK 0900

Hon'ble Judges : D. K. Singh, J

Bench : Single Bench

Advocate : P.M.Saneer, Tony George Kannanthanam, Bibin B. Thomas, Thomas Abraham, S.Krishnamoorthy, S.Krishnamoorthy

Final Decision : Allowed

Judgement

D. K. Singh, J

1. The petitioner is a student who completed her schooling (+2) from Peace Public School, Kollam. The School is recognised by the parent body of Edexcel in the United Kingdom (U.K.), which issues educational course certificates. It is further submitted that the examinations conducted after the said course (Pearson International Advanced Level) are recognised by the Association of Indian Universities (AIU) and other Universities in Kerala.

2. The petitioner joined S N College for Women, Kollam, for her Degree Course (B.A. Literature). But, the University of Kerala/ 2nd respondent is not registering her admission, and thereby the petitioner apprehends that she may not be permitted to appear for her university examinations.

3. The petitioner has filed the present writ petition for a direction to the respondent University to recognise the petitioner's certificate in Ext.P4 as equivalent to +2 of the Indian Boards, giving access to Degree Programs in the University.

4. The learned Counsel for the respondent University submits that the courses

recognised by the University of Kerala for admission in Degree course are IGCSE, GCE 'O' level and 'A' level examination of Edexcel conducted in India based on the recognition of Higher Secondary Education of Kerala. However, the course title in the certificate of the petitioner is 'International Advanced Level' Examination of Edexcel, which is not a recognised course of higher studies under the University. Granting recognition of 'International Advanced Level' examinations of Edexcel by the University is subject to the approval of the Academic Council of the University of Kerala, based on the remarks from the Higher Secondary Directorate. The Higher Secondary Directorate has not provided any reply on the recognition status of the course studied by the petitioner.

5. The learned Counsel for the petitioner submits that the petitioner had initially completed her 10th standard under the CBSE stream and thereafter 5 Advanced Level passes from Edexcel. The Edexcel "Pearson" had issued her the mark/grade score for her examination conducted in January 2023, and a formal notification has been issued. Thereafter, a fresh certificate was issued certifying that the petitioner had appeared and passed the Edexcel International Advanced Level (A-level) examination.

5.1 Further, it is submitted that the Association of Indian Universities has already certified that the qualification acquired by the petitioner is equated with the +2 of the Central Board of Secondary Education (CBSE), which is evident from the Ext.P4 Equivalence Certificate issued by the Association of Indian Universities dated 08.08.2023, which reads as under:

"EQUIVALENCE CERTIFICATE

NAME MR./MS. : AATHIKA MARIAM BINDH NOWFAL

SCHOOL LEVEL : 12th

SCHOOL/BOARD NAME : Secondary School Certificate Examination and Advanced' Level

AWARDING : Central Board of Secondary Education, Delhi

UNIVERSITY/INSTITUTE & Edexcel (Pearson) UK

SCORE/GRADE : As Shown on the Academic Transcript

EVALUATION OF EDUCATIONAL CREDENTIALS

AATHIKA MARIAM BINDH NOWFAL has passed 10 Year Secondary School Certificate Examination from Central Board of Secondary Education, Delhi and has also obtained 5(FIVE) 'Advanced Level Passes from Edexcel, an approved British Examining Body in UK this qualification is EQUATED with 12 Year Senior School Certificate of Central Board of Secondary Education, Delhi/Other Boards in India.

(THE ORIGINAL CERTIFICATES AND SUBJECT-WISE ELIGIBILITY WILL BE

VERIFIED BY THE ADMISSION GIVING UNIVERSITY/INSTITUTE)

5.2 Furthermore, no further equivalence is required from any other authority in view of the equivalence granted by the Association of Indian Universities.

6. The learned Counsel for the Association of Indian Universities has also supported the contention of the petitioner.

7. The learned Counsel appearing for the University Grants Commission has submitted that the issue is no longer *res integra* since the said issue is comprehensively decided by the Division Bench of this Court in *University Grants Commission v. Anand J Illickan* 2015 (3) KLT SN 20, in which it has been held that the Association of Indian Universities is a body which is entitled to declare equivalence for appearing in NET Examination, which is contemplated in the notification issued by the University of Grants Commission. The authority of the Association of Indian Universities to grant Equivalence Certificate is statutorily recognised by the UGC Regulations on Minimum Qualifications for Appointment of Teachers and Other Academic Staff in Universities and Colleges and measures for the Maintenance of Standards in Higher Education. The submission is that once the Association of Indian Universities recognises a qualification to be equivalent, there is no further requirement for an Equivalence Certificate from any other authority.

8. I have considered the submissions advanced on behalf of the parties and perused the records.

9. The respondent University has not disputed the Equivalence Certificate in Ext.P4 granted by the Association of Indian Universities in respect of the petitioner's certificate to be equivalent to a 2-year Senior School Certificate of the Central Board of Secondary Education. In view of the judgment of the Division Bench of this Court in *University Grants Commission v. Anand J Illickan*, the Equivalence Certificate granted by the Association of Indian Universities is sufficient for the qualification for admission to a bachelor's degree. Paragraph 45, which is the concluding paragraph of the said judgment, is extracted hereunder:

"45. From the discussions as above, the following conclusions are arrived at:

I. The Association of Indian Universities is a body, which is entitled to declare equivalence for appearing in NET Examination, which is contemplated in the notification issued by the University Grants Commission.

II. The authority to grant equivalence by the Association of Indian Universities is statutory recognised by UGC Regulations on Minimum Qualifications for Appointment of Teachers and Other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education, 2010.

III. The All India Council for Technical Education has never declared the Post Graduate Diploma course obtained by the petitioner in the year 1996-98 as equivalent to MBA.

IV. The All India Council for Technical Education having come up with the case that it accepts the opinion of the Association of Indian Universities regarding diploma and degree it is not necessary for us to examine the entitlement of AICTE to grant equivalence of Post Graduate Diploma any further.

V. The communication issued by the University Grants Commission to the petitioner, Exhibit P13 as stated above, was in accordance with law and the petitioner has rightly been declared disqualified to undertake the NET Examination, 2012, his Post Graduate Diploma (1996-98) have never been held to be equivalent to MBA Degree. The learned Single Judge in its judgment has observed that since the Post Graduate Diploma granted to the petitioner is recognised by the AICTE, it will be deemed to be recognised by the UGC cannot be approved. The observation of the learned Single Judge that when a course is approved by the AICTE, the question of equivalence from University does not arise in so far as determination of equivalence of that course is concerned cannot be approved.”

10. Considering the aforesaid facts and the judgment of this Court, the present writ petition is allowed. The respondent University is directed to treat the petitioner’s Equivalence Certificate issued by the Association of Indian Universities in Ext.P4 as equivalent to 10 + 2 for admission to Bachelor's Degree programs of the University. All Interlocutory Applications as regards interim matters stand closed. No order as to costs.