

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

**Sant Nischal Public School, Through its Principal, Smalkha Road,
Ladwa - 136132, Kurukshetra, Haryana**

V/s.

**The Principal Secretary, School Education Department for Schools /
Primary Schools, Room No. 37, 7th Floor, Haryana Civil Secretariat,
Sector - 1, Chandigarh – 160001**

Appeal No. 28 of 2019

23.03.2023

Present: Ms. Prachi Pratap, Advocate alongwith Mr. Akshay Singh, Advocate
for the appellent.

Mr. Salim Hooda, ADA and Mr. Sandeep Kumar for the respondent.

Mr. Salim Hooda, ADA appeared on behalf of the respondent and
filed his authorization letter dated 21.03.2023, which is taken on record.

During the course of arguments, learned counsel for the respondent
submitted that they have no objection in granting application under Section
05 of Limitation Act for condonation of delay.

Heard, learned counsel for the appellent as well as respondent.

Reserved for Orders.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Sant Nischal Public School, Through its Principal, Jagadhari Road,
Yamunanagar - 135001, Haryana**

V/s

**The Principal Secretary, School Education Department for Schools /
Primary Schools, Room No. 37, 7th Floor, Haryana Civil Secretariat,
Sector - 1, Chandigarh – 160001**

Appeal No. 29 of 2019

23.03.2023

Present: Ms. Prachi Pratap, Advocate alongwith Mr. Akshay Singh, Advocate
for the appellant.

Mr. Salim Hooda, ADA and Mr. Sandeep Kumar for the respondent.

Mr. Salim Hooda, ADA appeared on behalf of the respondent.

During the course of arguments, learned counsel for the respondent
submitted that they have no objection in granting application under Section
05 of Limitation Act for condonation of delay.

Heard, learned counsel for the appellant as well as respondent.

Reserved for Orders.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Bhagwat Senior Secondary School, Buddh Nagar, Bamhaur, Village & P.O. - Bamhaur (KHAS), Kaimur District, Bihar - 821109.

Vs.

Secretary, Human Resource Development Department, Government of Bihar, Secretariat, Patna, Bihar - 800015.

Case No. 297 of 2020

23.03.2023

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

Learned counsel for the petitioner prayed for last and final opportunity for pressing on record the deficiency observed by members of the Physical Inspection Committee about the students. In the interest of justice, last and final opportunity is granted.

List on 19.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

St. Mary's Girls U.P School, Via - Naugada, Badapada P.O., Gajapati District, Odisha.

V/s.

Director, Secondary Education, 6th Floor HOD Building, Unit – V, Bhubaneswar, Khordha, Odisha.

Case No. 444 of 2020

23.03.2023

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

Learned counsel for the petitioner filed by hand one document i.e. Permanent Recognition Order of the petitioner institution, before the Commission's Office on dated 13.03.2023, which is taken on record.

We have heard, learned counsel for the petitioner at some length.

It transpires from the record that in amended MOA the date of registration is not clear.

Learned counsel for the petitioner is directed to file original amended MOA along with date mentioned by the Registrar of the Society.

Learned counsel for the petitioner submitted that a letter may be send to the sub-Registrar who has attested the document for clarification.

Office is directed to send a letter along with the attested copy of amended MOA filed by the petitioner for clarify that on which date Registrar has registered the above document.

In the interest of justice, list on 23.05.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Abhinav Bharti Trust (Sheth A. S. Kothari Abhinav Bharti Uttar Buniyadi Vidhyalaya), Village - , Tal - Kankrej, District - Banaskantha, Gujarat.

Vs.

- 1. The Commissioner / Director of School, 9/1, Dr. Jivraj Mehta Bhavan, Gandhinagar, Gujarat.**
- 2. Deputy Director, Directors of School Old Sachivalaya Block 9/1, Gandhinagar, Gujarat.**

Appeal No. 05 of 2020

23.03.2023

Present: Mr. Shubham Singh, Advocate for the appellant.
None for the respondent.

Despite service of regd. notice and email also, none appeared on behalf of the respondent, even in the second round.

Learned counsel for the appellant prayed for time to submit document that before passing the Impugned Order dated 13.11.2019, was there were the majority of the Jain minority community members in the petitioner's Trust?

Learned counsel for the appellant prayed for time to submit facts before the Commission. In the interest of justice, time prayed for is allowed.

List on 24.05.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Abhinav Bharti Trust (Sheth Shree Manilal Dharamchand Abhinav Bharti Vidhyalaya), Khimana, Tal-Kankrej, District - Banaskantha, Gujarat.

