

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

**Khaderia Aided Primary School, No. 111/483, Jinnah road,
Khaderpet, Vaniyambadi, Vellore, Tamil Nadu.**

V/s.

**Principal Secretary, School Education Department, Government
of Tamil Nadu, Chennai, Tamil Nadu.**

Case No. 234 of 2019

17.08.2021

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

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

Learned counsel for the petitioner submitted that they have filed certified copies of all the relevant documents before the Commission.

Respondent has sent by post Counter Affidavit before the Commission's Office on dated 26.10.2020, which is taken on record.

Office is directed to supply a copy of the Counter Affidavit to the learned counsel for the petitioner.

Learned counsel for the petitioner submitted that he has already file rejoinder before the Commission.

It transpires form the record that all the total 200 students are from the Muslim Community.

Now, fix the case for final arguments on 26.10.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Khaderia Higher Secondary School No. 111/483, Jinnah Road,
Khaderpet, Vaniyambadi, Vellore, Tamil Nadu.**

V/s.

**Principal Secretary, School Education Department, Government
of Tamil Nadu, Chennai, Tamil Nadu.**

Case No. 235 of 2019

17.08.2021

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

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

Learned counsel for the petitioner submitted that they have filed certified copies of all the relevant documents before the Commission.

It transpires from the record that all the total 365 students are from the Muslim Community.

Now, fix the case for final arguments on 26.10.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Sultanul Uloom Primary School Hyderbagh No. 1, Millat Nagar,
Nanded, Maharashtra – 431604.**

V/s.

**Deputy Secretary, Minorities Development Department, Room
No. 715, Mantralaya (Annexe), Mumbai – 32.**

Case No. 236 of 2019

17.08.2021

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

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

Learned counsel for the petitioner has prayed for time to file certified copies of the relevant documents. In the interest of justice, time prayed for is allowed.

It transpires from the record that all the total 312 students are from the Muslim Community.

List on 26.10.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**National Public Senior Secondary School, Indrapuri Colony,
bettiah West Champaran District, Bihar.**

V/s.

**Secretary, Human Resource Development, Government of
Bihar, Secretariat, Patna, Bihar.**

Case No. 237 of 2019

17.08.2021

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

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

We have heard learned counsel for the petitioner for some extend. Learned counsel for the petitioner has filed a letter dated 21.10.2014 issued by Secretary – Bihar Vidyalaya Pariksha Samiti (Uchh Madhyamik, Budh Marg, Patna) that is for affiliation. In this letter there is no seal of the officer.

Learned counsel for the petitioner has also filed a photocopy of the mark sheet of Aafiya Kaushar issued by Controller of Examination, Bihar School Examination Board, Patna, but is not clear that this a Government Body to issue Certificate or not.

Office is directed to clarify with the State Government of Bihar that the said letter dated 21.10.2014 and the copy of the mark sheet submitted by the learned counsel is issued by the Bihar School Examination Board, Patna or not.

In the interest of justice, list on 23.09.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Dr. Abdul Kalam International School & Research Academy,
Peria Vilai, Vetta Kottai Road, Kottaram, Kanyakumari District,
Tamil Nadu.**

V/s.

**The Principal Secretary, School Education Department,
Government of Tamil Nadu, Fort St. George, Secretariat,
Chennai, Tamil Nadu - 600009.**

Case No. 252 of 2019

17.08.2021

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

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

Learned Counsel for the petitioner filed by hand certified copy of the latest recognition order of the petitioner institution, before the Commission's Office on dated 26.07.2021, which is taken on record.

It transpires from the records that 245 students are from Muslim Community out of 261.

It also transpires from the record that application for grant of MSC has filed by Mr. Syed Ibrahim Bathusa, Manager, Iqra Educational and Charitable Trust and application for grant of NOC was filed by some other person on dated 25.11.2018.

List on 27.10.2021

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Edify School, Mandsaur Neemuch By Pass, Near Guradiya
Balaji Temple, District - Mandsaur, Madhya Pradesh.**

V/s.

**The Secretary, Room No. 339, Backward Classes and Minority
Welfare Department, Government of Madhya Pradesh.**

Case No. 257 of 2019

17.08.2021

Present: Ms. Avneet Kaur, Advocate for the petitioner.
None for the respondent.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

Learned Counsel for the petitioner filed an envelope and postal charges by hand, before the Commission's Office on dated 29.07.2021, in compliance of earlier Order dated 08.10.2020, which are taken on record.

Office is now directed to send notice to the respondent by regd. A.D.

In the interest of justice, list on 27.10.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Nagle Vidhya Bhavan, Presentation Sisters, Nagle Bhavan,
Kanjoor P.O., Ernakulam, Kerala**

V/s.

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

Case No. 621 of 2019

17.08.2021

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

Due to Covid-19 pandemic and lockdown in the country this
case is taken up today, as per the general notice of this Commission.

Heard, learned counsel for the petitioner.

Reserved for Orders.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**St. Joseph's Convent English Medium School, Pilicode,
Mattalai, Kasargod District, Kerala**

V/s.

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

Case No. 622 of 2019

17.08.2021

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

Due to Covid-19 pandemic and lockdown in the country this
case is taken up today, as per the general notice of this Commission.

Heard, learned counsel for the petitioner.

Reserved for Orders.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Sidrah Maktab, 16, Modi Compound, Kapus Maidan Road,
Mumbai, Maharashtra.**

V/s.

**Deputy Secretary, Minorities Development Department,
Government of Maharashtra**

Case No. 647 of 2019

17.08.2021

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

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

Learned Counsel for the petitioner has filed four documents before the Commission's office on dated 15.04.2021, which are taken on record.

Learned Counsel for the petitioner is directed to file general body resolution in favor of Abdul Hakim M. Baig, Chairman, Baig Education Trust, to obtain Minority Status Certificate from this Commission.

It transpires from the petition that all the total 127 students are Muslim in this institution.

List on 27.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

Sidrah Maktab, A.H. Baig, Ground Floor, Plot No. 16, Kapus Godown, 14, Tank Bunder Road, Modi Compound, Reay Road, Mazgaon, Mumbai, Maharashtra.

V/s.

**Deputy Secretary, Minorities Development Department,
Government of Maharashtra.**

Case No. 648 of 2019

17.08.2021

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

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

Learned Counsel for the petitioner has filed four documents before the Commission's office on dated 15.04.2021, which are taken on record.

Learned Counsel for the petitioner is directed to file general body resolution in favor of Abdul Hakim M. Baig, Chairman, Baig Education Trust, to obtain Minority Status Certificate from this Commission.

It transpires from the petition that all the total 154 students are Muslim in this institution.

List on 27.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Auxilim English Medium High School, Gavaravaram,
Koyyalagudem Mandal, West Godavari Dt., A.P.**

Vs.

**Secretary to Government, Minorities Welfare Department,
Government of A.P.**

Case No. 650 of 2019

17.08.2021

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

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

Inspection Committee has sent inspection report by post, which was received in the Commission's Office on dated 25.11.2020, is taken on record.

We have perused the petition that petitioner institution run by Auxilium Seva Nilaya, Society. The Petitioner institute is upto Secondary level and petitioner has submitted a letter dated 17.04.2018, Proceedings of the Regional Joint Director, School Education, Kakinada, which is not by the State/Central Board of Secondary Education (CBSE).

Learned Counsel for the petitioner is directed to file General Body Resolution in favor of Sr. T. Siluvai Mary, Secretary to obtain Minority Status Certificate from this Commission and Recognition/Affiliation Certificate of the State/Central Board of Secondary Education (CBSE).

List on 21.10.2021

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Shree Bafna Public School, Thandla Road, Meghnagar P.O.,
Jhabua District, Madhya Pradesh - 457779.**

Vs.

**Secretary, Backward Classes and Minority Welfare Department,
Government of Madhya Pradesh, Mantralaya, Bhopal, Madhya
Pradesh.**

Case No. 199 of 2020

17.08.2021

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

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

Learned Counsel for the petitioner filed six documents by hand before the Commission's office on dated 09.08.2021, which are taken on record.

Deputy Secretary, Government of Madhya Pradesh, Backward Class & Minority Welfare Department, Bhopal has sent by post two letters dated 16.12.2020 and 08.01.2021, which were received in the Commission's Office dated 23.12.2020 and 18.01.2021, are taken on record.

In the interest of justice, list on 27.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Bafna College, Thandla Road, Meghnagar P.O., Jhabua District,
Madhya Pradesh - 457779.**

Vs.

**Secretary, Backward Classes and Minority Welfare Department,
Government of Madhya Pradesh, Mantralaya, Bhopal, Madhya
Pradesh.**

Case No. 200 of 2020

17.08.2021

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

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

Learned Counsel for the petitioner filed six documents by hand before the Commission's office on dated 09.08.2021, which are taken on record.

Deputy Secretary, Government of Madhya Pradesh, Backward Class & Minority Welfare Department, Bhopal has sent by post two letters dated 16.12.2020 and 08.01.2021, which were received in the Commission's Office dated 23.12.2020 and 18.01.2021, are taken on record.

In the interest of justice, list on 27.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Mount Carmel Pre Primary School, Shirthady, Mangalore Taluk,
Dakshina Kannada District, Karnataka - 574236.**

Vs.

**Additional Chief Secretary to Government, Education
Department (Higher Education), Government of Karnataka,
Sixth Floor, MultiStoreyed Building, Bengaluru, Karnataka -
560001.**

Case No. 455 of 2020

17.08.2021

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

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

Learned counsel for the petitioner again prayed for time to comply with the Commission's earlier Order dated 02.12.2020. In the interest of justice, time prayed for is allowed.

List on 27.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**St. Joachim's High School, Kadaba Post & Village, Puttur Taluk,
Dakshina Kannada District, Karnataka - 574221.**

Vs.

**Additional Chief Secretary to Government, Education
Department (Higher Education), Government of Karnataka,
Sixth Floor, MultiStoreyed Building, Bengaluru, Karnataka -
560001.**

Case No. 456 of 2020

17.08.2021

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

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

Learned counsel for the petitioner again prayed for time to comply with the Commission's earlier Order dated 02.12.2020. In the interest of justice, time prayed for is allowed.

List on 27.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

Sheba Nursery and Primary School, No. 199, Solaiyappan Street, Old Washermenpet, Chennai - 600019.

- Appellant

Vs.

Principal Secretary, School Education Department, Government of Tamil Nadu, Fort St. George, Secretariat, Chennai, Tamil Nadu - 600009.

-Respondent

Appeal 08 of 2020

17.08.2021

Present: None.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

None appeared on behalf of the appellant, even in the second round.

In the interest of justice, list on 27.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Sheba Nursery and Primary School, No. 74, Sannathi Street,
Kaladipet, Thiruvottiyur, Chennai - 600019.**

- Appellant

Vs.

**Principal Secretary, School Education Department, Government
of Tamil Nadu, Fort St. George, Secretariat, Chennai, Tamil
Nadu - 600009.**

-Respondent

Appeal 09 of 2020

17.08.2021

Present: None.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

None appeared on behalf of the appellant, even in the second round.

In the interest of justice, list on 27.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Gateway International School, No. 2/ 664, Rangareddy Garden,
ECR Neelankarai, Chennai, Tamil Nadu.**

Vs

**The Principal Secretary, School Education Department,
Government of Tamil Nadu.**

Case No. 10 of 2019

17.08.2021

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

Order dictated separately and pronounced, which reads as
under:

Relying on the said un rebutted evidence produced on behalf of the petitioner, we find and hold that Gateway International School, No. 2/664, Rangareddy Garden, ECR Neelankarai, Chennai, Tamil Nadu-600041 run by Brotherhood Education Trust is eligible for grant of minority status on religious basis. The evidence also proves that the said educational institution was established with the main objective of sub-serving the interests of the Christian minority community.

Consequently, Gateway International School, No. 2/664, Rangareddy Garden, ECR Neelankarai, Chennai, Tamil Nadu-600041 is declared as a minority educational institution covered under Article 30 of the Constitution of India within the meaning of Section 2(g) of the NCMEI Act, 2004 subject to the condition that the petitioner would file resolution from the General Body of the Trust in favour of Mrs. Jesitha Anton Cruz, Secretary of the Trust for obtaining MSC from this Commission and also an affidavit or undertaking to the fact that the petitioner institution shall not deny admission of eligible candidate of the Christian minority community subject to the eligibility of the students and availability of the accommodation in the petitioner institution.

After compliance of the above order, a minority status certificate be issued accordingly.

In view of the 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**

**Christ College, Kalluvettankuzhi, Vizhinjam,
Thiruvananthapuram Dist., Kerala.**

V/s.

**Principal Secretary, Higher Education Department, Government
of Kerala.**

Case No. 191 of 2019

17.08.2021

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 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 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 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**

**Don Bosco Central School, Pavur P.O., Manjeshwar, Kasargod
District, Kerala.**

V/s.

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

Case No. 215 of 2019

17.08.2021

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 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 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.

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.J.B. School Lakkidi, Lakkidi P.O., Ottappalam, Dist. Palakkad,
Kerala.**

V/s.

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

Case No. 216 of 2019

17.08.2021

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 16.03.2019. 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**

A.L.P. School, Belinja, Yethedka P.O., Kasargod, Kerala.

V/s.

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

Case No. 341 of 2019

17.08.2021

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. 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 copy of the Order be kept in the record of Case No. 342 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.U.P School, Valluvambram (Aided), Valluvambaram P.O.,
Malappuram, Kerala.**

V/s.

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

Case No. 342 of 2019

17.08.2021

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. 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 copy of the Order be kept in the record of Case No. 342 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**

**The Oxford School, NH Bypass, Opp. Indian Oil Petrol Pump,
Pantheerankavu, Kozhikode, Kerala.**

V/s.

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

Case No. 365 of 2019

17.08.2021

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 02.04.2019. 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 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**

1. Bhai Joga Singh Khalsa Senior Secondary School, East Patel Nagar, New Delhi – 11002

&

2. Bhai Joga Singh Public School, D-4, Faiz Road, Karol Bagh, New Delhi - 110005

Vs.

Assistant Director of Education (Act), Directorate of Education, Government of NCT of Delhi, Room No. 214-A, Old Secretariat, Delhi – 110054.

Misc Case No. 17 of 2020

17.08.2021

Present:

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Holy Family School, At Gurukul Mehiya, Chapra, Saran, Bihar.
V/s.
The Secretary, HRD Deptt., Secretariat, Patna, Bihar.**

**CASE NO. 206 of 2019
17.08.2021**

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

Learned Counsel for the petitioner again prayed for time to file certified copies of relevant documents. In the interest of justice, time prayed for is allowed.

List on 26.10.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**Christ Arts & Science College, Kilachery Post, Perambakkam (Via),
Thiruvallur District, Tamil Nadu.**

V/s.

**The Principal Secretary, Higher Education Department, Government
of Tamil Nadu ,Tamil Nadu.**

CASE NO. 207 of 2019

17.08.2021

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

Learned Counsel for the petitioner seeks leave to withdraw
the petition with liberty to file a fresh petition for the same relief.

Leave and liberty is granted.

Hence, the petition is disposed of as withdrawn.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

Dr. Maria Aschhoff School of Nursing, St. Thomas Hospital and Leprosy Centre, Chettupattu Taluk, Tiruvannamalai District, Tamil Nadu.

V/s.

The Principal Secretary, Higher Education Department, Government of Tamil Nadu.

**CASE NO. 212 of 2019
17.08.2021**

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

Learned Counsel for the petitioner again prayed for time to file certified copies of relevant documents. In the interest of justice, time prayed for is allowed.

Learned Counsel for the petitioner is directed to submit the copy of resolution from the Governing Body of the Society to authorize Sr. A. Maria Rathinam, President to obtain Minority Status Certificate from this Commission.

List on 26.10.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**Dashmesh Public School, Shalimar Garden Extension – 1,
Sahibabad, Ghaziabad, Uttar Pradesh.**

V/s.

**The Principal Secretary, Secondary Education, Department of
Education, Government of Uttar Pradesh, Lucknow, Uttar Pradesh .**

CASE NO. 707 of 2019

17.08.2021

Present: Ms. Pavneet Kaur, for the petitioner.

None for the respondent.

Ms. Pavneet Kaur appeared on behalf of the petitioner institution and filed authorization letter given by Sh. Balbir Singh, Chairman of the Dashmesh Education Society, Delhi and is taken on record.

Petitioner society has sent by post, legible copy of recognition letter dated 17.12.2020, which is received by the Commission on dated 14.01.2021 and is taken on record.

Despite service of registered notice, none appeared on behalf of the respondent.

Petitioner is directed to submit certified copies of all the relevant documents and also the copy of resolution from the Governing Body of the Society to authorize Sh. Balbir, Chairman to obtain Minority Status Certificate from this Commission.

List on 25.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**Modern Bachelor Boy's Society, G-126, Godi Ki Chawal,
Behram Nagar Bandra (East), Mumbai (Suburban), Maharashtra.**

Vs.

**Co-Secretary, Minorities Development Department, Room No.
715, Mantralaya (Annexe) Ministry, Hutama Rajguru Chowk,
Madam Cama Road, Mumbai.**

CASE NO. 709 of 2019

17.08.2021

Present: None.

Despite two notices, none appeared on behalf of the petitioner even in second round.

It transpires from the record that the petitioner has not applied to the Competent Authority of the State Government for grant of NOC.

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 also transpires from the application for grant of MSC that the Petitioner, Modern Bachelor Boy's Society has filed this application for grant of MSC to the Society instead of institution.

This Commission is granting MSC to the Minority Educational Institution only and not to the Society.

Since nobody has appeared to make any submission. The Commission has waited sufficiently. The Commission has been forced to dismiss the petition.

Hence, the petition is dismissed in default.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**Jaison Academy, Academy Nagar, AB Road, Bhatkhedi P.O.,
Mhow, Dt. – Indore, Madhya Pradesh.**

Vs.

**Secretary/Commissioner, Backward Classes and Minority
Welfare Department, Satpuda Bhawan, Govt. of MP, Bhopal,
Madhya Pradesh.**

CASE NO. 711 of 2019

17.08.2021

Present: None.

None appeared on behalf of petitioner even in second round.

In this case office has not mentioned the name of the
Advocate in the Cause list of the Commission.

Office is directed to first check the file and mention the name
of the Advocate in the Cause list of the Commission in future.

List on 27.01.2022 .

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**Sara Educational Welfare Society, Mohalla – Khatkan, Rampur,
Uttar Pradesh.**

Vs.

**Additional Chief Secretary, Govt. of U.P. Higher Education &
Secondary Education, Bahukhandi Secretariat, Lucknow, UP.**

CASE NO. 712 of 2019

17.08.2021

Present: None.

On dated 25.11.2020, Commission has given order to the office to issue show cause notice again to the petitioner as to why this petition be not dismissed at this stage but office has sent letter by ordinary post to the petitioner which is returned back to the Commission by the Post Office.

We have perused the file and it is observed that one envelope with address of the petitioner is available on record but office has not sent notice by registered post to the petitioner.

We have also perused the application and it is found that the petitioner Sara Educational Welfare Society has filed this application for grant of MSC to the Society instead of Institution.

This Commission is granting MSC to the Minority Educational Institution and not to the Society.

It also transpires from the application that out of 263 total students 251 are from Muslim Minority Community.

Office is again directed to send notice to the petitioner by E-mail in compliance of earlier order dated 14.11.2019.

List on 22.09.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**M S Creative Upper Primary School, H. No. 20-4-194/8/1,
Shahalibanda, Khilwath, Bahadurpura Mandal - II, Hyderabad,
Telangana - 500002.**

Vs.

**Secretary, Minorities Welfare Department, Government of
Telangana, "D" Block, Ground Floor, Telangana Secretariat,
Hyderabad - 500022.**

CASE NO. 292 of 2020

17.08.2021

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

Learned Counsel for the petitioner has submitted that they have filed certified copies of all the relevant documents and prayed for adjournment. In the interest of justice, adjournment is granted.

We have perused the application and it transpires from the record that all the total 980 students are from the Muslim Minority Community.

List on 25.01.2022. .

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**M S Junior College, H. No. 12-2-823/A/17, Qutub Shashi Masjid,
Mehdipatnam, Hyderabad, Telangana - 500028.**

Vs.

**Secretary, Minorities Welfare Department, Government of
Telangana, "D" Block, Ground Floor, Telangana Secretariat,
Hyderabad - 500022.**

CASE NO. 293 of 2020

17.08.2021

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

Learned Counsel for the petitioner again prayed for time to file certified copies of the relevant documents as well as to comply with the earlier order of this Commission dated 02.09.2020. In the interest of justice, time prayed for is allowed.

List on 25.01.2022 .

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**M.A. Convent Public School, Village - Sujru, District - Muzaffar Nagar,
Uttar Pradesh - 251003.**

Vs.

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

CASE NO. 438 of 2020

17.08.2021

Present: None.

Despite notice by ordinary post, none appeared on behalf of the petitioner even in second round.

Office is directed to send notice again to the petitioner by E-mail in compliance of earlier order dated 24.11.2020.

In the interest of justice, list on 22.09.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

Don Bosco Matriculation Higher Secondary School, Don Bosco Nagar, Vaniyambadi Road, Pachal Village, Tirupattur Taluk, Vellore District, Tamil Nadu - 635601.

Vs.

Principal Secretary, School Education Department, Government of Tamil Nadu, Rina Road, Fort St. George, Secretariat, Chennai, Tamil Nadu - 600009.

CASE NO. 439 of 2020

17.08.2021

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

Learned Counsel for the petitioner again prayed for time to comply with the earlier order of this Commission dated 24.11.2020. In the interest of justice, time prayed for is allowed.

List on 27.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

Don Bosco School of Excellence, Semmozhi Nagar, Vaniyambadi Road, Pachal Village, Tirupattur Taluk, Vellore District, Tamil Nadu - 635601.

Vs.

Principal Secretary, School Education Department, Government of Tamil Nadu, Rina Road, Fort St. George, Secretariat, Chennai, Tamil Nadu - 600009.

CASE NO. 440 of 2020

17.08.2021

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

Learned Counsel for the petitioner again prayed for time to comply with the earlier order of this Commission dated 24.11.2020. In the interest of justice, time prayed for is allowed.

List on 27.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**DMI St. Joseph Global School, Polivakkam Village, Sri Perumbudur,
Thiruvallur Highway, Thiruvallur District, Tamil Nadu - 602002.**

Vs.

**Principal Secretary, School Education Department, Government of
Tamil Nadu, Rina Road, Fort St. George, Secretariat, Chennai, Tamil
Nadu - 600009.**

CASE NO. 441 of 2020

17.08.2021

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

Despite registered notice, none appeared on behalf of
respondent even in second round.

Learned Counsel for the petitioner prayed for time to file
certified copies of relevant documents. In the interest of justice, time
prayed for is allowed.

List on 27.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**Madarsa Syed Ghausul Uloom, Gram Darehta, Post - Saray Jagna,
Tehsil - Kaisarganj, District- Bahraich, Uttar Pradesh - 271902.**

Vs.

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

CASE NO. 442 of 2020

17.08.2021

Present: None.

Despite notice by ordinary post, none appeared on behalf of the petitioner even in second round.

Office is directed to send notice again to the petitioner in compliance of earlier order dated 24.11.2020 by E-mail.

In the interest of justice, list on 22.09.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**Bhai Joga Singh Khalsa Senior Secondary School, East Patel Nagar,
New Delhi. & Bhai Joga Singh Public School , D-4, Faiz Road, Karol
bagh, New Delhi.**

V/s.

**The Assistant Director of Education (Act), Directorate of Education,
Old Secretariat, New Delhi.**

CASE NO. Misc.17of 2020

17.08.2021

Present: Ms.Kamalpreet Kaur, for the petitioner.
None for the Respondent.

This case was reserved for orders on dated 31.03.2021 but due to Covid -19 Pandemic and lockdown in the Country, it could not be dictated and pronounced.

Petitioner has also not filed any document before the Commission of concerned Police Station stating that after efforts MSC is not traceable.

This case is taken up for hearing today.

Now, petitioner has submitted a certificate that MSC is not traceable, which is filed before the Commission on dated.13.08.2021 and is taken on record.

Heard Ms. Kamalpreet Kaur, for the petitioner.

Ms. Kamalpreet Kaur has filed her authorization letter given by Sh. Paramjit Singh, Vice President of the trust.

This application for grant of duplicate MSC was filed by Sh. Gurdip Singh, Secretary of the Trust. So, Ms. Kamalpreet Kaur is directed to submit the authorization letter from Secretary of the Trust.

Petitioner has prayed for time to file the required authorization letter. In the interest of justice, time prayed for is allowed.

List on 25.08.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS