

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

**Indore Public School, N.H. - 59, Gram Gadwada, Jhabua,
Madhya Pradesh – 457661**

V/s.

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

Case No. 117 of 2019

02.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner.
None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing
counsel Mr. Junais P.

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

List the case for final arguments on 24.11.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**IPS Academy, School of Computer, Knowledge Village, A.B.
Road, Rajendra Nagar, Indore, Madhya Pradesh.**

V/s.

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

Case No. 220 of 2019

02.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner.
None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing
counsel Mr. Junais P.

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 two documents by hand,
before the Commission Office on dated 18.02.2021, are taken on record.

It transpire from the record that application for grant of MSC
dated 18.04.2019 and application submitted before the State Competent
authority for grant of NOC dated 16.11.2018 has filed by Mr. Achal K.
Chaudhary Jain President, Indore Education and Services Society but
signatures are different in both applications.

As per physical inspection report there is variance in list of
students.

List the case for final arguments on 24.11.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Nirmala Primary School, Kakkathope, Gudalur Road, Ooty, The Nilgiri 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. 263 of 2019

02.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner.
None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.

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 prayed for time to file an application.

It transpires from the record that Sr. Maria is the signatory of the application for grant of MSC and application submitted before the State Competent Authority for grant of NOC, but her name is not available in the certified list of members of the society.

Learned Counsel for the petitioner is directed to file general body resolution of Society/ Trust in favor of signatory of the application to obtain Minority Status Certificate from this Commission.

It transpires from the petition that out of total 32 students only 5 students are from Christian Minority Community.

It also transpires from the information furnished by the petitioner in the application for grant of MSC under the column no. 10 (c) that 03 faculties are from Christian minority community and 03 are from Hindus but in total petitioner has mentioned 05 instead of 06.

List on 24.11.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID
AKHTER
MEMBER**

SR

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

**St. Theresa's Teacher Training Institute for Women,
Thangambadi Taluk, Tharangambadi P.O., Nagapattinam
District, Tamil Nadu – 609313.**

V/s.

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

Case No. 265 of 2019

02.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner.
None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing
counsel Mr. Jose Abraham.

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

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

It transpires from the record that Sr. Maria is the signatory of the
application for grant of MSC and application submitted before the State
Competent Authority for grant of NOC, but her name is not available in the
certified list of members of the society.

Learned Counsel for the petitioner is directed to file general body
resolution of Society to obtain Minority Status Certificate from this
Commission

It transpires from the petition that out of total 26 students only 2
students are from Christian Minority Community.

List on 24.11.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Theresa's Girls Hr. Sec. School, King Street, Tharangambadi
P.O., Tharangambadi (T.K.), Nagapattinam District, Tamil Nadu.**

V/s.

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

Case No. 266 of 2019

02.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner.
None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing
counsel Mr. Jose Abraham.

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

It transpires from the record that Sr. Maria is the signatory of the
application for grant of MSC and application submitted before the State
Competent Authority for grant of NOC, but her name is not available in the
certified list of members of the society.

Learned Counsel for the petitioner is directed to file general body
resolution of Society to obtain Minority Status Certificate from this
Commission.

It transpires from the petition that out of total 1658 students only
136 students are from Christian Minority Community.

In daily Cause List Office is given name of respondent as Principal
Secretary, Higher Education instead of School Education Department,
Government of Tamil Nadu. Office is directed to check properly and then
mention cause title in daily cause list.

List on 24.11.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Sinna Rani Aided Primary School, Alamelupuram Poondi,
Thirukattupalli Thanjavur 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. 276 of 2019

02.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner.
None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.

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

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

Respondent has sent by post a letter dated 28.11.2020, which is received in the Commission Office on dated 16.12.2020, is taken on record.

Respondent has sent by post Counter Affidavit before the Commission's Office on dated 15.02.2021, which is taken on record.

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

It transpires from the record that Sr. Maria is the signatory of the application for grant of MSC and application submitted before the State Competent Authority for grant of NOC, but her name is not available in the certified list of members of the society.

Learned Counsel for the petitioner is directed to file general body resolution of Society to obtain Minority Status Certificate from this Commission.

It transpires from the petition that out of total 114 students only 39 students are from Christian Minority Community.

