

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

**Maria Bhavan School, Amalapuram, Ayyampuzha, Angamaly,  
Ernakulam District, Kerala.**

**V/s.**

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

**Case No. 435 of 2019**

**08.10.2021**

Present: Mr. Jose Abraham, 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 NCMEI Act, 2004 and the said application 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 27.06.2019. 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 institution 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**

**Vidyanikethan English Medium L.P. School, Karukutty P.O.,  
Angamaly, Ernakulam Dt., Kerala.**

**Vs.**

**Secretary, General Education Deptt., Government of Kerala,  
Thiruvananthapuram, Kerala – 695 001.**

**Case No. 777 of 2019**

**08.10.2021**

Present: Mr. Jose Abraham, Advocate for the petitioner.  
None for the respondent.

Order dictated separately and pronounced, which reads as under:

*“In view of the above 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 NCMEI Act, 2004 and the said application 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 11.03.2019. 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 institution 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**

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

**St. Raphael's Public School, Kallur P.O., Thrissure Dt., Kerala.**

**Vs.**

**Secretary, General Education Deptt., Government of Kerala,  
Thiruvananthapuram, Kerala – 695 001.**

**Case No. 778 of 2019**

**08.10.2021**

Present: Mr. Jose Abraham, Advocate for the petitioner.  
None for the respondent.

Order dictated separately and pronounced, which reads as under:

*“In view of the above 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 NCMEI Act, 2004 and the said application 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 08.03.2019. 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 institution 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**

**Faiz Aam Junior High School, Khalilabad-Sant Kabir Nagar, Uttar Pradesh -272175.**

**Vs.**

**Additional Chief Secretary, Department of Higher Education, Govt. of U.P., Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh - 226001.**

**Case No. 140 of 2021**

**08.10.2021**

Present: None.

Mr. Abdul Haque, Manager, Faizam School, Khalilabad Educational Society, Khalilabad, Sant Kabir Nagar has filed an application on dated 29.09.2021 by hand, before the Commission's Office, which is taken on record.

For the reasons stated therein, the petition no. 140 of 2021 is taken up today on above application dated 29.09.2021 and the date 04.01.2022 already fixed in the matter is hereby cancelled.

Mr. Abdul Haque, Manager stated in application that due to some errors in the application filed by the petitioner, he seeks leave to withdraw the petition with liberty to file fresh application for the same relief. Petitioner has also requested to return the documents. We have seen the file, there is no original documents filed by the petitioner except Affidavit of Mr. Sheraj Ahmad, Principal Incahrge and Mr. Abdul Haque, Manager of the petitioner institution, so no need to return any document.

Leave and liberty is granted.

The petition is disposed of as withdrawn.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR

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

**08.10.2021.**

**Madarsa Faiz-E-Rasheed, Neem Tala, Gangoh, (Saharanpur), Uttar Pradesh - 247341.**

**Vs.**

- 1. Additional Chief Secretary, Department of Higher Education, Govt. of U.P., Naveen Bhawan, Lucknow, Uttar Pradesh – 226001**
- 2. Additional Chief Secretary, Department of School Education, Govt. of U.P., Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh - 226001.**

Present: None.

An application for grant of minority status certificate to Madarsa Faiz-E-Rasheed, Neem Tala, Gangoh, (Saharanpur), Uttar Pradesh - 247341, has been received by hand on 04.10.2021. It be registered.

It transpires from the petition that on 12.02.2021, the petitioner has applied for grant of No Objection Certificate to the wrong State Competent Authority i.e. Additional Chief Secretary, Department of Higher Education, Govt. of U.P., Naveen Bhawan, Lucknow, Uttar Pradesh – 226001 instead of Additional Chief Secretary, Department of School Education, Govt. of U.P., Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh - 226001, which was received by the respondent on 19.02.2021.

It transpires from the information furnished by the petitioner against the Column No.4 of C (iii) of the Application for grant of Minority Status Certificate that their application for grant of No Objection Certificate has been rejected by the State Competent Authority.

The petitioner has already filed the proof of delivery of the registered AD to the respondent and two envelopes with postage charges for sending registered notice to the respondent.

It also transpires from the information furnished by the petitioner against the column no. 6 (a) of the petition that out of total 409 students 365 are from Muslim Minority Community.

Petitioner has not filed General Body Resolution passed by the society to obtain Minority Status Certificate from this Commission.

Office is directed to send letter by e-mail as mentioned in Unique ID to the petitioner for clarification.

Office is directed to tag the file no. 54 of 2021 with this case.

In the interest of justice, list on 24.02.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**