Vs.

- 1. The Commissioner / Director of School, 9/1, Dr. Jivraj Mehta Bhavan, Gandhinagar, Gujarat.**
- 2. Deputy Director, Directors of School Old Sachivalaya Block 9/1, Gandhinagar, Gujarat.**

Appeal No. 06 of 2020

23.03.2023

Present: Mr. Shubham Singh, Advocate for the appellant.
None for the respondent.

Despite service of regd. notice and email also, none appeared on behalf of the respondent, even in the second round.

Learned counsel for the appellant prayed for time to submit document that before passing the Impugned Order dated 13.11.2019, was there were the majority of the Jain minority community members in the petitioner's Trust?

Learned counsel for the appellant prayed for time to submit facts before the Commission. In the interest of justice, time prayed for is allowed.

List on 24.05.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Abhinav Bharti Trust (Shrimati J.S Pethani Abhinav Bharti Uttar Buniyadi Vidhyalaya), Raner-Village, Tal - Kankrej, District - Banaskantha, Gujarat.

Vs.

- 1. The Commissioner / Director of School, 9/1, Dr. Jivraj Mehta Bhavan, Gandhinagar, Gujarat.**
- 2. Deputy Director, Directors of School Old Sachivalaya Block 9/1, Gandhinagar, Gujarat.**

Appeal No. 07 of 2020

23.03.2023

Present: Mr. Shubham Singh, Advocate for the appellant.
None for the respondent.

Despite service of regd. notice and email also, none appeared on behalf of the respondent, even in the second round.

Learned counsel for the appellant prayed for time to submit document that before passing the Impugned Order dated 13.11.2019, was there were the majority of the Jain minority community members in the petitioner's Trust?

Learned counsel for the appellant prayed for time to submit facts before the Commission. In the interest of justice, time prayed for is allowed.

List on 24.05.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Abhinav Bharti Trust (Shri C.V. Shah Uttar Buniyadi Abhinav Bharti Vidyalaya), Village - Vada, Tal - Kankrej, District - Banaskantha, Gujarat.

Vs.

- 1. The Commissioner / Director of School, 9/1, Dr. Jivraj Mehta Bhavan, Gandhinagar, Gujarat.**
- 2. Deputy Director, Directors of School Old Sachivalaya Block 9/1, Gandhinagar, Gujarat.**

Appeal No. 10 of 2020

23.03.2023

Present: Mr. Shubham Singh, Advocate for the appellant.
None for the respondent.

Despite service of regd. notice and email also, none appeared on behalf of the respondent, even in the second round.

Learned counsel for the appellant prayed for time to submit document that before passing the Impugned Order dated 13.11.2019, was there were the majority of the Jain minority community members in the petitioner's Trust?

Learned counsel for the appellant prayed for time to submit facts before the Commission. In the interest of justice, time prayed for is allowed.

List on 24.05.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Gyan Deep School, Tilaiboni, Ahliyapur P.O., Giridih Dt., Jharkhand - 815312.

Vs.

- 1. Director Secondary Education Under school education & literacy department 3 rd floor, MDI Building, S.E & L. Department Behind project bhawan, Post-Dhurwa, Dist-Ranchi-834004.**
- 2. Director, Primary Education Department of School Education & Literacy Government of Jharkhand MDI Building, S.E & L. Department Behind project bhawan, PostDhurwa, Dist-Ranchi-834004.**

Case No. 131 of 2021

23.03.2023.

Pres

ent: Mr. Jose Abraham, Advocate for the petitioner.

Learned Counsel for the petitioner has filed two documents i.e. Governing Body Resolution and recognition order of the petitioner institution before the Commission's office on dated 15.03.2023, which are taken on record.

Office is directed to issue notice to the respondents by registered AD and e-mail.

List on 06.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

St. Joseph's School, Lakhari, Pachambi P.O., Giridih Dt., Jharkhand - 815316.

Vs.

- 1. Director Secondary Education Under school education & literacy department 3 rd floor, MDI Building, S.E & L. Department Behind project bhawan, Post-Dhurwa, Dist-Ranchi-834004.**
- 2. Director, Primary Education Department of School Education & Literacy Government of Jharkhand MDI Building, S.E & L. Department Behind project bhawan, PostDhurwa, Dist-Ranchi834004.**

Case No. 132 of 2021

23.03.2023.

Pres

ent: Mr. Jose Abraham, Advocate for the petitioner.

Learned Counsel for the petitioner has filed two documents i.e. Governing Body Resolution and recognition order of the petitioner institution before the Commission's office on dated 15.03.2023, which are taken on record.

Office is directed to issue notice to the respondents by registered AD and e-mail.

List on 06.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Paul's School, Tilaiya, Bengabad P.O., & P.S., Giridih Dt., Jharkhand
- 815312.**

Vs.

- 1. Director Secondary Education Under school education & literacy department 3 rd floor, MDI Building, S.E & L. Department Behind project bhawan, Post-Dhurwa, Dist-Ranchi-834004.**
- 2. Director, Primary Education Department of School Education & Literacy Government of Jharkhand MDI Building, S.E & L. Department Behind project bhawan, PostDhurwa, Dist-Ranchi834004.**

Case No. 133 of 2021

23.03.2023.

Pres

ent: Mr. Jose Abraham, Advocate for the petitioner.

Learned Counsel for the petitioner has filed two documents i.e. Governing Body Resolution and recognition order of the petitioner institution before the Commission's office on dated 15.03.2023, which are taken on record.

Office is directed to issue notice to the respondents by registered AD and e-mail.

List on 06.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. John Britto High School, Maheshmunda, Gandey P.O., & P.S., Giridih
Dt., Jharkhand - 815312.**

Vs.

**Director Secondary Education Under school education & literacy
department 3 rd floor, MDI Building, S.E & L. Department Behind project
bhawan, Post-Dhurwa, Dist-Ranchi-834004.**

Case No. 134 of 2021

23.03.2023.

Pres

ent: Mr. Jose Abraham, Advocate for the petitioner.

Learned Counsel for the petitioner has filed two documents i.e. Governing Body Resolution and recognition order of the petitioner institution before the Commission's office on dated 15.03.2023, which are taken on record.

Learned counsel for the petitioner is directed to file updated recognition/ affiliation order issued by State Board or CBSE.

Office is directed to issue notice to the respondent by registered AD and e-mail.

List on 06.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Joseph's School, Tickamagha, Mirzaganj P.O., Giridih Dt., Jharkhand
- 815315.**

Vs.

- 1. Director Secondary Education Under school education & literacy department 3 rd floor, MDI Building, S.E & L. Department Behind project bhawan, Post- Dhurwa, Dist-Ranchi-834004.**
- 2. Director, Primary Education Department of School Education & Literacy Government of Jharkhand MDI Building, S.E & L. Department Behind project bhawan, PostDhurwa, Dist-Ranchi-834004.**

Case No. 135 of 2021

23.03.2023.

Pres

ent: Mr. Jose Abraham, Advocate for the petitioner.

Learned Counsel for the petitioner has filed two documents i.e. Governing Body Resolution and recognition order of the petitioner institution before the Commission's office on dated 15.03.2023, which are taken on record.

Office is directed to issue notice to the respondents by registered AD and e-mail.

List on 06.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

Jesus and Mary Convent School, HS -12, Delta - III, O - Block, Greater Noida, Gautam Budh Nagar District, Uttar Pradesh - 201308.

Vs.

- 1. Principal Secretary, Secondary Education Department, Bapu Bhawan, 7th Floor, Lucknow - 226001.**
- 2. Additional Chief Secretary, Department of Secondary Education, Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. – 226001.**

Case No. 244 of 2022

23.03.2023.

Pres

ent: Mr. Jose Abraham, Advocate for the petitioner.

Mr. Dharamvir Singh, DIOS for the respondents.

Mr. Dharamvir Singh, DIOS, Gautam Budh Nagar appeared on behalf of the respondents and prayed for time to file the reply. In the interest of justice, time prayed for is allowed.

List on 11.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

St. Thomas School, Sunari, Bichpuri P.O., Agra District, Uttar Pradesh - 283105.

Vs.

- 1. Principal Secretary, Secondary Education Department, Babu Bhawan, 7th Floor, Lucknow - 226001.**
- 2. Additional Chief Secretary, Department of Higher & Secondary Education, Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. – 226001.**

Case No. 245 of 2022

23.03.2023.

Pres

ent: Mr. Jose Abraham, Advocate for the petitioner.

None for the respondents.

Despite service of regd. notices and e-mails, none appeared on behalf of the respondents even in the second round.

Despite registered notice and e-mail to the respondent, we have not received any response/reply from the State Competent Authority. In the facts and circumstances of the case we deem it just and proper that physical inspection report alongwith the recommendations may be obtained from the Committee consisting of the following members for issuance of the minority status certificate to the petitioner institution:-

1. Representative of the concerned District Collector(Chairperson)
2. Concerned District Education Officer (Member)
3. Concerned District Minority Welfare Officer/ Concerned District Social Welfare Officer (Member Secretary).

Office is directed to issue letter to the above authorities and also to provide a copy of the letter to the learned counsel for the petitioner.

Learned Counsel for the petitioner is directed to approach the members of the Physical inspection Committee and provide all the relevant documents to the said Committee.

List on 11.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

St. John Pauls School, John Paul Road, Bharapura, Fatehabad, Agra District, Uttar Pradesh - 283111.

Vs.

- 1. Principal Secretary, Secondary Education Department, Bapu Bhawan, 7th Floor, Lucknow - 226001.**
- 2. Additional Chief Secretary, Department of Higher & Secondary Education, Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. – 226001.**

Case No. 246 of 2022

23.03.2023.

Pres

ent: Mr. Jose Abraham, Advocate for the petitioner.

None for the respondents.

Despite service of regd. notices and e-mails, none appeared on behalf of the respondents even in the second round.

Despite registered notice and e-mail to the respondent, we have not received any response/reply from the State Competent Authority. In the facts and circumstances of the case we deem it just and proper that physical inspection report alongwith the recommendations may be obtained from the Committee consisting of the following members for issuance of the minority status certificate to the petitioner institution:-

4. Representative of the concerned District Collector(Chairperson)
5. Concerned District Education Officer (Member)
6. Concerned District Minority Welfare Officer/ Concerned District Social Welfare Officer (Member Secretary).

Office is directed to issue letter to the above authorities and also to provide a copy of the letter to the learned counsel for the petitioner.

Learned Counsel for the petitioner is directed to approach the members of the Physical inspection Committee and provide all the relevant documents to the said Committee.

List on 11.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

St. Peter's School, Runakta Road, Kiraoli, Agra District, Uttar Pradesh - 283101.

Vs.

- 1. Principal Secretary, Secondary Education Department, Babu Bhawan, 7th Floor, Lucknow - 226001.**
- 2. Additional Chief Secretary, Department of Higher & Secondary Education, Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. – 226001**

Case No. 247 of 2022

23.03.2023.

Pres

ent: Mr. Jose Abraham, Advocate for the petitioner.

None for the respondents.

Despite service of regd. notices and e-mails, none appeared on behalf of the respondents even in the second round.

Despite registered notice and e-mail to the respondent, we have not received any response/reply from the State Competent Authority. In the facts and circumstances of the case we deem it just and proper that physical inspection report alongwith the recommendations may be obtained from the Committee consisting of the following members for issuance of the minority status certificate to the petitioner institution:-

7. Representative of the concerned District Collector(Chairperson)
8. Concerned District Education Officer (Member)
9. Concerned District Minority Welfare Officer/ Concerned District Social Welfare Officer (Member Secretary).

Office is directed to issue letter to the above authorities and also to provide a copy of the letter to the learned counsel for the petitioner.

Learned Counsel for the petitioner is directed to approach the members of the Physical inspection Committee and provide all the relevant documents to the said Committee.

List on 11.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

St. Thomas School, C-1, Shastripuram, Near Prakshi Enclave, Police Chowki, Agra District, Uttar Pradesh - 282007.

Vs.

- 1. Principal Secretary, Secondary Education Department, Babu Bhawan, 7th Floor, Lucknow - 226001.**
- 2. Additional Chief Secretary, Department of Higher & Secondary Education, Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. – 226001**

Case No. 248 of 2022

23.03.2023.

Pres

ent: Mr. Jose Abraham, Advocate for the petitioner.

None for the respondents.

Despite service of regd. notices and e-mails, none appeared on behalf of the respondents even in the second round.

Despite registered notice and e-mail to the respondent, we have not received any response/reply from the State Competent Authority. In the facts and circumstances of the case we deem it just and proper that physical inspection report alongwith the recommendations may be obtained from the Committee consisting of the following members for issuance of the minority status certificate to the petitioner institution:-

10. Representative of the concerned District Collector(Chairperson)
11. Concerned District Education Officer (Member)
12. Concerned District Minority Welfare Officer/ Concerned District Social Welfare Officer (Member Secretary).

Office is directed to issue letter to the above authorities and also to provide a copy of the letter to the learned counsel for the petitioner.

Learned Counsel for the petitioner is directed to approach the members of the Physical inspection Committee and provide all the relevant documents to the said Committee.

List on 11.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Al-Karim University, Katihar-Purnea Road, Sirsa, Karim Bagh, Katihar,
Bihar - 854106.**

Vs.

- 1. Director, Secondary & Senior Secondary Education, Ground
Floor, Vikas Bhawan, New Secretariat, Daily Road, Patna, Bihar –
800015.**
- 2. Secretary, HRD, Govt. of Bihar, Secretariat, Patna, Bihar.**

Case No. 57 of 2023

23.03.2023

Pres

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

Despite service of regd. notice and e-mail, none appeared on behalf
of the respondent No.2 even in the second round.

Heard, learned counsel for the petitioner.

Reserved for Orders.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

23.03.2023

De Paul School, Hatigarh, Hatigarh P.O., Raibania P.S., Jaleswar Block, Balasore District, Odisha - 756033.

Vs.

Director, Elementary Education, 5th Floor, HOD Building, Unit - V, Bhubaneswar - 01, Khordha, Odisha - 751015.

Present: Mr. Jose Abraham, Advocate for the petitioner.

An application has been received by hand on 14.03.2023 from De Paul School, Hatigarh, Hatigarh P.O., Raibania P.S., Jaleswar Block, Balasore District, Odisha - 756033 for grant of minority status certificate. It be registered.

It transpires from the petition that on 05.11.2019, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Director, Elementary Education, 5th Floor, HOD Building, Unit - V, Bhubaneswar - 01, Khordha, Odisha - 751015, which was received by the respondent on 08.11.2019. The said petition is still pending. The petitioner has waited sufficiently for 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 Resolution Passed by the Governing Body to obtain Minority Status Certificate from this Commission and envelope with postage for sending notice to the State Competent Authority.

It also transpires from the petition that in this Un-aided Institute (Middle level) during the academic year 2020-21 total 147 students were studying and out of them 98 Students from the Christian Minority Community, during the academic year 2021-22 total 61 students were studying and out of them 40 were from the Christian Minority Community and during the academic year 2022-23 total 86 students were studying and out of them 58 students belongs to the Christian Minority Community.

In this case office has reported that recognition certificate filed by petitioner is not in proper office order format and without validity period.

On perusal of the petition it is observed that there is no date available in the Amended MoA on which registrar registered this MoA of the Society. Therefore we are unable to find that whether amendment is prior to the NOC application filed before the State Competent Authority or not.

Learned counsel for the petitioner submitted that a letter may be issued to the Registrar of the societies and sought clarification that on which date they have registered this document, so that this issue may be resolved.

Office is directed to tag previous file no. 81 of 2021 with this case and issue letter to the registrar of the societies to clarify the above mentioned observation made by the court of the Commission.

In the interest of justice, list on 11.07.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K.

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

23.03.2023

Christo Jyoti U.P. School, Allada, Allada P.O., Kashinagar P.S., Kashinagar Block, Gajapati District, Odisha - 761206.

Vs.

Director, Elementary Education, 5th Floor, HOD Building, Unit - V, Bhubaneswar - 01, Khordha, Odisha - 751015.

Present: Mr. Jose Abraham, Advocate for the petitioner.

An application has been received by hand on 14.03.2023 from Christo Jyoti U.P. School, Allada, Allada P.O., Kashinagar P.S., Kashinagar Block, Gajapati District, Odisha - 761206 for grant of minority status certificate. It be registered.

It transpires from the petition that on 05.11.2019, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Director, Elementary Education, 5th Floor, HOD Building, Unit - V, Bhubaneswar - 01, Khordha, Odisha - 751015, which was received by the respondent on 08.11.2019. The said petition is still pending. The petitioner has waited sufficiently for 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 Resolution Passed by the Governing Body to obtain Minority Status Certificate from this Commission and envelope with postage for sending notice to the State Competent Authority.

It also transpires from the petition that in this Un-aided Institute (Middle level) during the academic year 2020-21 total 224 students were studying and out of them 217 Students from the Christian Minority Community, during the academic year 2021-22 total 232 students were studying and out of them 226 were from the Christian Minority Community and during the academic year 2022-23 total 278 students were studying and out of them 253 students belongs to the Christian Minority Community.

In this case office has reported that recognition certificate filed by petitioner is not in proper office order format and without validity period.

On perusal of the petition it is observed that there is no date available in the Amended MoA on which registrar registered this MoA of the Society. Therefore we are unable to find that whether amendment is prior to the NOC application filed before the State Competent Authority or not.

Learned counsel for the petitioner submitted that a letter may be issued to the Registrar of the societies and sought clarification that on which date they have registered this document, so that this issue may be resolved.

Office is directed to tag previous file no. 82 of 2021 with this case and issue letter to the registrar of the societies to clarify the above mentioned observation made by the court of the Commission.

In the interest of justice, list on 11.07.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K.