List on 24.11.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Nirmala Matriculation School, Fingerpost P.O.,
Uthagamandalam, Ooty, The Nilgiri 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. 277 of 2019

02.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner.
None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing
counsel Mr. Jose Abraham.

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

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

Respondent has sent by post Counter Affidavit before the
Commission's Office on dated 28.12.2020, which is taken on record.

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

It transpires from the record that Sr. Maria is the signatory of the
application for grant of MSC and application submitted before the State
Competent Authority for grant of NOC, but her name is not available in the
certified list of members of the society.

Learned Counsel for the petitioner is directed to file general body
resolution of Society to obtain Minority Status Certificate from this
Commission.

List on 24.11.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Scholars Public School, Aakayabeni, Bahaadurpur Road, Jaora,
Jaora, Madhya Pradesh, Ratlam - 457226.**

Vs.

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

Case No. 390 of 2020

02.09.2021

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.

In compliance notice issued by this Commission, petitioner has sent by post some documents without list of the documents alongwith two envelopes and postal charges for sending notice to the respondent, which are taken on record.

Petitioner has not filed explanation regarding current status of the MSC application which is still pending before the State Competent Authority.

As per law and settled procedure petitioner cannot apply before this commission unless and until the application for MSC is disposed by the Competent Authority.

It transpires from the record that application for grant of MSC was filed by Mr. Sunil Kothari and application for grant of NOC dated 21.11.2019 submitted before the State Competent Authority by the Principal of the petitioner school instead of Chairman/President/Secretary and any Society member.

In order to streamline the process of filing application for grant of MSC, it has been decided that same person should sign the Declaration, Affidavit, Vakalatnama and application for grant of NOC before the State Competent Authority who can be the following:

- (a) Individual- Owner
- (b) Society- Chairman/ President/ Secretary
- (c) Trust- Trustee/ Authorised signatory as per resolution.

List on 08.02.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Scholars School of Business, 226/2, Baba Ramdev Chourha
Aakyabeni Bahadurpur Road, Tehsil - Jawara Ratlam, Jaora, Ratlam,
Madhya Pradesh - 457226.**

Vs.

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

Case No. 391 of 2020

02.09.2021

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.

In compliance notice issued by this Commission, petitioner has sent by post some documents without list of the documents alongwith two envelopes and postal charges for sending notice to the respondent, which are taken on record.

Petitioner has not filed explanation regarding current status of the MSC application which is still pending before the State Competent Authority.

As per law and settled procedure petitioner cannot apply before this commission unless and until the application for MSC is disposed by the Competent Authority.

It transpires from the record that application for grant of MSC was filed by Mr. Sunil Kothari and application for grant of NOC dated 21.11.2019 submitted before the State Competent Authority by the Principal of the petitioner school instead of Chairman/President/Secretary and any Society member.

In order to streamline the process of filing application for grant of MSC, it has been decided that same person should sign the Declaration, Affidavit, Vakalatnama and application for grant of NOC before the State Competent Authority who can be the following:

- (a) Individual- Owner
- (b) Society- Chairman/ President/ Secretary
- (c) Trust- Trustee/ Authorised signatory as per resolution.

List on 08.02.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Dayamayi Mata School, Dal-Mill Road, Surendranagar P.O.,
Surendranagar District, Gujarat - 363001.**

Vs.

- 1. Commissioner of Schools, Commissionerate of Mid Day Meals and Schools, Govt. of Gujarat, Sector – 10, Gandhinagar, Gujarat.**
- 2. Deputy Director, Directors of Schools, Old Sachivalaya Block 9/1, Gandhinagar, Gujarat - 382010**

Case No.392 of 2020

02.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.

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 comply with the Commission's earlier Order dated 21.10.2020.

It transpire from the record that application for grant of MSC was filed by Mr. Joseph Velichakath, Managing Trustee of the petitioner institution and application submitted before the State Competent authority for grant of NOC dated 03.12.2018 by the Principal of the petitioner institution.

Learned Counsel for the petitioner is directed to file general body resolution of Trust to obtain Minority Status Certificate from this Commission.

It transpires from the petition that out of total 2185 students only 22 students are from Christian Minority Community.

List on 08.02.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Chevalier Academy Matriculation School, Kovilur Junction,
Siluvathur Road, Dindigul District, Tamil Nadu - 624306.**

Vs.

