

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

**St. Luigi School, Mariathuruthu P.O., Thiruvatta, Kottayam,
Kerala.**

V/s.

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

Case No. 20 of 2019

28.10.2021

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.

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The petition is disposed of as withdrawn.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Francis Assisi School, Athani P.O., Ernakulam District,
Kerala.**

V/s.

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

Case No. 23 of 2019

28.10.2021

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.

Learned counsel for the petitioner prayed for time to file certified
copies of the relevant documents as well as to comply with the
Commission's earlier Order dated 10.12.2019. In the interest of justice,
time prayed for is allowed.

It also transpires from the record that this MSC petition and NOC
application dated 21.11.2018 under Section 10 of NCMEI Act, 2004 are
filed by the Manager of the Trust.

It transpires from the records that the list of Trust's present members
is not certified.

Learned Counsel for the petitioner is directed to file certified list of
present members of the Trust.

Learned Counsel for the petitioner is directed to file Resolution
passed by the General Body of the Society for obtaining Minority Status
Certificate from this Commission.

List on 09.12.2021.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Markaz Public School, Quthubi Campus, Puthayathupuraya, A.R. Nagar, P.O. Kuttoor North, Malappuram Dist., Kerala.

V/s.

Secretary, General Education Department, Government of Kerala.

Case No. 105 of 2019

28.10.2021

Present: Mr. Prasanth Kulambil, Advocate for the petitioner.
None for the respondent

Mr. Prasanth Kulambil 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 application was not decided in accordance with the provisions of NCMEI Act, 2004 and verdict of the Hon’ble Apex Court by the State competent authority and passed the impugned order 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.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Hazarath Ameeruddin Institute of Medical Science & Research
Centre, Giddalur Prakasam Andhra Pradesh.**

V/s.

**The Principal Secretary to Government, Minorities Welfare
Department, “D” Block, Ground Floor, Telangana Secretariat,
Hyderabad.**

Case No. 109 of 2019

28.10.2021

Present: None.

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

Office is directed to again issue notice to the petitioner for compliance of the Commission's earlier Order dated 09.05.2019 by post, email / telephone.

In the interest of justice, list on 16.12.2021.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Mynoddin Law College, Giddalur, District Prakasam, Andhra Pradesh.

V/s.

The Principal Secretary to Government, Minorities Welfare Department, "D" Block, Ground Floor, Telangana Secretariat, Hyderabad.

Case No. 112 of 2019

28.10.2021

Present: None.

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

Office is directed to again issue notice to the petitioner for compliance of the Commission's earlier Order dated 09.05.2019 by post, email / telephone.

In the interest of justice, list on 16.12.2021.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Blue Mountain Nursery and Primary School, Manakkal,
Ayyampet District - Thiruvavarur, Tamil Nadu - 610104.**

Vs

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

Case No. 151 of 2019

28.10.2021

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.

Learned Counsel for the petitioner is directed to file Resolution
passed by the General Body of the Trust for obtaining Minority Status
Certificate from this Commission.

Re- notify the case for final arguments on 16.12.2021.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Don Bosco Higher Secondary School, Gedilam Thirunavallur
P.O., Ulundurpet T.K., District - Vizhupuram, Tamil Nadu -
607204.**

Vs

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

Case No. 152 of 2019

28.10.2021

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.

Learned counsel for the petitioner again prayed for time to file
certified copies of relevant documents and an application under Order 8
Rule 9 and Section 151 C.P.C. read with Section 12 of the NCMEI Act,
2004, to accept the Rejoinder Affidavit. In the interest of justice, time
prayed for is allowed.

Learned Counsel for the petitioner is directed to file Resolution
passed by the General Body of the Society for obtaining Minority Status
Certificate from this Commission.

List on 16.12.2021.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Madarsa Hanfiya Hafeezul Uloom, Naikepurwa Mauja Ram Bhari Post
- Bhaghar Buland, Block - Jhanjari, District - Gonda, Uttar Pradesh
V/s.**

**The Additional Chief Secretary, Department of School Education,
Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow,
Uttar Pradesh**

Case No. 402 of 2019

28.10.2021

Present: Mohd. Sajid Khan, Manager for the petitioner.
None for the respondent.

Despite notice by email, none appeared on behalf of the respondent, even in the second round.

Mohd. Sajid Khan, Manager appeared on behalf of the petitioner.

Petitioner is directed to submit one more envelope with potage charges for sending registered notice again to the respondent.

After compliance of the above order by the petitioner, office is directed to issue notice to the respondent by registered AD/e-mail.

List on 16.12.2021.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Mary's School P.B. No. 90, Navlakhi Road, Morbi, Rajkot Dt.,
Gujrat.**

V/s.

**Commissioner of Schools, Block o. 9-1, Dr. Jivraj Mehata Bhawan,
Gandhinagar, Gujarat.**

Case No. 461 of 2019

28.10.2021

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.

It transpires from the petition that of the total 1216 students, 11
students are from the Christian Minority Community.

It also transpires from the record that this MSC petition is filed by
Bishop Jose Cherian, President of the Society and NOC application dated
03.12.2018 under Section 10 of NCMEI Act, 2004 is filed by the Principal of
the petitioner institution.

Learned Counsel for the petitioner prayed for time to file clarification
for the above mentioned discrepancy and also to file Recognition/Affiliation
Certificate of the State/Central Board of Secondary Education (CBSE).

Learned Counsel for the petitioner is directed to file Resolution
passed by the General Body of the Society for obtaining Minority Status
Certificate from this Commission.

List on 11.01.2022.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Shri Digamber Jain Junior High School, Chowki Gate, Firozabad,
Uttar Pradesh - 283203.**

Vs.

**Additional Chief Secretary, Department of School Education, Govt. of
Uttar Pradesh, Bahu Khandi,, Secretariat, Lucknow, Uttar Pradesh.**

Case No. 815 of 2019

28.10.2021

Present: None.

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

Office is directed to again issue notice to the petitioner for compliance of the Commission's earlier Order dated 04.12.2019 by post, email/telephone.

In the interest of justice, list on 19.01.2022.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Jesus Academy School, Thalore, Mukundapuram, Thrissur
District, Kerala - 680306.**

Vs.

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

Case No. 816 of 2019

28.10.2021

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 application was not decided in accordance with the provisions of NCMEI Act, 2004 and verdict of the Hon’ble Apex Court by the State competent authority and passed the impugned order 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.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Maharashtra Medical Education and Research Centre, 2390, B,
K.B. Hidayathullah Road, New Modhikhana Azam Campus,
Pune**

V/s

**Secretary, Department of Medical Education, Mantralaya,
Mumbai**

Appeal No. 27 of 2019

28.10.2021

Present: Mr. Tejasvi Kumar , Advocate for the petitioner appellant.
Mr. Gaurav Agarwal , Advocate for the respondent no.02

Office has sent regd. notice to the respondent, which is received un-served and returned back to this Commission on dated 05.08.2021, which is taken on record.

Mr. Gaurav Agarwal, Advocate appeared on behalf of the respondent no.02 and prayed for time to file reply. In the interest of justice, time prayed for is allowed.

List on 08.12.2021.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Hayat Unani Medical College & Research Centre, Hayat Complex,
Hardoi Road, Sikrori, Kakori, Lucknow, Uttar Pradesh - 226101.**

Vs.

**Principal Secretary, Higher Education, Department of Education,
Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow,
Uttar Pradesh – 226001**

Case No. 349 of 2020

28.10.2021

Present: Mohd. Arif for the petitioner.

Petitioner has filed a letter along with Unique ID by hand, before the Commission's Office on dated 04.02.2021, which is taken on record

Petitioner has not complied with the Commission's earlier Order dated 22.09.2020.

It transpires from the petition that of the total 179 students all are from the Muslim Minority Community.

It also transpires from the record, that the petitioner has also applied before the State Competent Authority for grant of Minority Status Certificate and that the application is still pending.

Petitioner also prayed for time to file clarification for the above mentioned discrepancy.

Petitioner is directed to file Resolution passed by the General Body of the Trust for obtaining Minority Status Certificate from this Commission.

List on 09.03.2022.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Pioneer Public School, Sector - R, Mahalaxmi Nagar, Opposite Sai Kripa Colony, Ring Road, Indore, Madhya Pradesh - 452010.

Vs.

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

Case No. 350 of 2020

28.10.2021

Present: Mr. Prashant Jain, for the petitioner.

In compliance of Commission's earlier orders, Petitioner has sent by post, two replies of State Competent Authority wherein it is mentioned that the school is affiliated to Madhyamik Shiksha Mandal, Bhopal and classes tenth and twelve Examinations would be conducted by the Madhya Pradesh Madhamik Shiksha Mandal. The petitioner has also submitted Mark sheets issued by the State Board to the students enrolled in the school, which were received in the Commission's Office on dated 01.02.2021 and 1.3.09.2019 respectively, and are taken on record.

Petitioner is directed to file Resolution passed by the General Body Resolution of the Society for obtaining Minority Status Certificate from this Commission.

Office is directed to issue notice to the respondent by regd. A.D./email.

List on 09.03.2022.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

St. Xavier's Primary School, Thasra, Kheda, Gujarat- 388250.

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, Ganshinagar, Gujarat-382010.**

Case No. 45 of 2021

28.10.2021

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

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

Learned Counsel for the petitioner again prayed for time to comply with the Commission's earlier Order dated 04.02.2021.

Learned Counsel for the petitioner is directed to file Resolution passed by the General Body of the Trust for obtaining Minority Status Certificate from this Commission.

List on 09.03.2022.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

St. Marthas Bethany Vidyalaya, Rurka, Mullanpur, Lishiana, Punjab-141101.

Vs.

Director of Public Instruction (SE) Pnnjab Block E, Vidya Bhawan, 4th Floor Complex Punjab School Education Board, Sector- 62, S.A.S. Nagar

Case No. 46 of 2021

28.10.2021

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

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

Learned Counsel for the petitioner again prayed for time to comply with the Commission's earlier Order dated 04.02.2021.

It transpires from the petition that of the total 441 students, 10 students are from the Jain Minority Community.

Learned Counsel for the petitioner is directed to file Resolution passed by the General Body of the Trust for obtaining Minority Status Certificate from this Commission.

List on 09.03.2022.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR