#### GOVERNMENT OF INDIA NATIONAL COMMISSION FOR MINORITY

S.H. Sevasram School, Lalakpur, Chiibramau, Kannauj, Uttar Pradesh – 209721

V/s.

Secretary, Room No.- 19, 3rd Floor, Sachiv Bhawan, Uttar Pradesh Secretarat, Lucknow, Uttar Pradesh

Case No. 81 of 2020

30.11.2021

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

None for the respondent.

Learned counsel for the petitioner filed four documents by hand, before the Commission of dated 24.11.2021, which are taken on record.

In compliance of the Commission's earlier Order dated 10.03.2021 Office has issued regd. notice to the respondent but the Post Office has returned regd. notice back as unserved and the reason mentioned by the postman is not legible.

Office as well as Advocate for the petitioner is advised to file application before the post office that on what ground they have returned notice sent to the respondent i.e. Secretary, Room No.- 19, 3rd Floor, Sachiv Bhawan, Uttar Pradesh Secretarat, Lucknow, Uttar Pradesh.

It transpires from the petition that of the total 340 students, only 10 students are from the Christian Minority Community.

In the interest of justice, learned counsel for the petitioner is directed to submit one envelope and postal charges for sending regd. notice again to the respondent.

After compliance of the above order by the Petitioner, Office is directed to issue notice to the respondent.

Petitioner institution has applied to NCMEI for grant of Minority Status Certificate. In the facts and circumstances of the case we deem just and proper that physical inspection report alongwith the recommendation for issuance of the minority status certificate to the petitioner institution, may be obtained from the committee consisting of following members: -

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

Office is directed to issue letter to the above Committee members for submitting the report.

List on 06.04.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

St. Paul School, Chhibramau, Kannoj, Uttar Pradesh - 209721 V/s.

1. Secretary, Room No.- 19, 3rd Floor, Sachiv Bhawan, Uttar Pradesh Secretarat, Lucknow, Uttar Pradesh

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

Case No. 82 of 2020

30.11.2021

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

Learned counsel for the petitioner filed four documents by hand, before the Commission of dated 24.11.2021, which are taken on record.

Learned counsel for the petitioner is directed to implead the Additional Chief Secretary, Govt. of U.P. Higher Education & Secondary Education, Bahukhandi Secretariat, Lucknow, UP. as respondent No. 2.

In the interest of justice, learned counsel for the petitioner is directed to submit two envelopes and postal charges for sending regd. notice again to the respondents.

After compliance of the above order by the Petitioner, Office is directed to issue notice to the respondents.

It 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.

As per law and settled procedure, petitioner cannot apply before this Commission unless and until the Minority Status Certificate application is disposed by the State Competent Authority. Hence this application is not maintainable at this stage.

Petitioner institution has applied to NCMEI for grant of Minority Status Certificate. In the facts and circumstances of the case we deem just and proper that physical inspection report alongwith the recommendation for issuance of the minority status certificate to the petitioner institution, may be obtained from the committee consisting of following members: -

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

Office is directed to issue letter to the above Committee members for submitting the report.

List on 06.04.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

De Paul's Public School, Village - Kotrpara, Dotma P.O., Kokrajhar District, BTAD, Assam.

Vs.

The Joint Secretary, Education Department (Higher), Assam Secretariat, Block C, Secretariat Complex, Dispur, Guwahati-781006, Assam.

Case No. 83 of 2020

30.11.2021

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

None for the respondent.

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

It transpires from the petition that of the total 447 students, 47 students are from the Christian Minority Community.

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 06.04.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

St. Thomas Matriculation Higher Secondary School, 33/34, Stringer Street, Broadway, Chennai, Tamil Nadu.

Vs.

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

Case No. 84 of 2020

30.11.2021

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

Learned counsel for the petitioner filed 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. He has also submitted a copy of the same along with an envelope and postal stamp and four other documents, before the Commission's Office on dated 24.11.2021, which are taken on record.

Office is directed to issue notice of the above application to the respondent.

Learned counsel for the petitioner has prayed for time to file certified copies of the relevant documents.

It transpires from the petition that of the total 1824 students all are from Christian Minority Community.

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 04.04.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

Mount Carmel High School, Sector - 4, Near Oslo Cinema, Gandhidham, Kutch District, Gujarat - 370201.

Vs.

Commissioner of Schools, Commissionarate of Mid Day Meals and Schools, Government of Gujarat, Sector – 10, Gandhinagar, Gujarat.

Case No. 85 o 2020 30.11.2021

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

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

Leave and liberty is granted.

The petition is disposed of as withdrawn.

Office is directed to return the envelope and postal stamps to the Learned Counsel for the petitioner.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Madarsa Ishrat Public School, Gauriya, Laharpur, District- Sitapur, Uttar Pradesh.

Vs.

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

Case No. 86 of 2020

30.11.2021

Present: Mr. Vakeel Ahmed for the petitioner.

Petitioner has filed by hand a letter dated 10.03.2021 along with Unique ID, Recognition certificate, list on managing Committee for the year 2020-21, PAN card of the society and photocopy of the application submitted before the wrong State Competent Authority for grant of NOC, which are taken on record.

In the interest of justice, list on 13.04.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Madarsa Islamiya Faiz E Am, Gram - Pateraha Buzurg, Po - Balkudia, Padrauna, District - Kushin Nagar, Uttar Pradesh - 274304.

Vs.

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

Case No. 87 of 2020

30.11.2021

Present: None.

On dated 09.09.2021, we have directed Office to put this application along with file. But after 09.09.2021, Office has not complied said order so far.

Office is directed to be careful in future for compliance of the directions.

Mr. M. Nasrullah, Manager has filed an application on dated 09.09.2021 with the request that they want to withdraw the petition with liberty to file a fresh petition for the same relief. In the interest of justice said application of the petitioner is hereby accepted.

Leave and liberty is granted.

The petition is disposed of as withdrawn.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

IBS Global Academy, Sanver Road, Ujjain, Madhya Pradesh.

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

Case No. 89 o 2020

30.11.2021

Present: Mr. Praxit Kumar Gangrade for the petitioner. None for the respondent.

Mr. Praxit Kumar Gangrade appeared on behalf of the appeared on behalf of the petitioner.

It transpire from the record that this MSC application is filed by Mr. Praxit Kumar Gangrade who authorized signatory of Vikram Education Trust and NOC application dated03.03.2019 under Section 10 of NCMEI Act, 2004 is filed by the Secretary, Vikram Education Trust, Ujjain, Madhya Pradesh.

It also transpires from the record that CBSE Affiliation filed by the petitioner has also expired on dated 31.03.2021.

Petitioner is directed to file updated recognition/affiliation Certificate of the State/Central Board of Secondary Education (CBSE).

List on 19.04.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

Mar Severiose Memorial English Medium L.P. School, Kadapra - Mannar, Niranam, Pathanamthitta District, Kerala - 689115.

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

Case No. 209 of 2020

30.11.2021

Present: Ms. Manju A.Pattiyani, Advocate for the petitioner.

None for the respondent

Order dictated separately and pronounced, which reads as under:

"In view of the facts and observations, it is an admitted fact that the petitioner institution had applied to the State Competent Authority for grant of NOC under Section 10 of NCMEI Act, 2004. The said application was not decided by the State Competent Authority in accordance with the provisions of the NCMEI Act, 2004 and also as per the verdict of the Hon'ble Apex Court and passed the impugned order 28.05.2019. So in the interest of justice and without going into the merits of the case, we are of the considered opinion that it is just proper and fit case to send the matter back to the State Competent Authority to expeditiously decide the NOC application under Section 10 of the NCMEI Act, 2004 submitted by the petitioner institution and on the basis of documents produced by the petitioner institution".

Office is directed to send copy of this order to the State Competent Authority. 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

Infant Jesus B.C.G.H.S.S. Manaracaud, Kottayam District, Kerala. Vs.