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

Case No. 393 of 2020

02.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing
counsel Mr. Jose Abraham.

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 comply
with the Commission's earlier Order dated 21.10.2020.

Learned Counsel for the petitioner is directed to file general body
resolution of Society/ Trust in favor of signatory of the application to obtain
Minority Status Certificate from this Commission.

List on 08.02.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Dominic Savio Matriculation School, 38, Broadway, Chennai, Tamil Nadu - 600108.

Vs.

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

Case No. 394 of 2020

02.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.

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 comply with the Commission's earlier Order dated 21.10.2020.

It transpire from the record that application for grant of MSC was filed by Fr. Edwin George, Secretary of the petitioner institution and application submitted before the State Competent authority for grant of NOC dated 20.11.2018 was filed by Fr. John Santhosam Principal of the petitioner institution.

Learned Counsel for the petitioner is directed to file general body resolution of Society to obtain Minority Status Certificate from this Commission.

It transpires from the petition that out of total 501 students only 94 students are from Christian Minority Community

List on 08.02.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Bethel Mission English Medium Hr. Sec. School, Amarkantak Road,
Sakariya, Village - Dulhara, P.O. - Anuppur, District - Anuppur,
Madhya Pradesh - 484224.**

Vs.

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

Case No. 429 of 2020

02.09.2021

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 petitioner, even in the second round.

Petitioner has not complied with the Commission's earlier Order dated 26.11.2020.

It transpires from the petition that out of total 824 students only 16 students are from Christian Minority Community

In the interest of justice, list on 08.02.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Victory Matric Higher Secondary School, No. 60, Village Street,
Thiruvottiyur, Chennai - 600019.**

- Appellant

Vs.

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

- Respondent

Appeal 04 of 2020

02.09.2021

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.

Despite service of regd. notice, none appeared on behalf of the appellant, even in the second round.

Appellant has not complied with the Commission's earlier Order dated 26.11.2020.

In the interest of justice, list on 16.12.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Marthoma Warriors, Kerala. - Complainant

Vs.

- 1. Mar Thoma College, Chungathara P.O., Malappuram District, Kerala - 679 334.**
- 2. Director Directorate of Minority welfare Government of Kerala, 4 th floor, Vikas Bhavan, Thiruvananthapuram, 695033. - Respondents**

Misc. Case No. 03 of 2021

02.09.2021

Present: Ms Akriti Seth, Advocate for the respondent no. 1
Mr. Tom Joseph, Advocate for the respondent no.2
None for the applicant.

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

In compliance of notice issued by this Commission, Ms. Akriti Seth present on behalf of the respondent no.1 Marthoma College and submitted that due to Covid-19 pandemic, she is unable to file her proper Vakalatnama on behalf of the respondent no.1 and prayed for time to file Vakalatnama as well as reply of the petition filed by marthomawarriors@protonmail.com.

Mr. Tom Joseph, Advocate appeared on behalf of the respondent no.2 Director Directorate of Minority Welfare Government of Kerala and submitted that Mr. Nishe Rajen Shonker, Avocate, Standing counsel of State of Kerala authorized him to appeared in this case. Mr. Tom Joseph, Advocate also prayed for time to file reply of the petition.

Both counsels submitted that till now they have not received copy of the petition.

Office is directed to supply copy of the petition to both the counsels.

It transpires from the record that Office has not complied the Commission's earlier Order dated 16.02.2021 and not issued notice to the marthoma warriors, applicant petitioner.

Office is again directed to issue notice by email to the applicant marthoma warriors.

List on 29.09.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Nazareth Public School, Elampally, P.O. - Neyyattussery,
District- Kottayam, Kerala**

V/s.

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

Case No. 01 of 2019

02.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner.
None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing
counsel Mr. Jose Abraham.

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**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Cluny Public School, Moolankave P.O., Sulthan Bathery, District
- Wayanad, Kerala**

V/s.

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

Case No. 03 of 2019

02.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner.
None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing
counsel Mr. Jose Abraham.

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.

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

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Antony's E.M.L.P. School, Iron Bridge P.O., Pazhavangady,
Dist. Alapuzha, Kerala.**

Vs.

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

Case No. 16 of 2019

02.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner.
None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing
counsel Mr. Jose Abraham.

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.

