

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

1. **Shri S.M. Naiyer Imam, Founder Secretary, Rauf Muslim Jamia (RMJ) & ITS Institutions, Bahera, District - Darbhanga - 847201, Bihar**  
&
2. **Shri Rohit Kumar, Village & P.O. - dhabahi, S - Laukahi, District - Madhubani, Bihar - 847108**  
V/s
1. **Shri S.M. Zafar Imam, President, Rauf Muslim Jamia Society, C/o. S.M. Zaheera Alam Teachers Training College, P.O. - Bahera, District - Darbhanga, Bihar & Anr.**
2. **Secretary, Human Resource Development Department, Government of Bihar.**

**Case No. 319 of 2018**

**19.08.2021**

Present: Mr. S.M. Naiyer Imam for the petitioner no. 1  
None for petitioner no. 2  
Mr. Saifi Ahmad, Advocate for the respondent no. 1  
None for the respondent no. 2

Order dictated separately and pronounced, which reads as under:

*"In view of the facts and observations, it is an admitted fact that the petitioner institution has applied to the State competent authority for grant of MSC on dated 01.12.2015 and the said application was still pending before the State competent authority at the time of filing application for grant of MSC. It is specifically mentioned in the order sheet dated 14.07.2016 and also in the final order of this Commission dated 16.08.2016 by which MSC was granted in favour of S.M. Zaheer Alam Teachers Training College, At & PO Bahera, District Darbhanga (Bihar)-847201. So in our considered opinion when the application for grant of MSC was pending before the State competent authority at the time of filing application and also at the time of passing the final order to grant MSC to the institution, then the petitioner has no right to file application to grant MSC before this Commission without final decision of the competent authority.*

*It is an admitted fact that petitioner has not applied for grant of NOC before the State competent authority under section 10 of the NCMEI Act, 2004. In this way petitioner has no right to file application for grant of MSC straightaway to this Commission till final decision of the competent authority of the State and the MSC granted to the institution vide case no. 1029 of 2016, order dated 16.08.2016 is not valid in the eye of law and deserve to be cancelled.*

*In the premise, the petition filed by the petitioners Shri S.M. Naiyer Imam and Shri Rohit Kumar succeeds and allowed. The impugned order dated 16.08.2016 passed by this Commission in favour of S.M. Zaheer Alam Teachers Training College, At & PO Bahera, District Darbhanga (Bihar)-847201 vide case no. 1029 of 2016 is hereby cancelled. Respondent No. 1 is directed to surrender their original MSC of this Commission within one month from the date of this order. However, it is made clear that S.M. Zaheer Alam Teachers Training College, At & PO Bahera, District Darbhanga (Bihar)-847201 is free to move fresh application for grant of MSC as per the prevailing law".*

In view of the above, the present petition is disposed of accordingly.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**V.M. Public School, Perumattom, Puthuppady P.O.,  
Muvattupuzha, Dist. Ernakulam, Kerala.**

**V/s.**

**Secretary, General Education Department, Government of  
Kerala.**

**Case No. 223 of 2019**

**19.08.2021**

Present: Mr. Junais P., Advocate for the petitioner.  
None for the respondent.

Order dictated separately and pronounced, which reads as  
under:

*“In view of the facts and observations, it is an admitted fact that the petitioner institution had applied to competent authority of the State of Kerala for grant of NOC under Section 10 of the NCMEI Act, 2004 and the said applications was not decided in accordance with the provisions of NCMEI Act, 2004 and verdict of the Hon’ble Apex Court by the State competent authority and passed the impugned order dated 13.03.2019. So in the interest of justice, we are of the considered opinion, without going on the merits of the case, it is just, proper and fit case to send the matter back to the state competent authority to decide the application of the petitioner institution for grant of NOC under Section 10 of the NCMEI Act, 2004 on merits after considering all the documents produced by the petitioner institutions at the earliest, expeditiously.”*

Office is directed to send copy of this order to the State Competent Authority and in the interest of justice, in addition the petitioner institution is also directed to produce certified copy of this order before the State Competent Authority immediately for compliance of this order.

In view of above, the present petition is disposed of in accordance with this order.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**C.H.M.K.S.M.U.P. School, Nandankizhaya, Anamari P.O.,  
Kollengode Sub Dist., Palakkad, Kerala.**

**V/s.**

**Secretary, General Education Department, Government of  
Kerala.**

**Case No. 225 of 2019**

**19.08.2021**

Present: Mr. Junais P., Advocate for the petitioner.  
None for the respondent.