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

Case No. 210 of 2020

30.11.2021

Present: Ms. Manju A.Pattiyani, Advocate for the petitioner. None for the respondent

Order dictated separately and pronounced, which reads as under:

"In view of the facts and observations, it is an admitted fact that the petitioner institution had applied to the State Competent Authority for grant of NOC under Section 10 of NCMEI Act, 2004. The said application was not decided by the State Competent Authority in accordance with the provisions of the NCMEI Act, 2004 and also as per the verdict of the Hon'ble Apex Court and passed the impugned order 28.05.2019. So in the interest of justice and without going into the merits of the case, we are of the considered opinion that it is just proper and fit case to send the matter back to the State Competent Authority to expeditiously decide the NOC application under Section 10 of the NCMEI Act, 2004 submitted by the petitioner institution and on the basis of documents produced by the petitioner institution".

Office is directed to send copy of this order to the State Competent Authority. 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

Infant Jesus E.M.L.P. School, Manaread, Kottayam District, Kerala. Vs.

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

Case No. 211 of 2020

30.11.2021

Present: Ms. Manju A.Pattiyani, Advocate for the petitioner. None for the respondent

Order dictated separately and pronounced, which reads as under:

"In view of the facts and observations, it is an admitted fact that the petitioner institution had applied to the State Competent Authority for grant of NOC under Section 10 of NCMEI Act, 2004. The said application was not decided by the State Competent Authority in accordance with the provisions of the NCMEI Act, 2004 and also as per the verdict of the Hon'ble Apex Court and passed the impugned order 28.05.2019. So in the interest of justice and without going into the merits of the case, we are of the considered opinion that it is just proper and fit case to send the matter back to the State Competent Authority to expeditiously decide the NOC application under Section 10 of the NCMEI Act, 2004 submitted by the petitioner institution and on the basis of documents produced by the petitioner institution".

Office is directed to send copy of this order to the State Competent Authority. 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

M.A.M. Bethany Public School, Kumily P.O., 1st Mile Kumily, Kumily, Kerala - 685509.

Vs.

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

Case No. 212 of 2020

30.11.2021

Present: Ms. Manju A.Pattiyani, Advocate for the petitioner.

None for the respondent

Order dictated separately and pronounced, which reads as under:

"In view of the facts and observations, it is an admitted fact that the petitioner institution had applied to the State Competent Authority for grant of NOC under Section 10 of NCMEI Act, 2004. The said application was not decided by the State Competent Authority in accordance with the provisions of the NCMEI Act, 2004 and also as per the verdict of the Hon'ble Apex Court and passed the impugned order 28.05.2019. So in the interest of justice and without going into the merits of the case, we are of the considered opinion that it is just proper and fit case to send the matter back to the State Competent Authority to expeditiously decide the NOC application under Section 10 of the NCMEI Act, 2004 submitted by the petitioner institution and on the basis of documents produced by the petitioner institution".

Office is directed to send copy of this order to the State Competent Authority. 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

St. Mary's Higher Second School, P.B. No. 90, Naviakhi Road, Morbi, Rajkot District, Gujarat - 363641

V/s.

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

Case No. 230 of 2020

30.11.2021

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

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

Leave and liberty is granted.

The petition is disposed of as withdrawn.

Office is directed to return the envelope and postal stamps to the Learned Counsel for the petitioner.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

Domien Public School, Diravianagar, Nilakottai, Dindigul Dt., Tamil Nadu.

Vs.

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

Case No. 365 of 2020

30.11.2021

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

Learned counsel for the petitioner has prayed for time to file certified copies of the relevant documents as well as to comply with the Commission's earlier Order dated 03.09.2020. In the interest of justice, time prayed for is allowed.

It transpires from the petition that of the total 501 students, only 87 students are from the Christian Minority Community.

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 19.04.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Madrasa Makhdoomiya Sirajul Uloom Jajmau, Kanpur, Uttar Pradesh.

1. Deputy Director, Minority Welfare Department, 6th Floor, Indira Bhawan, Lucknow, UP.

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

Case No. 366 of 2020

30.11.2021

Present: Mr. Afzal Ahmad for the petitioner

Mr. Laiq Ahmed, Secretary of the Society has filed five sets of the new application with some documents by hand on dated 08.03.2021, which are taken on record.

It transpires from the records that the application for grant of MSC is also pending before the State Competent Authority and this fact is also mentioned by the petitioner against the column no. 3 of the new application.

As per law and settled procedure, petitioner cannot apply before this Commission unless and until the Minority Status Certificate application is disposed by the State Competent Authority. Hence this application is not maintainable at this stage.

Mr. Afzal Ahmad submitted that they still want to continue the previous application which was filed by the petitioner before the the Commission on dated 10.09.2022.

In the interest of justice, list on 19.04.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

CORE School of Management, Vardhmanpuram, Roorkee, District – Haaridwar, Uttarakhand.

Vs.

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

**Appeal No. 02 o 2020** 

30.11.2021

Present: Mr. Rakesh Kumar Soni, Advocate for the appellant. None for the respondent.

Heard, learned counsel for the appellant at some length.

In the interest of justice, list the case for further arguments on 07.12.2021.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Al-Qalam English School, 169, Naik Nagar, L.B.S. Marg, Opp - Nature Park, Sion, Dharavi, Mumbai, Maharashtra - 400022.

Vs.

Joint Secretary, Minorities Development Department, Room No. 715, Mantralaya (Annexe), Mumbai – 400032.

Case No. 89 of 20221

30.11.2021

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

None for the respondent

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

Learned counsel for the petitioner has prayed for time to file certified copies of the relevant documents.

It transpires from the petition that of the total 245 students, 234 students are from the Muslim Minority Community.

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 19.04.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Sacred Heart H.P.S & High School, Mudgal, TK - Lingasugur Dist - Raichur, Karnataka - 584125.

Vs.

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

Case No. 90 of 2021

30.11.2021

Present: Mr. Tariq Adeeb, Advocate for the petitioner.

Mr. Tariq Adeeb, Advocate appeared on behalf of the petitioner and prayed for time to file his Vakalatmnama as well as to comply with the Commission's earlier Order dated 09.03.2021. In the interest of justice, time prayed for is allowed.

List on 20.04.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Infant Jesus PU College, Vidyanagar, Raichur, Karnataka - 584103. Vs.

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

Case No. 91 of 2021

30.11.2021

Present: Mr. Tariq Adeeb, Advocate for the petitioner.

Petitioner has sent by post two documents along with envelope and postal stamps, which were received in the Commission' Office on dated 29.09.021, are taken on record.

Mr. Tariq Adeeb, Advocate appeared on behalf of the petitioner and prayed for time to file his Vakalatmnama as well as to comply with the Commission's earlier Order dated 10.03.2021. In the interest of justice, time prayed for is allowed.

List on 20.04.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Navachetana Kanada Medium High School, Kavital, Raichur Dist., Karnataka - 584120.

Vs.

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

Case No. 92 of 2021

30.11.2021

Present: Mr. Tariq Adeeb, Advocate for the petitioner.

Mr. Tariq Adeeb, Advocate appeared on behalf of the petitioner and prayed for time to file his Vakalatmnama as well as to comply with the Commission's earlier Order dated 10.03.2021. In the interest of justice, time prayed for is allowed.

List on 20.04.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Sh. Radhey Pratap Singh, R/o. Village and Post – Akbarpur Farsi, District – Amethi, Uttar Pradesh.

V/s.

- 1. Wasi Naqvi National Inter College, Raebareli, U.P. & Anr.
- 2. Additional Chief Secretary, Bahukhandi Secretariat, Lucknow, UP
- 3. Directorate of Secondary Education, 18th Park Road, Lucknow, Government of Uttar Pradesh.

Case No. 27 of 2018

30.11.2021

Present: Ms. Savita Singh, Advocate for the applicant.

Mr. Mutjaba Azhar Naqvi for the respondent No.1.

Mr. Omkar Rana for respondent no.2 &3.

It transpires from the records that at the time of registration of this case inadvertently this case was registered under the head of MSC Cases instead of head of Miscellaneous cases.

Office is directed to dispose of this case from the head of MSC Cases and register it under the head of Misc. cases.

The notice sent to respondent no.3 i.e. Directorate of Secondary Education, 18th Park Road, Lucknow, UP is received back as un-served in the Commission on dated 29.09.2021 and is taken on record.

Learned counsel for the petitioner has filed application u/s 5 read with section 14 of the limitation Act alongwith Order 6, Rule 18, CPC for condonation of delay in filing the amended memo of the parties as per order dated 15.09.2021 with affidavit before the Commission on dated 16.11.2021 which is also taken on record.

Copy of said application has already been supplied to the respondent No. 1 and respondent no. 2 and 3.

Mr. Mutjaba Azhar Naqvi has filed objection against impleadment application, society renewal certificate, society by laws, signature attestation of Mujtaba Azhar Naqvi as a manager by DIOS, management committee list of the year 2020-21, trustees list of the year 2020-21 and proof of ID before the Commission's Office on dated 15.09.2021 which are taken on record.

Mr. Mutjaba Azhar Naqvi is directed to supply a copy of objection against impleadment application alongwith other documents to the learned counsel of the applicant/Petitioner.

Mr. Shravan Kumar Singh, Special Secretary, UP has sent by post a letter dated 11.10.2021 to Under Secretary of this Commission alongwith original notice of this Commission, which is received in the Commission's Office on dated 18.10.2021 and is taken on record.

Sh. Radhey Pratap Singh, Uttar Pradesh.

V/s.

- 1. Wasi Naqvi National Inter College, Raebareli, U.P. & Anr.
- 2. Additional Chief Secretary, Bahukhandi Secretariat, Lucknow, UP
- 3. Directorate of Secondary Education, Government of UP.

30.11.2021

Case No. 27 of 2018

#### **Continue from pre-page**

Office is directed to supply a copy of the said letter to the learned counsel for the Complainant.

Ms. Savita Singh, Advocate appeared on behalf of the applicant.

Mr. Mujtaba Azhar Naqvi appeared on behalf of respondent no. 1.

Mr. Omkar Rana, District inspector of schools appeared on behalf of respondent No. 2 & 3 and submitted that today only he has received the copy of the complaint and prayed for time to file the reply. In the interest of justice, time prayed for is allowed.

List on 13.01.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

English International School, Shivdham, Colony, Alote Ratalam, Dt., Madhya Pradesh.

V/s.

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

Case No. 92 of 2019

30.11.2021

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

None for the respondent.

Learned Counsel for the petitioner submitted that application dated 26.11.2018 u/s 10 of NCMEI Act, 2004 was filed by same person but at the end of this application it is mentioned Chairperson/President/ Secretary and in certified copy it is mentioned as Secretary/ Correspondent. Both the applications are different.

Learned Counsel for the petitioner prayed for time to clarify the position.

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

List on 13.01.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Noble College, Khasra No. 2210/1, 2201, 2206, 2207, 2271, 2272, Dt. Chhatarpur, Chatarpur, Madhya Pradesh – 471 001.

Secretary, Backward Classes & Minority Welfare Department, Government of Madhya Pradesh.

Case No. 101 of 2019

30.11.2021

Present: Mr. Iftekhar Ahmed, Advocate for the petitioner.
None for the respondent

On dated 04.02.2020 this Commission has given order for calling the Physical inspection report from the Committee. Despite registered letter dated 12.02.2020, 15.01.2021 and 09.09.2021 to the inspection committee, we have not received any report from the inspection committee.

Learned counsel for the petitioner has sent two documents (notarized copy of General Body Meeting and affidavit of online admissions) by post, which are received in the Commission's Office on dated 15.11.2021 and are taken on record.

Heard learned Counsel for the petitioner.

Reserved for orders.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Crystal College, Plot No. 339, Village – Guraiya, Dt. Chhatarpur, Chhatarpur, M.P. – 471 001.

V/s.

Secretary, Backward Classes & Minority Welfare Department, Government of Madhya Pradesh.

Case No. 102 of 2019

30.11.2021

Present: Mr. Iftekhar Ahmed, Advocate for the petitioner.
None for the respondent

On dated 04.02.2020 this Commission has given order for calling the Physical inspection report from the Committee. Despite registered letter dated 12.02.2020, 15.01.2021 and 09.09.2021 to the inspection committee, we have not received any report from the inspection committee.

Learned counsel for the petitioner has sent two documents (notarized copy of General Body Meeting and affidavit of online admissions) by post, which are received in the Commission's Office on dated 15.11.2021 and are taken on record.

Heard learned Counsel for the petitioner.

Reserved for orders.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Surbhi College of Education, Khasra No. 196/1/2, Village – Gadhmurra, Bhopal, District – Bhopal, Madhya Pradesh.

V/s.

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

Case No. 128 of 2019

30.11.2021

Present: Mr. Iftekhar Ahmed, Advocate for the petitioner.

None for the respondent

On dated 04.02.2020 this Commission has given order for calling the Physical inspection report from the Committee. Despite registered letter dated 12.02.2020, 15.01.2021 and 09.09.2021 to the inspection committee, we have not received any report from the inspection committee.

Learned counsel for the petitioner has sent two documents (notarized copy of General Body Meeting and affidavit of online admissions) by post, which are received in the Commission's Office on dated 15.11.2021 and are taken on record.

Heard learned Counsel for the petitioner.

Reserved for orders.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Mohi College of Education, Village – Dhol Khedi, Vidisha Road, Vidisha, Madhya Pradesh.

V/s.

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

Case No. 144 of 2019

30.11.2021

Present: Mr. Iftekhar Ahmed, Advocate for the petitioner.

None for the respondent

On dated 04.02.2020 this Commission has given order for calling the Physical inspection report from the Committee. Despite registered letter dated 13.02.2020, 15.01.2021 and 09.09.2021 to the inspection committee, we have not received any report from the inspection committee.

Learned counsel for the petitioner has sent two documents (notarized copy of General Body Meeting and affidavit of online admissions) by post, which are received in the Commission's Office on dated 15.11.2021 and are taken on record.

Heard learned Counsel for the petitioner.

Reserved for orders.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Dr. A.P.J. Abdul Kalam College of Education, Plot No. 1140/10 KA, Village – Panti, Tehsil – Gurh, District – Rewa, Madhya Pradesh.

V/s.

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

Case No. 158 of 2019

30.11.2021

Present: Mr. Iftekhar Ahmed, Advocate for the petitioner. None for the respondent.

On dated 04.02.2020 this Commission has given order for calling the Physical inspection report from the Committee. Despite registered letter dated 13.02.2020, 15.01.2021 and 09.09.2021 to the inspection committee, we have not received any report from the inspection committee.

Learned counsel for the petitioner has sent two documents (notarized copy of General Body Meeting and affidavit of online admissions) by post, which are received in the Commission's Office on dated 15.11.2021 and are taken on record.

Heard learned Counsel for the petitioner.

Reserved for orders.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Aditya Kiran College of Applied Studies, Kuttoor P.O., Mathamangalam, Kannur, Kerala.

V/s.

The Principal Secretary, Higher Education Department, Government of Kerala, Thiruvananthapuram, Kerala.

Case No. 184 of 2019

30.11.2021

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

None for the respondent.

Despite notice to the Physical Inspection Committee, we have not received any response from the Committee.

Office is directed to again send reminder to the Physical Inspection Committee for sending the report.

It transpires from the record that out of 487 total students, 367 are from the Muslim Minority Community.

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

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

List on 16.02.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

Ar-Rahman Nursery & Primary School, Ameenabad Khaderpet, Vaniyambadi, Vellore District, Tamil Nadu.