Let the copy be kept in the record of Case No. 383 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**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**A.L.P. School, Kottarassery, Thekkepotta P.O., Palakkad
District, Kerala.**

V/s.

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

Case No. 182 of 2019

02.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner.
None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing
counsel Mr. Junais P.

Order dictated separately and pronounced, which reads as under:

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

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

Let the copy be kept in the record of Case No. 239 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**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Mar Thoma Higher Secondary School (MTHSS), Chugathara
P.O. - Malappuram, Kerala.**

V/s.

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

Case No. 239 of 2019

02.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner.
None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing
counsel Mr. Junais P.

Order dictated separately and pronounced, which reads as under:

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

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

Let the copy be kept in the record of Case No. 239 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**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Apsara Public School, Koliyadukkam, Perlumbala P.O.,
Kasargod District, Kerala.**

V/s.

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

Case No. 242 of 2019

02.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner.
None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing
counsel Mr. Junais P.

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**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Don Bosco Central School, Puthupally P.O., Kottayam District,
Kerala**

V/s.

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

Case No. 383 of 2019

02.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner.
None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing
counsel Mr. Jose Abraham.

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.

Let the copy be kept in the record of Case No. 383 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**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Basilian Public School, Paliekara, Thiruvalla P.O., Pathanamthitta District, Kerala.

V/s.

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

CASE NO. 21 of 2019

02.09.2021

Present: Ms. Anju Joseph, Advocate for petitioner.

None for the Respondent.

Ms. Anju Joseph appeared on behalf of the arguing counsel Mr. Jose Abraham.

Heard learned counsel for the petitioner.

Reserved for Orders.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**M.I.A. M.L.P. School (Aided), Perumugham P.O., Feroke, Kozhikode, Kerala
V/s.**

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

CASE NO. 390 of 2019

02.09.2021

Present: None.

Despite registered notice, none appeared on behalf of petitioner.

On earlier occasion dated 03.12.2020 none was present on behalf of petitioner even in second round .

Petitioner has not filed any proof of delivery for application dated 10.01.2018 for grant of NOC submitted before the State Competent Authority with the petition.

Petitioner has not filed any documents in support of the petition except the affidavit of Smt. Nafeesa K.K., Manager, M.I.A. M.L.P. School (Aided), Perumugham P.O., Feroke, Kozhikode, Kerala.

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**

**DR. SHAHID AKHTER
MEMBER**

RS

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

MJMAMLP School, Pallimukku, P.O. Pannippara, Mallapuram, Kerala.

V/s.

The Secretary, General Education Department, Government of Kerala.

CASE NO. 391 of 2019

02.09.2021

Present: None.

None appeared on behalf of both the parties.
In the interest of justice, reserved for Orders.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

Kadampuzha A.U.P. School (Aided), Kadampuzha P.O., Mallapuram Dist., Kerala.

V/s.

The Secretary, General Education Department, Government of Kerala.

CASE NO. 392 of 2019

02.09.2021

Present: None.

None appeared on behalf of both the parties.
In the interest of justice, reserved for Orders.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

A.U.P. School Mundakkal (Aided), P.O. Mundakkal, Edavannappara, Malappuram Dt.,
Kerala.

V/s.

The Secretary, General Education Department, Government of Kerala.

CASE NO. 393 of 2019

02.09.2021

Present: None.

None appeared on behalf of both the parties.
In the interest of justice, reserved for Orders.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

Amina Engineering Institute Private ITI, Kalpakanchery P.O., Malappuram, Kerala.

V/s.

The Secretary, General Education Department, Government of Kerala.

CASE NO. 394 of 2019

02.09.2021

Present: None.

None appeared on behalf of both the parties.
In the interest of justice, reserved for Orders.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Mary's Central Pre Primary School, Kinnigoli, Mangalore
Taluk, Dakshina Kannada District, Karnataka - 574150.**

Vs

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

CASE NO. 457 of 2020

02.09.2021

Present: Ms. Anju Joseph, Advocate for petitioner.
None for the Respondent.

Ms. Anju Joseph appeared on behalf of the arguing counsel Mr. Jose Abraham.
Learned Counsel for the petitioner again prayed for time to comply with the
earlier order dated 03.12.2020 of this Commission.

It transpires from the records that the name Rev. Antony Michael Shera,
Secretary of The Catholic Board of Education is not shown in the list of members of the
society.

Learned Counsel for the petitioner is directed to submit the
copy of resolution passed by the General Body of the Society/Trust to
obtain Minority Status Certificate from this Commission.

In the interest of justice, list on 08.02.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Ann's English Medium Higher Primary School, Kadaba P.O.,
Kodimbala Village, Puttur Taluk, Dakshina Kannada District,
Karnataka - 574221.**

Vs.

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

CASE NO. 458 of 2020

02.09.2021

Present: Ms. Anju Joseph, Advocate for petitioner.
None for the Respondent.

Ms. Anju Joseph appeared on behalf of the arguing counsel Mr. Jose Abraham.
Learned Counsel for the petitioner again prayed for time to comply with the
earlier order dated 03.12.2020 of this Commission.

It transpires from the records that the name Rev. Antony Michael Shera,
Secretary of The Catholic Board of Education is not shown in the list of members of the
society.

Learned Counsel for the petitioner is directed to submit the
copy of resolution passed by the General Body of the Society/Trust to
obtain Minority Status Certificate from this Commission.

In the interest of justice, list on 08.02.2022.

**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 Claver English Medium Primary School, Aladangady
Post, Belthangady Taluk, Dakshina Kannada District, Karnataka
- 574217.**

Vs.

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

CASE NO. 459 of 2020

02.09.2021

Present: Ms. Anju Joseph, Advocate for petitioner.
None for the Respondent.

Ms. Anju Joseph appeared on behalf of the arguing counsel Mr. Jose Abraham.
Learned Counsel for the petitioner again prayed for time to comply with the
earlier order dated 03.12.2020 of this Commission.

It transpires from the records that the name Rev. Antony Michael Shera,
Secretary of The Catholic Board of Education is not shown in the list of members of the
society.

Learned Counsel for the petitioner is directed to submit the
copy of resolution passed by the General Body of the Society/Trust to
obtain Minority Status Certificate from this Commission.

In the interest of justice, list on 08.02.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

Jain Modern Public School, Green Park Extn., New Delhi-110016.

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.10 of 2020

02.09.2021

Present: Mr. Santosh Bhardwaj for the petitioner.

Mr. Santosh Bhardwaj appeared on behalf of the petitioner institution and filed his authorization letter which is taken on record.

In this case, on earlier occasion dated 09.09.2020 the Commission has given direction to the petitioner to submit envelope and postage charges for sending notice to the respondent but even after giving two dates 24.11.2020 and 24.03.2021, petitioner has not complied with the earlier order of this Commission.

Petitioner has also appointed Subodh Gupta, Advocate in this case but the advocate has never given his appearance in the Hon'ble Court of the Commission.

Petitioner has again prayed for time to comply with the earlier Order dated 09.09.2020 of this Commission.

In the interest of justice, 03 days time is granted.

List on 09.09.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

02.09.2021

**Madurai Crescent Matric Hr. Sec. School for Girls, Seethakathi Nagar,
Kallampatti, Chathirapatti, Madurai – 625 014.**

Vs.

**Principal Secretary, School Education Department, Secretariat,
Chennai, Tamil Nadu.**

Present: None.

An application for grant of minority status certificate to Madurai Crescent Matric Hr. Sec. School for Girls, Seethakathi Nagar, Kallampatti, Chathirapatti, Madurai – 625 014 has been received by post on 16.08.2021 from the petitioner mentioned above, which is in old format. It be registered.

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

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

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

It transpires from the application that this application for grant of Minority Status Certificate filed by Mr. Shariffa A. Azeez, Correspondent of All India Islamic Foundation instead of Secretary/ Chairman / or Member of the Society belong the School.

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

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

Petitioner has not filed Unique ID issued by Niti Ayog, and list of founding members filed by the petitioner is not certified by registrar.

It also transpires that recognition / affiliation certificate filed by the petitioner is in Tamil Language without English or Hindi Translation and

most of the documents filed by the petitioner are in Tamil Language without translation.

Contd. 2/-

-2-

**Madurai Crescent Matric Hr. Sec. School for Girls, Madurai – 625 014.
Vs.
Principal Secretary, School Education Department, Tamil Nadu.**

Continued from pre – page.

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

Issue show cause notice to the petitioner as to why this petition be not dismissed at this stage.

In the interest of justice, list on 08.02.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

Ash.