Order dictated separately and pronounced, which reads as  
under:

*“In view of the facts and observations, it is an admitted fact that the petitioner institution had applied to competent authority of the State of Kerala for grant of NOC under Section 10 of the NCMEI Act, 2004 and the said applications was not decided in accordance with the provisions of NCMEI Act, 2004 and verdict of the Hon’ble Apex Court by the State competent authority and passed the impugned order dated 08.03.2019 and 19.02.2019. So in the interest of justice, we are of the considered opinion, without going on the merits of the case, it is just, proper and fit case to send the matter back to the state competent authority to decide the application of the petitioner institution for grant of NOC under Section 10 of the NCMEI Act, 2004 on merits after considering all the documents produced by the petitioner institutions at the earliest, expeditiously.”*

Office is directed to send copy of this order to the State Competent Authority and in the interest of justice, in addition the petitioner institution is also directed to produce certified copy of this order before the State Competent Authority immediately for compliance of this order.

Let the copy of the order be kept in the record of Case No. 227 of 2019.

In view of above, the present petition is disposed of in accordance with this order.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**A.M.L.P. School, Panamanna, Ambalavattam P.O., Ottappalam,  
Palakkad District, Kerala.**

**V/s.**

**The Secretary, General Education Department, Government of  
Kerala.**

**Case No. 227 of 2019**

**19.08.2021**

Present: Mr. Junais P., Advocate for the petitioner.  
None for the respondent.

Order dictated separately and pronounced, which reads as  
under:

*“In view of the facts and observations, it is an admitted fact that the petitioner institution had applied to competent authority of the State of Kerala for grant of NOC under Section 10 of the NCMEI Act, 2004 and the said applications was not decided in accordance with the provisions of NCMEI Act, 2004 and verdict of the Hon’ble Apex Court by the State competent authority and passed the impugned order dated 08.03.2019 and 19.02.2019. So in the interest of justice, we are of the considered opinion, without going on the merits of the case, it is just, proper and fit case to send the matter back to the state competent authority to decide the application of the petitioner institution for grant of NOC under Section 10 of the NCMEI Act, 2004 on merits after considering all the documents produced by the petitioner institutions at the earliest, expeditiously.”*

Office is directed to send copy of this order to the State Competent Authority and in the interest of justice, in addition the petitioner institution is also directed to produce certified copy of this order before the State Competent Authority immediately for compliance of this order.

Let the copy of the order be kept in the record of Case No. 227 of 2019.

In view of above, the present petition is disposed of in accordance with this order.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**AMLP School, Valiyora North (Aided), Valiyora, Malappuram  
District, Kerala**

**V/s.**

**The Secretary, General Education Department, Government of  
Kerala, Thiruvananthapuram, Kerala – 695001**

**Case No. 347 of 2019**

**19.08.2021**

Present: None.

Order dictated separately and pronounced, which reads as  
under:

*“In view of the facts and observations, it is an admitted fact that the petitioner institution had applied to competent authority of the State of Kerala for grant of NOC under Section 10 of the NCMEI Act, 2004 and the said applications was not decided in accordance with the provisions of NCMEI Act, 2004 and verdict of the Hon’ble Apex Court by the State competent authority and passed the impugned order dated 02.03.2019 and 05.04.2019. So in the interest of justice, we are of the considered opinion, without going on the merits of the case, it is just, proper and fit case to send the matter back to the state competent authority to decide the application of the petitioner institution for grant of NOC under Section 10 of the NCMEI Act, 2004 on merits after considering all the documents produced by the petitioner institutions at the earliest, expeditiously.”*

Office is directed to send copy of this order to the State Competent Authority and in the interest of justice, in addition the petitioner institutions are also directed to produce certified copy of this order before the State Competent Authority immediately for compliance of this order.

Let the copy of the order be kept in the record of Case No. 352 of 2019.

In view of above, the present petition is disposed of in accordance with this order.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**A.M.L.P.S. Edachalam (Aided), P.O. Pesannur, Malappuram  
District, Kerala**

**V/s.**

**The Secretary, General Education Department, Government of  
Kerala, Thiruvananthapuram, Kerala – 695001**

**Case No. 352 of 2019**

**19.08.2021**

Present: None.

Order dictated separately and pronounced, which reads as  
under:

*“In view of the facts and observations, it is an admitted fact that the petitioner institution had applied to competent authority of the State of Kerala for grant of NOC under Section 10 of the NCMEI Act, 2004 and the said applications was not decided in accordance with the provisions of NCMEI Act, 2004 and verdict of the Hon’ble Apex Court by the State competent authority and passed the impugned order dated 02.03.2019 and 05.04.2019. So in the interest of justice, we are of the considered opinion, without going on the merits of the case, it is just, proper and fit case to send the matter back to the state competent authority to decide the application of the petitioner institution for grant of NOC under Section 10 of the NCMEI Act, 2004 on merits after considering all the documents produced by the petitioner institutions at the earliest, expeditiously.”*

Office is directed to send copy of this order to the State Competent Authority and in the interest of justice, in addition the petitioner institutions are also directed to produce certified copy of this order before the State Competent Authority immediately for compliance of this order.