V/s.

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

Case No. 258 of 2019

30.11.2021

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

None for the respondent

Learned counsel for the petitioner again prayed for time to file certified copies of all the relevant documents as well as to comply with the Commission's earlier Order dated 18.08.2021.

It transpires from the records that all the total 279 students are from the Muslim Minority Community in this un-aided institution.

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

Office is directed to scrutinize the file and maintain it properly. List on 10.03.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

St. John's Primary School, 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. 259 of 2019

30.11.2021

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

Learned counsel for the petitioner again prayed for time to file certified copies of all the relevant documents as well as to comply with the Commission's earlier Order dated 18.08.2021.

It transpires from the records that out of 693 students only 08 students are from the Muslim Minority Community.

List on 16.03.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

Ebenezer Aided Middle School, Katpadi, Vellore District, Tamil Nadu - 632007

V/s.

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

Case No. 326 of 2019

30.11.2021

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

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

List on 17.03.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Darul Quran Residential School, Alathiyoor P.O., Tirur, Malappuram, Kerala.

Vs

The Secretary, General Education Department, Government of Kerala.

Case No. 444 of 2019

30.11.2021

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

Learned counsel for the petitioner has again prayed for time to file the relevant documents as well as to comply with the Commission's earlier Order dated 24.07.2019.

List on 23.03.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Guru Ramdas College of Education, Near Government Polytechnic College, Jabalpur Naka, Damoh District, Madhya Pradesh

Vs.

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

Case No. 459 of 2019

30.11.2021

Present: Mr. Ajay Deep Mishra, Advocate for the petitioner. None for the respondent.

Learned counsel for the petitioner do not want to press this petition.

Hence, the petition is disposed of as not pressed.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Shri Guru Nanak Higher Secondary School, Damoh, Near Government Polytechnic College, Jabalpur Naka Damoh District, Madhya Pradesh

Vs.

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

Case No. 460 of 2019

30.11.2021

Present: Mr. Ajay Deep Mishra, Advocate for the petitioner. None for the respondent.

Learned counsel for the petitioner prayed for time to clarify the position stated in the Commission's earlier order dated 10.08.2021. In the interest of justice, time prayed for is allowed.

List on 23.03.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

The Sana Nursery and Primary School, Old No. 17, New No. 4, Varadarajulu Street, Egmore, Chennai, T.N.

V/s.

Principal Secretary, Health and Family Welfare Department, Government of T.N.

Case No. 623 of 2019

30.11.2021

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

Learned counsel for the petitioner prayed for time for final arguments.

In the interest of justice, list on 13.04.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

St. Xavier's School, P.B. No. 03, P.N. Marg, Jam Nagar, Gujarat. Vs.

Commissioner of Schools, Block No. 9-1, Dr. Jivraj Meheta Bhawan, Gandhinagar, Gujarat-382010.

Case No. 691 of 2019

30.11.2021

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

Learned Counsel for the petitioner again prayed for time to file certified copies of the relevant documents as well as general body resolution of the Society. In the interest of justice, time prayed for is allowed.

It transpires from the records that this petition for grant of MSC is filed by Fr. Thomas Joseph Kolamkuzhiyil, President of the Society but application for grant of NOC dated 20.05.2019 u/s 10 of NCMEI Act, 2004 was filed by Fr. Wilson Mathew, Principal of the petitioner school.

List on 13.04.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Nahar Convent School, Mahalwada, Jain Colony, District & Tehsil - Ratlam, Madhya Pradesh.

V/s

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

Case No. 702 of 2019

30.11.2021

Present: Mr. Iftekhar Ahmed, Advocate for the petitioner.
None for the respondent

Despite letter to the Physical Inspection Committee, we have not received any response from the Committee.

Office is directed to again send reminder to the Physical Inspection Committee for sending the report.

Learned counsel for the petitioner has sent by post notarized copy of general body meeting which is received in the Commission's Office on dated 15.11.2021 and is taken on record.

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

It transpires from the records that out of 259 total students, 34 students are from the Jain Minority Community.

Learned counsel for the petitioner also submitted that this institution is from Nursery to 8<sup>th</sup> grade.

List on 13.04.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

Shree Nahar Convent School, Bibdod Road, Infront of Jayant Sen Dham, District & Tehsil - Ratlam, Madhya Pradesh.

V/s.

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

Case No. 703 of 2019

30.11.2021

Present: Mr. Iftekhar Ahmed, Advocate for the petitioner.

None for the respondent

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

Learned counsel for the petitioner has sent by post notarized copy of general body meeting which is received in the Commission's Office on dated 15.11.2021 and is taken on record.

Learned counsel for the petitioner also submitted that this institution is upto 12th grade.

It transpires from the records that out of 1299 total students, 324 students are from the Jain Minority Community.

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

Petitioner institution has applied to NCMEI for grant of minority status certificate. In the facts and circumstances of the case we deem it just and proper that physical inspection report alongwith the recommendation may be obtained from the following committee 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)
- Concerned District Minority Welfare Officer/ Concerned District Social Welfare Officer (Member Secretary) .

Office is directed to issue letter to the above authorities.

In the interest of justice, list on 13.04.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

- 1. Maharashtra Cosmopolitan Education Society, through its presidents, Dr. P.A. Inamdar, 2390-B, K.B. Hidayatullah Road, New Modikhana, Azam Campus, Camp, Pune 400001
- 2. M.C.E. Society's Allana College of Architecture, Pune through its Professor and In-Charge Principal i.e. Prof. Lina Debnath, 2390-B, K.B. Hidayatullah Road, New Modikhana, Azam Campus, Camp, Pune 400001

Vs.

- 1. State of Maharashtra through its Principal Secretary, Higher & Technical Education Depatt., 4th Floor, Manttralaya Annex, Madam Cama Road, Nariman Point Mumbai.
- 2. Savitribai Phule Pune University through its Registrar, Pune University Road, Ganeshkhind, Pune 411007
- 3. Council of Architecture, through its Registrar, India habitat Centre, Core 6A, 1st Floor, Lodhi Road, New Delhi

Misc. Case No. 29 of 2019

30.11.2021

Present: None for the petitioner

Mr. Siddharth Singh, Prajwal M.R. for respondent No.2.

Mr. Siddharth Singh and Mr. Prajwal M.R. appeared on behalf of respondent No.2 i.e. Savitribai Phule Pune University through its Registrar, Pune University Road, Ganeshkhind, Pune – 411007 and prayed for time to file the reply.

None appeared on behalf of respondent No. 1 and 3 even in the second round.

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

In the interest of justice, list on 16.02.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

- 1. Maharashtra Cosmopolitan Education Society, through its presidents, Dr. P.A. Inamdar, 2390-B, K.B. Hidayatullah Road, New Modikhana, Azam Campus, Camp, Pune 400001
- 2. M.C.E. Society's Allana College of Pharmacy, Pune through its Principal i.e. Dr. Kiran S. Bhise, 2390-B, K.B. Hidayatullah Road, New Modikhana, Azam Campus, Camp, Pune 400001 Vs.
- 1. State of Maharashtra through its Principal Secretary, Higher & Technical Education Depatt., 4th Floor, Manttralaya Annex, Madam Cama Road, Nariman Point Mumbai.
- 2. Savitribai Phule Pune University through its Registrar, Pune University Road, Ganeshkhind, Pune 411007

Misc. Case No. 30 of 2019

30.11.2021

Present: None for the petitioner

Mr. Siddharth Singh, Prajwal M.R. for respondent No.2.

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

Mr. Siddharth Singh and Mr. Prajwal M.R. appeared on behalf of respondent No.2 i.e. Savitribai Phule Pune University through its Registrar, Pune University Road, Ganeshkhind, Pune – 411007 and prayed for time to file the reply.

List on 16.02.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER