

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

**Abul Kalam Girls Inter College, Village - Karhi, Post - Karhi,
Tehsil - Khalilabad, District - Sant Kabir Nagar, Uttar Pradesh
V/s.**

**The Principal Secretary, Higher Education, Department of
Education, Government of Uttar Pradesh, 11, Naveen Bhawan
Secretariat, Lucknow, Uttar Pradesh.**

CASE NO. 610 of 2019

07.02.2023.

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

Heard, learned Counsel for the petitioner.

Reserved for Orders.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Pakiza Public School, Villge - Jaitpura, Patwari Halkka No. 4,
New No. 24, Tehsil - Sanwer, District - Indore, Madhya Pradesh
V/s.**

**Secretary, Backward Classes and Minority Welfare Department,
Bhopal, Madhya Pradesh**

Case No. 747 of 2019

07.02.2023

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

In compliance of the Commission's earlier Order dated 29.03.2022, the Physical Inspection Committee has sent its inspection report along with the covering letter dated 04.01.2023 alongwith other papers by post which are received in the Commission's Office on dated 17.01.2023 and is taken on record.

Covering letter dated 15.12.2022 is again sent by post by the Joint Director, Social Justice and handicapped welfare Deptt, Indore, which is received in the Commission's Office on dated 18.01.2023 and is taken on record.

Heard, learned Counsel for the petitioner.

Reserved for Orders.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

St. Michael School, Raksa, Jhansi, Uttar Pradesh - 284419.

Vs.

- 1. Additional Chief Secretary, Secondary Education, Bahukhandi Secretariat, Lucknow, UP.**
- 2. Deputy Director, Minority Welfare Department, 6th Floor, Indira Bhawan, Lucknow, Uttar Pradesh.**

Case No. 105 of 2020

07.02.2023.

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

None appeared on behalf of the respondents even in the second round.

Despite giving time again and again the respondents have failed to file any reply/ response of the petition filed by the petitioner.

This Commission has not constituted any Physical Inspection Committee in this case so far but District Inspector of Schools have submitted Inspection report signed by District Minority Welfare Officer, District Inspector of School and Nagar Magistrate before the Commission's Office on dated 15.11.2022 alongwith covering letter dated 14.11.2022, which is taken on record.

Office is directed to send a letter to the all the above mentioned three authorities that in what circumstances they have sent the inspection report even when this commission has not constituted any committee in this case.

Office is also directed to send letter to the respondents alongwith copy of application u/o 6 rule 17 for filing reply especially on the point that whether the petitioner institute has ever filed any application for grant of MSC before them or not.

List on 27.04.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

Little Flower School, Kalyan Bhadrasa, Faizabad District, Uttar Pradesh - 224202.

Vs.

- 1. Secretary, Room No.- 19, 3rd Floor, Sachiv Bhawan, Uttar Pradesh Secretarat, Lucknow, Uttar Pradesh.**
- 2. The Additional Chief Secretary, Secondary Education Department, Government of Uttar Pradesh Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh - 226001.**

Case No. 115 of 2020

07.02.2023

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

We have heard, learned counsel for the petitioner at some length and during the course of arguments it is pointed out that the Society registration certificate has been expired on 17.10.2022 and the petitioner has not filed the updated renewed registration certificate till now.

Learned counsel for the petitioner prayed for time to file updated registration certificate of the petitioner Society and all the relevant documents.

List on 29.03.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**The Arham Body of Divinity and Excellence, Kesliwala Mansion, Alka
Talkies Road, Kareli, Narsinghpur District, Madhya Pradesh - 487221
V/s.**

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

Case No. 261 of 2020

07.02.2023

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

In compliance of the Commission's earlier Order, Ms. Savita Jhania, Joint Director, Backward Classes and Minority Welfare Department has sent a letter dated 20.01.2023 which is received by e-mail in the Commission on dated 23.01.2023 and is taken on record.

Same letter was also sent by e-mail received in the Commission on dated 01.12.2022 and is also taken on record.