Let the copy of the order be kept in the record of Case No. 352 of 2019.

In view of above, the present petition is disposed of in accordance with this order.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**19.08.2021.**

**Ayushman College of Nursing, Gwalior Road, Pidora, Bhind District,  
Madhya Pradesh - 477001.**

**Vs.**

**Secretary, Backward Classes and Minority Welfare Department,  
Government of Madhya Pradesh, Room No. 339, Mantralaya, Bhopal,  
Madhya Pradesh - 462004.**

Present: Mr. Junais P., Advocate for the petitioner.

An application for grant of minority status certificate to The Ayushman College of Nursing, Gwalior Road, Pidora, Bhind District, Madhya Pradesh - 477001, has been received by hand on 06.08.2021. It be registered.

It transpires from the petition that on 23.01.2019, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Secretary, Backward Classes and Minority Welfare Department, Government of Madhya Pradesh, Room No. 339, Mantralaya, Bhopal, Madhya Pradesh - 462004, which was received by the respondent on 28.01.2019. The said petition is still pending. The petitioner has waited sufficiently for a period of 90 days, before filing this petition.

The petitioner has already filed the proof of delivery of the registered AD to the respondent.

Petitioner institute has not submitted a copy of Resolution passed by the Governing Body of the Society to authorize a person to apply and obtaining Minority Status Certificate from this Commission.

In this case office has reported that petitioner has filed two required envelopes but one envelope is without postage charges.

Learned counsel for the petitioner is directed to file required postage charges for envelope filed without postage by petitioner.

After compliance of the above order by the learned counsel for the petitioner, Office is directed to issue notice to the respondent by registered AD/e-mail.

In the interest of justice, list on 01.02.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

A.K

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**19.08.2021.**

**Lourdu Annai Girls Hr. Sec. School, K. Pudur, Madurai, Tamil Nadu - 625007.**

**Vs.**

**Principal Secretary, School Education Deptt., Govt. of Tamil Nadu,  
Rina Road, Fort St. George, Secretariat, Chennai, T.N. – 600009.**

Present: None

An application has been received by post on 09.08.2021 for grant of minority status certificate to Lourdu Annai Girls Hr. Sec. School, K. Pudur, Madurai, Tamil Nadu - 625007, which is in old format. It be registered.

Peruse the officer report; it transpires from the records that the petitioner has not applied before the State Competent Authority for grant of No Objection Certificate.

The Hon'ble Supreme Court in Civil Appeal No. 3945 of 2018 in case of Sisters of St. Joseph of Cluny vs. The State of West Bengal and Ors. vide order dated 18.04.2018, has held that any person who desires to establish a minority educational institution after the amendment Act of 2006 came into force, must apply only to the competent authority for grant of No Objection Certificate for the said purpose.

All applications for the establishment of a minority educational institution after the amendment Act of 2006 must go to the competent authority set up under the statute.

It transpires from the petition that this application for grant of Minority Status Certificate has filed by Correspondent of the School instead of Secretary/ Chairman / or Member of the Society belong the School.

This Commission has issued public notice on dated 20.01.2020 that in order to streamline the process of filing application for grant of Minority Status Certificate in this Commission, it has been decided that the same person should sign the Declaration, Affidavit , and Vakalatnama, who can be the following:

1. Individual – Owner
2. Society – Chairman / President / Secretary
3. Trust – Trustee / Authorized signatory as per resolution.  
Mentionable

Petitioner has not filed UID issued by Niti Ayog, list of founding members, and envelope with postage charges for sending notice to the respondent. Petitioner has filed list of current members of the society but the same has not certified by the registrar.

Issue show cause notice to the petitioner only as to why this petition be not dismissed at this stage by e-mail which is furnished by the petitioner in the application.

In the interest of justice, list on 25.11.2021.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

A.K



**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**19.08.2021.**

**Khair Technical Inter College, Bangawa, Domariyaganj, Uttar Pradesh.**

**Vs.**

**Principal Secretary, Higher Education Department, Uttar Pradesh Govt., Uttar Pradesh**

Present: None.

An application for grant of minority status certificate to Khair Technical Inter College, Bangawa, Domariyaganj, Uttar Pradesh, has been received by post on 12.08.2021. It be registered.

Peruse the officer report; it transpires from the records that the petitioner has not applied before the State Competent Authority for grant of No Objection Certificate.

The Hon'ble Supreme Court in Civil Appeal No. 3945 of 2018 in case of Sisters of St. Joseph of Cluny vs. The State of West Bengal and Ors. vide order dated 18.04.2018, has held that any person who desires to establish a minority educational institution after the amendment Act of 2006 came into force, must apply only to the competent authority for grant of No Objection Certificate for the said purpose.

All applications for the establishment of a minority educational institution after the amendment Act of 2006 must go to the competent authority set up under the statute.

It transpires from the petition that this application for grant of Minority Status Certificate has filed by Manager of the petitioner Institute instead of Secretary/ Chairman / or Member of the Society belong the School.

This Commission has issued public notice on dated 20.01.2020 that in order to streamline the process of filing application for grant of Minority Status Certificate in this Commission, it has been decided that the same person should sign the Declaration, Affidavit , and Vakalatnama, who can be the following:

1. Individual – Owner
2. Society – Chairman / President / Secretary
3. Trust – Trustee / Authorized signatory as per resolution.  
Mentionable

It also transpires from the records, that the petitioner has also applied before the State Competent Authority for grant of Minority Status Certificate and that the application is still pending.

As per law and settled procedure, petitioner cannot apply before this Commission unless and until the Minority Status Certificate application is disposed by the State Competent Authority. Hence this application is not maintainable at this stage

Petitioner institute has not submitted a copy of Resolution passed by the Governing Body of the Society to authorize the person to apply for obtaining Minority Status Certificate from this Commission.

Petitioner has not filed envelope with postage charges for sending notice to the respondent.

It transpires from the information furnished by the petitioner in Column No.6 (a) of the Application that total 704 students are presently studying in this school and all are from Muslim Community.

Issue show cause notice to the petitioner only as to why this petition be not dismissed at this stage by e-mail which is furnished by the petitioner in the application.

List on 28.09.2021.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

A.K

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**19.08.2021.**

**Khair Public School, Anoop Nagar, Tetri Bazar Naugarh, Siddharth Nagar, Uttar Pradesh.**

**Vs.**

- 1. Deputy Director, Minority Welfare Department, Indira Bhawan, Lucknow. Uttar Pradesh.**
- 2. Additional Chief Secretary, Department of Higher Education, Govt. of U.P., Bahu Khandi, Secretariat, Lucknow, U.P.**

Present: None.

An application for grant of minority status certificate to Khair Public School, Anoop Nagar, Tetri Bazar Naugarh, Siddharth Nagar, Uttar Pradesh, has been received by post on 12.08.2021. It be registered.

Peruse the officer report; it transpires from the records that the petitioner has not applied before the State Competent Authority for grant of No Objection Certificate.

The Hon'ble Supreme Court in Civil Appeal No. 3945 of 2018 in case of Sisters of St. Joseph of Cluny vs. The State of West Bengal and Ors. vide order dated 18.04.2018, has held that any person who desires to establish a minority educational institution after the amendment Act of 2006 came into force, must apply only to the competent authority for grant of No Objection Certificate for the said purpose.

All applications for the establishment of a minority educational institution after the amendment Act of 2006 must go to the competent authority set up under the statute.

It transpires from the petition that this application for grant of Minority Status Certificate has filed by Manager of the petitioner Institute instead of Secretary/ Chairman / or Member of the Society belong the School.

This Commission has issued public notice on dated 20.01.2020 that in order to streamline the process of filing application for grant of Minority Status Certificate in this Commission, it has been decided that the same person should sign the Declaration, Affidavit, and Vakalatnama, who can be the following:

1. Individual – Owner
2. Society – Chairman / President / Secretary
3. Trust – Trustee / Authorized signatory as per resolution.  
Mentionable

It also transpires from the records, that the petitioner has also applied before the State Competent Authority for grant of Minority Status Certificate and that the application is still pending.

As per law and settled procedure, petitioner cannot apply before this Commission unless and until the Minority Status Certificate application is disposed by the State Competent Authority. Hence this application is not maintainable at this stage

Petitioner institute has not submitted a copy of Resolution passed by the Governing Body of the Society to authorize the person to apply for obtaining Minority Status Certificate from this Commission.

It transpires from the information furnished by the petitioner in Column No.6 (a) of the Application that total 275 students are presently studying in this school and all are from Muslim Community.

Petitioner has not filed envelope with postage charges for sending notice to the respondent.

Issue show cause notice to the petitioner only as to why this petition be not dismissed at this stage by e-mail which is furnished by the petitioner in the application.

List on 28.09.2021.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

A.K

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**19.08.2021.**

**Al-Furqan Public School, Narkatha Bansi, Siddharth Nagar, Uttar Pradesh - 272153.**

**Vs.**

- 1. Deputy Director, Minority Welfare Department, Indira Bhawan, Lucknow. Uttar Pradesh.**
- 2. Additional Chief Secretary, Department of Higher Education, Govt. of U.P., Bahu Khandi, Secretariat, Lucknow, U.P.**

Present: None.

An application for grant of minority status certificate to Al-Furqan Public School, Narkatha Bansi, Siddharth Nagar, Uttar Pradesh - 272153, has been received by post on 13.08.2021. It be registered.

Peruse the officer report; it transpires from the records that the petitioner has not applied before the State Competent Authority for grant of No Objection Certificate.

The Hon'ble Supreme Court in Civil Appeal No. 3945 of 2018 in case of Sisters of St. Joseph of Cluny vs. The State of West Bengal and Ors. vide order dated 18.04.2018, has held that any person who desires to establish a minority educational institution after the amendment Act of 2006 came into force, must apply only to the competent authority for grant of No Objection Certificate for the said purpose.

All applications for the establishment of a minority educational institution after the amendment Act of 2006 must go to the competent authority set up under the statute.

It transpires from the petition that this application for grant of Minority Status Certificate has filed by Manager of the petitioner Institute instead of Secretary/ Chairman / or Member of the Society belong the School.

This Commission has issued public notice on dated 20.01.2020 that in order to streamline the process of filing application for grant of Minority Status Certificate in this Commission, it has been decided that the same person should sign the Declaration, Affidavit, and Vakalatnama, who can be the following:

1. Individual – Owner
2. Society – Chairman / President / Secretary
3. Trust – Trustee / Authorized signatory as per resolution.  
Mentionable

It also transpires from the records, that the petitioner has also applied before the State Competent Authority for grant of Minority Status Certificate and that the application is still pending.

As per law and settled procedure, petitioner cannot apply before this Commission unless and until the Minority Status Certificate application is disposed by the State Competent Authority. Hence this application is not maintainable at this stage

Petitioner institute has not submitted a copy of Resolution passed by the Governing Body of the Society to authorize the person to apply for obtaining Minority Status Certificate from this Commission.

It transpires from the information furnished by the petitioner in Column No.6 (a) of the Application that total 289 students are presently studying in this school and all are from Muslim Community.

Petitioner has not filed envelope with postage charges for sending notice to the respondent.

Issue show cause notice to the petitioner only as to why this petition be not dismissed at this stage by e-mail which is furnished by the petitioner in the application.

List on 28.09.2021

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**19.08.2021.**

**Aiesha Girls College, Narkatha Bansi, Siddharth Nagar, Uttar Pradesh - 272153.**

**Vs.**

- 1. Deputy Director, Minority Welfare Department, Indira Bhawan, Lucknow. Uttar Pradesh.**
- 2. Additional Chief Secretary, Department of Higher Education, Govt. of U.P., Bahu Khandi, Secretariat, Lucknow, U.P.**

Present: None.

An application for grant of minority status certificate to Aiesha Girls College, Narkatha Bansi, Siddharth Nagar, Uttar Pradesh - 272153, has been received by post on 13.08.2021. It be registered.

Peruse the officer report; it transpires from the records that the petitioner has not applied before the State Competent Authority for grant of No Objection Certificate.

The Hon'ble Supreme Court in Civil Appeal No. 3945 of 2018 in case of Sisters of St. Joseph of Cluny vs. The State of West Bengal and Ors. vide order dated 18.04.2018, has held that any person who desires to establish a minority educational institution after the amendment Act of 2006 came into force, must apply only to the competent authority for grant of No Objection Certificate for the said purpose.

All applications for the establishment of a minority educational institution after the amendment Act of 2006 must go to the competent authority set up under the statute.

It transpires from the petition that this application for grant of Minority Status Certificate has filed by Manager of the petitioner Institute instead of Secretary/ Chairman / or Member of the Society belong the School.

This Commission has issued public notice on dated 20.01.2020 that in order to streamline the process of filing application for grant of Minority Status Certificate in this Commission, it has been decided that the same person should sign the Declaration, Affidavit, and Vakalatnama, who can be the following:

1. Individual – Owner
2. Society – Chairman / President / Secretary
3. Trust – Trustee / Authorized signatory as per resolution.  
Mentionable

It also transpires from the records, that the petitioner has also applied before the State Competent Authority for grant of Minority Status Certificate and that the application is still pending.

As per law and settled procedure, petitioner cannot apply before this Commission unless and until the Minority Status Certificate application is disposed by the State Competent Authority. Hence this application is not maintainable at this stage

Petitioner institute has not submitted a copy of Resolution passed by the Governing Body of the Society to authorize the person to apply for obtaining Minority Status Certificate from this Commission.

It transpires from the information furnished by the petitioner in Column No.6 (a) of the Application that total 1235 students are presently studying in this school and all are from Muslim Community.

Petitioner has not filed envelope with postage charges for sending notice to the respondent.

Issue show cause notice to the petitioner only as to why this petition be not dismissed at this stage by e-mail which is furnished by the petitioner in the application.

List on 28.09.2021

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

A.K

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**19.08.2021.**

**Madarsa Darul Uloom Ahle Sunnat Fatma, Village - Parsupura, Post -  
Said Nagar, Tehsil - Tanda, District - Rampur, Uttar Pradesh - 244927.  
Vs.**

**Additional Chief Secretary, Department of Higher Education, Govt. of  
U.P., Bahu Khandi, Secretariat, Lucknow, U.P.**

Present: None.

An application for grant of minority status certificate to Madarsa Darul Uloom Ahle Sunnat Fatma, Village - Parsupura, Post - Said Nagar, Tehsil - Tanda, District - Rampur, Uttar Pradesh - 244927, has been received by post on 16.08.2021. It be registered.

Peruse the officer report; it transpires from the records that the petitioner has not applied before the State Competent Authority for grant of No Objection Certificate.

The Hon'ble Supreme Court in Civil Appeal No. 3945 of 2018 in case of Sisters of St. Joseph of Cluny vs. The State of West Bengal and Ors. vide order dated 18.04.2018, has held that any person who desires to establish a minority educational institution after the amendment Act of 2006 came into force, must apply only to the competent authority for grant of No Objection Certificate for the said purpose.

All applications for the establishment of a minority educational institution after the amendment Act of 2006 must go to the competent authority set up under the statute.

It transpires from the petition that this application for grant of Minority Status Certificate has filed by Manager of the petitioner Institute instead of Secretary/ Chairman / or Member of the Society belong the School.

This Commission has issued public notice on dated 20.01.2020 that in order to streamline the process of filing application for grant of Minority Status Certificate in this Commission, it has been decided that the same person should sign the Declaration, Affidavit, and Vakalatnama, who can be the following:

1. Individual – Owner
2. Society – Chairman / President / Secretary
3. Trust – Trustee / Authorized signatory as per resolution.  
Mentionable

Petitioner institute has not submitted a copy of Resolution passed by the Governing Body of the Society to authorize the person to apply for obtaining Minority Status Certificate from this Commission.

It transpires from the information furnished by the petitioner in Column No.6 (a) of the Application that total 1475 students are presently studying in this school and not a single student from the Minority Community.

Petitioner has not filed envelope with postage charges for sending notice to the respondent.

Issue show cause notice to the petitioner only as to why this petition be not dismissed at this stage by e-mail which is furnished by the petitioner in the application.

List on 02.11.2021.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

A.K

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**19.08.2021.**

**Hashmi Educational Society, Village & Post - Bankagaon, Block -  
Pasgawan, District - Lakhimpur, Kheri, Uttar Pradesh.**

**Vs.**

**Additional Chief Secretary, Department of Higher Education, Govt. of  
U.P., Bahu Khandi, Secretariat, Lucknow, U.P.**

Present: None.

An application for grant of minority status certificate to Hashmi Educational Society, Village & Post - Bankagaon, Block - Pasgawan, District - Lakhimpur, Kheri, Uttar Pradesh, has been received by post on 10.08.2021, which is in old format. It be registered.

Peruse the officer report; it transpires from the records that the petitioner has not applied before the State Competent Authority for grant of No Objection Certificate.

The Hon'ble Supreme Court in Civil Appeal No. 3945 of 2018 in case of Sisters of St. Joseph of Cluny vs. The State of West Bengal and Ors. vide order dated 18.04.2018, has held that any person who desires to establish a minority educational institution after the amendment Act of 2006 came into force, must apply only to the competent authority for grant of No Objection Certificate for the said purpose.

All applications for the establishment of a minority educational institution after the amendment Act of 2006 must go to the competent authority set up under the statute.

It transpires from the petition that this application for grant of Minority Status Certificate has filed by Manager of the petitioner Institute instead of Secretary/ Chairman / or Member of the Society belong the School.

This Commission has issued public notice on dated 20.01.2020 that in order to streamline the process of filing application for grant of Minority Status Certificate in this Commission, it has been decided that the same person should sign the Declaration, Affidavit, and Vakalatnama, who can be the following:

1. Individual – Owner
2. Society – Chairman / President / Secretary
3. Trust – Trustee / Authorized signatory as per resolution.  
Mentionable

Petitioner institute has not submitted a copy of Resolution passed by the Governing Body of the Society to authorize the person to apply for obtaining Minority Status Certificate from this Commission.

It transpires from the petition that petitioner has filed this application for grant of MSC in the name of Society instead of the Institute name.

It also transpires from the petition that the petitioner has left blank the column related to students information.

Petitioner has not filed envelope with postage charges for sending notice to the respondent.

Issue show cause notice to the petitioner only as to why this petition be not dismissed at this stage by e-mail which is furnished by the petitioner in the application.

List on 02.11.2021.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

A.K

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**19.08.2021.**

**Sanskriti Nursery School, Maya Bazar, Gorakhpur, Uttar Pradesh - 273013.**

**Vs.**

**Additional Chief Secretary, Department of Higher Education, Govt. of U.P., Bahu Khandi, Secretariat, Lucknow, U.P.**

Present: Mr. Junais P., Advocate for the petitioner.

An application for grant of minority status certificate to Sanskriti Nursery School, Maya Bazar, Gorakhpur, Uttar Pradesh - 273013, has been received by hand on 16.08.2021. It be registered.

It transpires from the petition that on 23.03.2021, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Additional Chief Secretary, Department of Higher Education, Govt. of U.P., Bahu Khandi, Secretariat, Lucknow, U.P, which was received by the respondent on 01.04.2021. The said petition is still pending. The petitioner has waited sufficiently for a period of 90 days, before filing this petition.

The petitioner has already filed the proof of delivery of the registered AD to the respondent.

Recognition affiliation certificate filed by the petitioner but validity of the recognition has been expired on 30.06.2020.

Learned counsel for the petitioner has prayed for time to file updated recognition/affiliation certificate. Time prayed for is allowed.

In the interest of justice, list on 01.02.2022

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

A.K

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**19.08.2021.**

**Metropolitan School, Medical College Road, Gulhariya Bazar,  
Gorakhpur, Uttar Pradesh - 273013.**

**Vs.**

**Additional Chief Secretary, Department of Higher Education, Govt. of  
U.P., Bahu Khandi, Secretariat, Lucknow, U.P.**

Present: Mr. Junais P., Advocate for the petitioner.

An application for grant of minority status certificate to Metropolitan School, Medical College Road, Gulhariya Bazar, Gorakhpur, Uttar Pradesh - 273013, has been received by hand on 16.08.2021. It be registered.

It transpires from the petition that on 23.03.2021, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Additional Chief Secretary, Department of Higher Education, Govt. of U.P., Bahu Khandi, Secretariat, Lucknow, U.P, which was received by the respondent on 01.04.2021. The said petition is still pending. The petitioner has waited sufficiently for a period of 90 days, before filing this petition.

The petitioner has already filed the proof of delivery of the registered AD to the respondent.

Petitioner has filed recognition/affiliation certificate issued by Council for the Indian School Certificate Examination but it is without validity period.

Office is directed to issue letter to the Government of Uttar Pradesh to clarify that the Counsel for the Indian School Certificate Examination is the Government Exam Conducting Board of not.

In the interest of justice, list on 01.02.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

A.K



**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**19.08.2021.**

**Metropolitan School, D-26 Avas Vikas Colony, Surajkund, Gorakhpur,  
Uttar Pradesh - 273013.**

**Vs.**

**Additional Chief Secretary, Department of Higher Education, Govt. of  
U.P., Bahu Khandi, Secretariat, Lucknow, U.P.**

Present: Mr. Junais P., Advocate for the petitioner.

An application for grant of minority status certificate to Metropolitan School, D-26 Avas Vikas Colony, Surajkund, Gorakhpur, Uttar Pradesh - 273013, has been received by hand on 16.08.2021. It be registered.

It transpires from the petition that on 23.03.2021, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Additional Chief Secretary, Department of Higher Education, Govt. of U.P., Bahu Khandi, Secretariat, Lucknow, U.P, which was received by the respondent on 01.04.2021. The said petition is still pending. The petitioner has waited sufficiently for a period of 90 days, before filing this petition.

The petitioner has already filed the proof of delivery of the registered AD to the respondent.

Recognition/affiliation certificate filed by the petitioner with this petition, but it was valid upto 30.06.2020.

Learned counsel for the petitioner has prayed for time to file updated recognition/affiliation certificate. Time prayed for is allowed.

In the interest of justice, list on 01.02.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

A.K

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**19.08.2021.**

**Roorkee Degree College, Village - Latherdeva Shaikh, Post - Iqbalpur, Roorkee, Haridwar, Uttarakhand - 247668.**

**Vs.**

**incharge Secretary, Higher Education, Uttarakhand Govt., Room No. 7, Ground Floor, Late soban Singh Jeena Bahwan (SBI Bank Building), Uttarakhand Secretariat, Uttarakhand.**

Present: None.

An application for grant of minority status certificate to Roorkee Degree College, Village - Latherdeva Shaikh, Post - Iqbalpur, Roorkee, Haridwar, Uttarakhand - 247668, has been received by post on 17.08.2021. It be registered.

It transpires from the petition that on 26.02.2020, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Incharge Secretary, Higher Education, Uttarakhand Govt., Room No. 7, Ground Floor, Late soban Singh Jeena Bahwan (SBI Bank Building), Uttarakhand Secretariat, Uttarakhand.

Thereafter, the state competent authority i.e. Incharge Secretary, Higher Education, Uttarakhand Govt., Room No. 7, Ground Floor, Late soban Singh Jeena Bahwan (SBI Bank Building), Uttarakhand Secretariat, Uttarakhand has granted No Objection on 21.08.2020 that as per affidavit submitted by the petitioner the No Objection Certificate for getting minority status certificate is hereby grated.

Petitioner institute has not submitted a copy of Resolution passed by the Governing Body of the Society to authorize the person to apply for obtaining Minority Status Certificate from this Commission.

It transpires from the petition that petitioner institute has not filed updated recognition issued by the competent authority.

Office is directed to issue notice to the respondent by registered Ad as well as to the petitioner for compliance of the above order by e-mail.

In the interest of justice, list on 01.02.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

A.K

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**19.08.2021.**

**Azad Jannat Nishan School, Mohalla - Jagat, District - Sambhal, Uttar Pradesh - 244302.**

**Vs.**

**Additional Chief Secretary, Department of Higher Education, Govt. of U.P., Bahu Khandi, Secretariat, Lucknow, U.P.**

Present: None.

An application for grant of minority status certificate to Azad Jannat Nishan School, Mohalla - Jagat, District - Sambhal, Uttar Pradesh - 244302, has been received by post on 17.08.2021. It be registered.

It transpires from the petition that on 26.12.2020, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Additional Chief Secretary, Department of Higher Education, Govt. of U.P., Bahu Khandi, Secretariat, Lucknow, U.P, but petitioner has not filed proof of service for the letter dated 26.12.2020.

It also transpires from the records, that the petitioner has also applied before the State Competent Authority for grant of Minority Status Certificate and that the application is still pending.

As per law and settled procedure, petitioner cannot apply before this Commission unless and until the Minority Status Certificate application is disposed by the State Competent Authority. Hence this application is not maintainable at this stage

Petitioner institute has not submitted a copy of Resolution passed by the Governing Body of the Society to authorize the person to apply for obtaining Minority Status Certificate from this Commission.

Petitioner has filed five copies of application but supporting documents have filed only with one copy of application.

Petitioner has not filed recognition/affiliation certificate issued by Central/ State Examination Board and envelope with postage charges for sending notice to the respondent.

Issue show cause notice to the petitioner only as to why this petition be not dismissed at this stage by e-mail which is furnished by the petitioner in the application.

In the interest of justice, list on 02.11.2021

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

A.K

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**19.08.2021.**

**Savio Higher Secondary School, Devagiri, Medical College, P.O.,  
Kozhikode District, Kerala - 673008.**

**Vs.**

**Director, Directorate of Minority Welfare, Government of Kerala, 4th  
Floor, Vikas Bhavan, Thiruvananthapuram, Kerala – 695033.**

Present: Mr. Junais P., Advocate for the petitioner.

An application for grant of minority status certificate to Savio Higher Secondary School, Devagiri, Medical College, P.O., Kozhikode District, Kerala - 673008, has been received by hand on 17.08.2021. It be registered.

It transpires from the petition that on 20.06.2020, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Director, Directorate of Minority Welfare, Govt. Kerala, 4th Floor, Vikas Bhavan, Thiruvananthapuram, Kerala – 695033.

Thereafter, the state competent authority i.e. Director (Competent Authority) of Minority Welfare Department, Kerala has granted No Objection on 25.11.2020 that the No Objection Certificate for getting minority status certificate is hereby issued to Savio Higher Secondary School.

Petitioner institute has not submitted a copy of Resolution passed by the Governing Body of the Society to authorize the person to apply for obtaining Minority Status Certificate from this Commission.

Petitioner has filed recognition /affiliation certificate issued by Director Kerala Government, but not issued by Central / State Examination Board.

We have heard learned counsel for the petitioner and he has submitted that Director, Higher Secondary Education, Housing Board Building, Santhinagar, Thiruvananthapuram, Kerala is the exam conducting authority in the State of Kerala and this school is affiliated to the said Kerala State Exam conducting Board.

Office is directed to issue letter to the Competent Authority of the Kerala State that in the State of Kerala who is the Exam Conducting Body for secondary and Higher Secondary level.

In the interest of justice, list on 01.02.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

A.K