Office is directed to send a letter to Deputy Secretary, School Education Department, Govt. of Madhya Pradesh and also to the District Education Officer, Narsinghpur who has given recognition/affiliation to the petitioner institution despite of the adverse facts about light, air and a doubt on sudden accident like short circuit and fire etc. mentioned by the inspection Committee.

Office is directed to send a letter alongwith the inspection report to call explanation from both these authorities.

List on 05.04.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Little Heart's Academy, 51/4, Chak Dondi (Sangam Road), Naini,
Allahabad, Uttar Pradesh - 211008.**

Vs.

- 1. Additional Chief Secretary, Department of Higher Education,
Government of Uttar Pradesh, Bahu Khandi, Secretariat,
Lucknow, Uttar Pradesh - 226001.**
- 2. Deputy Director, Minority Welfare Department, 6th Floor,
Indira Bhawan, Lucknow, Uttar Pradesh**
- 3. Additional Chief Secretary, Secondary Education
Department, Bapu Bhawan, 7th Floor, Lucknow - 226001.**

Case No. 336 of 2020

07.02.2023

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

Learned counsel for the petitioner has filed updated recognition/
affiliation order before the Commission's Office on dated 01.02.2023,
which is taken on record.

On dated 11.10.2022, learned counsel for the petitioner submitted
that the petitioner institution is upto Secondary level(1st to 10th
standard) and prayed for time to comply with the Commission's
earlier Order dated 10.08.2022 but on next date of hearing dated
01.12.2022, learned counsel for the petitioner submitted that the
petitioner institution is from 1st to 8th standard.

Today also, learned counsel for the petitioner submitted that the
petitioner institution is from 1st to 8th standard.

To resolve the controversy, learned counsel for the petitioner is
directed to submit an affidavit of Stakeholder of the petitioner institution.

Despite registered notice and e-mail to the respondents, 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).

P.T.O

**Little Heart's Academy, 51/4, Chak Dondi (Sangam Road), Naini,
Allahabad, Uttar Pradesh - 211008.**

Vs.

- 1. Additional Chief Secretary, Department of Higher Education, Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh - 226001.**
- 2. Deputy Director, Minority Welfare Department, 6th Floor, Indira Bhawan, Lucknow, Uttar Pradesh**
- 3. Additional Chief Secretary, Secondary Education Department, Babu Bhawan, 7th Floor, Lucknow - 226001.**

Case No. 336 of 2020

07.02.2023

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 11.04.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

B.K. Private ITI, Mitawali, Tehsil - Etmadpur, Agra District, Uttar Pradesh.

Vs.

- 1. Additional Chief Secretary, Department of Technical Education, Government of Uttar Pradesh, Lucknow, Uttar Pradesh - 226001.**
- 2. Deputy Director, Minority Welfare Department, 6th Floor, Indira Bhawan, Lucknow, Uttar Pradesh**

Case No. 337 of 2020

07.02.2023

Present: Mr. Junais P., Advocate for the petitioner.
Mr. Mohd. Afroz for the respondent.

Mr. Mohd. Afroz, UDC of Govt. Of ITI, Agra appeared on behalf of the respondents and prayed for time to file the reply/ response.

Secretary of the Commission is directed to send a letter to Additional Chief Secretary, Department of Technical Education, Government of Uttar Pradesh, Lucknow stating that Commission had issued notice to you but you have appointed another person for filing the response/ reply of the petition.

On dated 06.12.2022 Mr. M.K. Singh Principal, Govt. - ITI, Agra has appeared and prayed for adjournment to file the reply.

Today, Mr. Mohd. Afroz, UDC of Govt. ITI, Agra appeared and again prayed for time to file the reply in this matter.

Looking to the above mentioned circumstances, it clear that the representative of Addl. Chief Secretary, Govt. of Uttar Pradesh is taking unnecessary time and delay the process which is economic burden also on the part of the Government of Uttar Pradesh. So, kindly look into the matter and file the reply as soon as possible.

It is also directed not to send any clerk of the Government ITI on behalf of the respondent.

In the interest of justice, list on 11.04.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Maria De Mattias School, Ring Road Junction, Srirampura,
Mysore, Karnataka - 570008.**

Vs.

- 1. Principal Secretary, Education Deptt. (Primary & Secondary Education), Govt. of Karnataka, Sixth Floor, Multi-Storeyed Building, Bengaluru – 560001**
- 2. Additional Chief Secretary, Education Department (Higher Education), Government of Karnataka, Sixth Floor, Multi-Storeyed Building, Bengaluru - 560001.**

Case No. 49 of 2021

07.02.2023

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

Learned counsel for the petitioner filed downloaded copy of CBSE affiliation Order of the petitioner institution before the Commission's Office on dated 02.02.2023, which is taken on record.

In compliance of the Commission's earlier order dated 30.11.2022, Physical Inspection Committee has sent by post the Physical Inspection Report in proforma, which is photocopy not in original alongwith covering letter dated 11.07.2022, which is received in the Commission's Office on dated 21.12.2022 and is taken on record.

Physical Inspection Committee has sent the same report alongwith covering letter dated 14.12.2022, which is received in the Commission's Office on dated 21.12.2022 and is taken on record.

Learned counsel for the petitioner submitted that petitioner has filed certified copies of all the relevant documents.

Office is directed to send letter by post and e-mail to the members of the PIC for sending the report in Original not photocopy to the Commission before next date of hearing.

List on 18.04.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Azad Public School, Azad Nagar, Hungund Taluk, Hungundu,
Bagalkot District, Karnataka - 587118.**

Vs.

**Additional Chief Secretary, Education Dept., (Higher Education),
Govt. of Karnataka, 6th Flr., Multi-Storeye Building, Bengaluru -
560001.**

Case No. 121 of 2021

07.02.2023

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

Despite letter by post and e-mail to the members of the Physical Inspection Committee, we have not received any response/Physical inspection report from the members of the said Committee.

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.

Office is directed to issue reminder letter by post and e-mail to the members of the Physical Inspection Committee for sending the report positively before the next date of hearing.

In the interest of justice, list on 19.04.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Stella Marys Inter College, Sushant Taj City, Ansal Api, Jaupura,
Sikandra, Agra, Uttar Pradesh - 282007.**

Vs.

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

Case No. 241 of 2021

07.02.2023

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

In compliance of the Commission's earlier Order dated 27.07.2022, the Physical Inspection Committee has sent its inspection report along with the covering letter dated 04.01.2023 by post which is received in the Commission's Office on dated 10.01.2023 and is taken on record.

Learned counsel for the petitioner submitted that the petitioner institute is still running from 1st to 8th Standard only.

We have gone through the petition submitted by the petitioner and it is observed that against the column no. 6 petitioner has tick marked on Higher Education instead of middle. So there is a contradiction in the pleading of the petition.

Learned counsel for the petitioner prayed for time to file detail affidavit to clarify the above mentioned issue.

In the interest of justice, list on 20.04.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Holy Angels School, Shalimar Garden Ext. 2, B-1120, Sahibabad P.O.,
Ghaziabad District, Uttar Pradesh - 201005.**

Vs.

**Additional Chief Secretary, Secondary Education Department, Babu
Bhawan, 7th Floor, Lucknow - 226001.**

CASE NO. 38 of 2022

07.02.2023

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

In compliance of the Commission's earlier Order 19.10.2022, the District Elementary Education Officer, Ghaziabad has sent its inspection report along with the covering letter dated 30.01.2023 by post which is received in the Commission's Office on dated 02.02.2023 and is taken on record.

We have perused the inspection report sent by the said Officer. We have constituted the Physical Inspection Committee consisting of Representative of the concerned District Collector (Chairperson), Concerned District Education Officer (Member) and Concerned District Minority Welfare Officer/ Concerned District Social Welfare Officer (Member Secretary) but this report is signed only by District Elementary Education Officer, Ghaziabad which is not proper.

Office is directed to send a letter again by post and e-mail to the members of the Physical Inspection Committee constituted by the Commission on 19.10.2022 for sending the report signed by all the three members of the Committee, positively before the next date of hearing.

List on 25.04.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Patrick's Acadaemy, Post Office Road, Clement Town, P.O.
Dehradun, Uttarakhand .**

Vs.

**Incharge Secretary, Higher Education, Uttarakhand Govt., Room No.
7, Ground Floor, Late Soban Singh Jeena Bhawan (SBI Bank
Building), Uttarakhand Secretariat.**

CASE NO. 57 of 2022

07.02.2023.

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

Despite letter to Mr. M.M. Semwal, Under Secretary, Govt. of Uttarakhand, we have not received any response / reply so far.

Despite letter by post and e-mail to the members of the Physical Inspection Committee, we have not received any response/Physical inspection report from the members of the said Committee.

Office is directed to issue reminder letter by post and e-mail to the members of the Physical Inspection Committee for sending the report positively before the next date of hearing.

Chief Education Officer, Dehradun has written a letter to the petitioner Institute dated 30.12.2022 and marked copy of thereto to the Commission, which is received in the Commission's office on 04.01.2023 and is taken on record.

In the interest of justice, list on 25.04.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Islamia Lilbinat Junior High School, Parikshit garh, Meerut,
Uttar Pradesh- 250406.**

Vs.

- 1. Additional Chief Secretary, Department of School Education,
Government of U.P., Bahu Khandi, Secretariat, Lucknow,
U.P. - 226001.**
- 2. Additional Chief Secretary, Department of Secondary
Education, Government of U.P., Bahu Khandi, Secretariat,
Lucknow, U.P. - 226001.**

Case No. 64 of 2022

07.02.2023

Present: Mr. Junais P., Advocate for the petitioner.
Mr. Shailesh Rai, for the respondent.

Mr. Shailesh Rai, appeared on behalf of the respondent and prayed for time to file reply of the notice and application of u/o 6 rule 17 filed by the petitioner for amendment in the original MSC application.

Mr. Shailesh Rai also submitted orally that respondent has no objection if this Commission will grant MSC to the petitioner Institute.

Learned counsel for the petitioner has also submitted that this petitioner institute is from 1st to 8th Standard (Junior High School).

Learned counsel for the petitioner submitted that some other connected matters of the same society are listed on 20.04.2023. So, at the request of the learned counsel, list the case on 20.04.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

Aliya Hadeesul Quran Lilbinat (Girls), Laliyana, Meerut, Uttar Pradesh.

Vs.

- 1. Additional Chief Secretary, Department of School Education, Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. – 226001.**
- 2. Additional Chief Secretary, Department of Secondary Education, Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. - 226001.**

Case No. 65 of 2022

07.02.2023

Present: Mr. Junais P., Advocate for the petitioner.
Mr. Shailesh Rai, for the respondent.

Mr. Shailesh Rai, appeared on behalf of the respondent and prayed for time to file reply of the notice and application of u/o 6 rule 17 filed by the petitioner for amendment in the original MSC application.

Mr. Shailesh Rai also submitted orally that respondent has no objection if this Commission will grant MSC to the petitioner Institute.

This Commission has not constituted any Physical Inspection Committee in this case so far but learned counsel for the petitioner has apprised the Court that alongwith other Institute the Committee has inspected this school also and Mr. Rai has also confirmed the same and ready to file the Inspection report.

Learned counsel for the petitioner has also submitted that this petitioner institute is from 1st to 8th Standard (Junior High School).

Learned counsel for the petitioner submitted that some other connected matters of the same Society are listed on 20.04.2023. So, at the request of the learned counsel list the case on 20.04.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Joseph English Medium School, Mansapur, Khanapur T.Q.,
Belgaum District, Karnataka- 591302.**

Vs.

**Additional Chief Secretary, Education Department (Higher
Education), Government of Kanataka, 6th Floor, Multi- Storeyed
Building, Bengaluru, Karnataka - 560001.**

Case No. 131 of 2022

07.02.2023.

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

Learned Counsel for the petitioner has filed notarized copy of recognition order of the petitioner institution alongwith the English Translation before the Commission's Office on dated 02.02.2023, which is taken on record.

In compliance of the Commission's earlier Order 13.10.2022, the District Officer, Minority Welfare Deptt has sent its inspection report along with the covering letter dated 03.01.2023 by post which is received in the Commission's Office on dated 23.01.2023 and is taken on record.

We have perused the inspection report sent by the said Officer. We have constituted the Physical Inspection Committee consisting of Representative of the concerned District Collector(Chairperson), Concerned District Education Officer (Member) and Concerned District Minority Welfare Officer/ Concerned District Social Welfare Officer (Member Secretary) but this report is signed only by the District Officer, Minority Welfare Deptt., Belagavi. which is not proper.

Office is directed to send a letter again by post and e-mail to the members of the Physical Inspection Committee constituted by the Commission on 13.10.2022 for sending the report signed by all the three members of the Committee, positively before the next date of hearing.

List on 27.04.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

07.02.2023

**Shri Krishna Public School, A - 1, Tilak Nagar, Indore District,
Madhya Pradesh - 452018.**

Vs.

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

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

An application has been received by hand on 24.01.2023 from Shri Krishna Public School, A - 1, Tilak Nagar, Indore District, Madhya Pradesh - 452018 for grant of minority status certificate. It be registered.

It transpires from the petition that on 03.01.2020, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Secretary, Backward Classes and Minority Welfare Department, Govt. of Madhya Pradesh, Room No. 339, Mantralaya, Bhopal, Madhya Pradesh, which was received by the respondent on 07.01.2020. 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.

In this case office has reported that signatures of members of the society is mismatch on the MoA (at page no. 23 to 26 and 38 to 39) and General Body Resolution filed by the petitioner is without date.

It also transpires from the petition that in this Un-aided school (Higher Secondary level) during the academic year 2020-21 total 937 students were studying and out of them 154 Students from the Jain Minority Community, during the academic year 2021-22 total 865 students were studying and out of them 82 were from Jain Minority Community and during the academic year 2022-23 total 940 students were studying and out of them 92 students belongs to the Jain Minority Community.

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.

The petition is disposed of as withdrawn.

Office is directed to return envelope and postage to the petitioner.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

A.K

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

07.02.2023

**Nishwan Shahid Shikshan Sansthan, Village - Kachhara, Pawai,
Azamgarh, Uttar Pradesh - 276288.**

Vs.

- 1. Additional Chief Secretary, Department of School Education,
Government of Uttar Pradesh, Bahu Khandi, Secretariat,
Lucknow, Uttar Pradesh**
- 2. Additional Chief Secretary, Minority Welfare and Waqf
Department, Government of Uttar Pradesh.**

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

An application has been received by hand on 24.01.2023 from Nishwan Shahid Shikshan Sansthan, Village - Kachhara, Pawai, Azamgarh, Uttar Pradesh - 276288 for grant of minority status certificate. It be registered.

It transpires from the petition that on 20.10.2021, the petitioner has applied for grant of No Objection Certificate to the then State Competent Authority i.e. Additional Chief Secretary, Department of School Education, Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh, which was received by the respondent on 25.10.2022. The said petition is still pending. The petitioner 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.

As per Uttar Pradesh Government notification No. 717/52-3-202-writ (30)/14 dated 05.05.2022 at present the State Competent Authority for grant of NOC to the Madarsa Educational Institute in the State of Uttar Pradesh is, Additional Chief Secretary, Minority Welfare and Waqf Department, Government of Uttar Pradesh. Therefore, office is directed to implead the same authority as Respondent No. 2.

Learned counsel for the petitioner prayed for time to file one additional envelope with postage for sending notice to the respondents.

It also transpires from the petition that in this Un-aided school (Madarsa level) during the academic year 2019-20 total 174 students were studying and out of them 104 Students from the Muslim Minority Community, during the academic year 2020-21 total 160 students were studying and out of them 95 were from muslim Minority Community and during the academic year 2021-22 total 140 students were studying and out of them 104 students belongs to the Muslim Minority Community.

After compliance of the above order, Office is directed to issue notice by registered Ad and e-mail to the respondents.

In the interest of justice, list on 04.05.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

A.K

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

07.02.2023

H.K.G.N. International School, Purdil Nagar, Hathras District, Uttar Pradesh - 204214.

Vs.

- 1. Additional Chief Secretary, Department of School Education, Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh**
- 2. Additional Chief Secretary, Department of Secondary Education, Government of Uttar Pradesh.**

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

An application has been received by hand on 24.01.2023 from H.K.G.N. International School, Purdil Nagar, Hathras District, Uttar Pradesh - 204214 for grant of minority status certificate. It be registered.

It transpires from the petition that on 07.10.2021, the petitioner has applied for grant of No Objection Certificate to the then State Competent Authority i.e. Additional Chief Secretary, Department of School Education, Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh, which was received by the respondent on 12.10.2022. The said petition is still pending. The petitioner 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.

As per Uttar Pradesh Government notification No. 717/52-3-202-writ (30)/14 dated 05.05.2022 at present the State Competent Authority for grant of NOC to the Middle Level Educational Institute in the State of Uttar Pradesh is, Additional Chief Secretary, Department of Secondary Education, Government of Uttar Pradesh. Therefore, office is directed to implead the same authority as Respondent No. 2.

Learned counsel for the petitioner prayed for time to file one additional envelope with postage for sending notice to the respondents.

It also transpires from the petition that in this Un-aided school (middle level) during the academic year 2019-20 total 99 students were studying and out of them 43 Students from the Muslim Minority Community, during the academic year 2020-21 total 67 students were studying and out of them 28 were from Muslim Minority Community and during the academic year 2021-22 total 245 students were studying and out of them 116 students belongs to the Muslim Minority Community.

In this case office has reported that petitioner has amended the Trust Deed but not mentioned the name and other details of all members in amended trust deed as earlier.

Learned counsel for the petitioner prayed for time to file certain relevant documents.

In the interest of justice, list on 04.05.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

A.K

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

07.02.2023

**Madarsa Mo. Shahid Shikshan Sansthan, Village - Kachhhara, Pawai,
Azamgarh, Uttar Pradesh - 276288.**

Vs.

- 1. Additional Chief Secretary, Department of School Education,
Government of Uttar Pradesh, Bahu Khandi, Secretariat,
Lucknow, Uttar Pradesh**
- 2. Additional Chief Secretary, Minority Welfare and Waqf
Department, Government of Uttar Pradesh.**
- 3.**

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

An application has been received by hand on 24.01.2023 from Madarsa Mo. Shahid Shikshan Sansthan, Village - Kachhhara, Pawai, Azamgarh, Uttar Pradesh - 276288 for grant of minority status certificate. It be registered.

It transpires from the petition that on 07.10.2021, the petitioner has applied for grant of No Objection Certificate to the then State Competent Authority i.e. Additional Chief Secretary, Department of School Education, Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh, which was received by the respondent on 20.10.2022. The said petition is still pending. The petitioner 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.

As per Uttar Pradesh Government notification No. 717/52-3-202-writ (30)/14 dated 05.05.2022 at present the State Competent Authority for grant of NOC to the Madarsa Educational Institute in the State of Uttar Pradesh is, Additional Chief Secretary, Minority Welfare and Waqf Department, Government of Uttar Pradesh. Therefore, office is directed to implead the same authority as Respondent No. 2.

Learned counsel for the petitioner prayed for time to file one additional envelope with postage for sending notice to the respondents.

It also transpires from the petition that in this Un-aided Institute (Madarsa level) during the academic year 2019-20 total 166 students were studying and out of them 96 Students from the Muslim Minority Community, during the academic year 2020-21 total 159 students were studying and out of them 95 were from Muslim Minority Community and during the academic year 2021-22 total 175 students were studying and out of them 97 students belongs to the Muslim Minority Community. After compliance of the above order, Office is directed to issue notice by registered Ad and e-mail to the respondents.

In the interest of justice, list on 04.05.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

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

07.02.2023

**M P International School, M P Campus Periyadka, P.O. Siribagilu,
Kasargod, Kerala - 671124.**

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 has been received by hand on 24.01.2023 from M P International School, M P Campus Periyadka, P.O. Siribagilu, Kasargod, Kerala - 671124 for grant of minority status certificate. It be registered.

It transpires from the petition that the petitioner has applied on dated 06.01.2022 for grant of No Objection Certificate to the State Competent Authority i.e. Director, Directorate of Minority Welfare, Government of Kerala, 4th Floor, Vikas Bhavan, Thiruvananthapuram, Kerala – 695033.

Thereafter, State Competent Authority vide its order No. 2326/MSC/2022/DMW dated 04.01.2023 grant No Objection Certificate to the petitioner Institute.

Petitioner has filed Resolution passed by the Governing Body to obtain Minority Status Certificate from this Commission.

It also transpires from the petition that in this Un-aided School during the academic year 2020-21 total 1144 students were studying and out of them 1141 were from the Muslim Minority Community, during the academic year 2021-22 total 1133 students were studying and out of them 1130 students were from the Muslim Minority Community and during the academic year 2022-23 total 1187 students are studying and out of them 1184 are from the Muslim Minority Community.

After perusal of the record, we found that Mr. Shamsuddeen P.M., has filed this application before this Commission for grant of Minority Status Certificate as Trustee, M P Charitable Trust, and his name is available in the Trust Deed which is duly certified by the Registrar.

The petitioner Institution has applied for grant of Minority Status Certificate on the ground that the same has been established and is being administered by M P Charitable Trust, constituted by the members of the Muslim Community. The aforesaid averments made in the petition find ample corroboration from the documentary evidence produced on behalf of the petitioner institution and the affidavit of Mr. Shamsuddeen P.M.

Contd..

M P International School, Kerala - 683520.

Vs.

Director, Kerala - 695033.

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The Trust Deed clearly reflects that the beneficiaries of the petitioner institution are members of the Muslim Community.

In the fact and circumstances of the case, we are of the considered opinion that when the State of Kerala has granted No Objection Certificate to the petitioner Institute to obtain Minority Status Certificate from this Commission, there is no need to give any notice to the respondent i.e. State Competent Authority.

Office is directed to return Envelope and postage charges to the petitioner.

Heard learned counsel for the petitioner, Reserved for order.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

A.K.

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

07.02.2023.

**Rosario English Medium Higher Primary School, Bolar, Mangaluru,
Dakshina Kannada District, Karnataka - 575001.**

Vs.

**Additional Chief Secretary, Education Department (Higher Education),
Govt. of Karnataka, Sixth Floor, Multi-Storeyed Building, Bengaluru,
Karnataka - 560001.**

Present: Mr. Jose Abraham, Advocate for the petitioner

An application has been received by hand on 30.01.2023, from Rosario English Medium Higher Primary School, Bolar, Mangaluru, Dakshina Kannada District, Karnataka - 575001, for grant of minority status certificate. It be registered.

It transpires from the petition that on 07.10.2022, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Additional Chief Secretary, Education Department (Higher Education), Govt. of Karnataka, Sixth Floor, Multi-Storeyed Building, Bengaluru, Karnataka - 560001, which was received by the respondent on 10.10.2022. 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 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 school (Middle level) during the academic year 2020-21 total 194 students were studying and out of them 10 Students from the Christian Minority Community, during the academic year 2021-22 total 244 students were studying and out of them 11 were from Christian Minority Community and during the academic year 2022-23 total 298 students were studying and out of them 08 students belongs to the Christian Minority Community.

Office is directed to tag the previous case file no. 144 of 2018 with this case and issue notice to the respondent by registered AD/ e-mail.

In the interest of justice, list on 04.05.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

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