Jai Narsingh College of Education, Khasra No. 150/1, Gram Jambdudi Hapsi, Tehsil Hatod, District Indore, Madhya Pradesh.

Vs

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

Case No. 142 of 2019

06.01.2022

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.

Learned Counsel for the petitioner filed an application under Order 6 Rule 17 CPC read with Section 12(2) of NCMEI Act, 2004 seeking permission to amend the application for grant of Minority Status Certificate dated 29.03.2019.

We have heard the Learned Counsel for the petitioner on the said application.

Learned Counsel for the petitioner submitted that the Declaration part of the MSC application and in the Affidavit, the name of the President was wrongly mentioned as Mr. Pravin Jain instead of Smt. Asha Jain.

So he prayed for just and proper adjudication of the present petition and an amendment is necessary in the original petition.

Learned Counsel for the petitioner submitted that Smt. Asha Jain D/o Shri Rajmal Jain has filed her Affidavit and an amended petition.

For the reasons mentioned in the application the application is hereby allowed.

Amended petition for grant of MSC and an Affidavit of Smt. Asha Jain is taken on record.

In the interest of justice, Learned Counsel for the petitioner is directed to submit one more envelope and postal charges for again sending notice to the respondent along with copy of the amended petition for grant of MSC.

This is one of the old case in this Commission and there is also recommendation of the Hon'ble Minister of Minority Affairs, Government of India.

Despite notice to the respondent, no response has been received so far. Therefore, Physical Inspection Report may be called from the Committee

Petitioner institution has applied to the 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 recommendations for issuance of minority status certificate to the petitioner institution, may be obtained from the committee consisting of the following members: -

- 1. Representative of the District Collector (Chairperson
- 2. Concerned District Education Officer (Member)
- 3. 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.

After compliance of the above order by the Learned counsel for the petitioner, Office is directed to issue notice to the respondent.

In the interest of justice, list on 24.02.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Dr. Kalignar Karunanithi Girls Primary School, Kamarajar Salai, Ashoknagar, Chennai, Tamil Nadu.

V/s.

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

Case No. 429 of 2019

06.01.2022

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 filed six documents before the Commission's office on dated 29.12.2021, which are taken on record.

Respondent has sent by post, Counter Affidavit along with covering letter dated 20.12.2021 before the Commission's Office on dated 31.12.2021, which is taken on record.

Heard, learned counsel for the petitioner.

Reserved for Orders.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

St. Joseph's College of Arts and Science for Women, Mookandapalli, Sipcot, Hosur, Krishnagiri Dt., Tamil Nadu.

V/s.

Principal Secretary, Higher Education Dept., Government of Tamil Nadu, Fort St. George, Secretariat, Chennai, Tamil Nadu.

Case No. 430 of 2019 06.01.2022

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 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 filed a copy of the above along with an envelope and postal stamp and also six documents submitted by hand before the Commission's Office on dated 29.12.2021, which are taken on record.

Heard, learned counsel for the petitioner.

Reserved for Orders.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

St. Justin Arts and Science College for Women, Cholapuram, Sivagangai Dr., Tamil Nadu.

V/s.

Principal Secretary, Higher Education Dept., Government of Tamil Nadu, Fort St. George, Secretariat, Chennai, Tamil Nadu.

Case No. 431 of 2019

06.01.2022

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 filed six documents before the Commission's office on dated 29.12.2021, which are taken on record.

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

List on 05.04.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

St. Mary's R.C. Primary School, Chinnadharapuram, Aravankurichi Taluk, Kurur Dt., Tamil Nadu.

V/s.

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

Case No. 432 of 2019 06.01.2022

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 filed five documents before the Commission's office on dated 29.12.2021, which are taken on record.

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

List on 05.04.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

St. Joseph's Academy, Sipcot, Housing Colony, Dharga, Hosur, Krishnagiri Dt., Tamil Nadu.

V/s

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

Case No. 433 of 2019 06.01.2022

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 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 filed a copy of the above along with an envelope and postal stamp and also five documents submitted by hand before the Commission's Office on dated 29.12.2021, which are taken on record.

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

Learned counsel for the petitioner again prayed for time to filed relevant documents.

List on 05.04.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

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

Vs.

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

Case No. 650 of 2019

06.01.2022

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 filed RTI reply by hand, before the Commission's Office on dated 30.12.2021, which is taken on record.

Learned counsel for the petitioner has again prayed for time to comply with the Commission's earlier Order dated 17.08.2019.

In the interest of justice, list on 28.04.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Markaz Public High School, Kottamudi, Paloor Post, Madikeri, Kodagu, Karnataka - 571214.

Vs

- 1. Principal Secretary to Government, Education Department (Higher Education) Govt. of Karnataka Sixth Floor, Multistoreyed Building, Bengaluru-560001
- 2. Additional Chief Secretary to Government, Education Department (Higher Education) Govt. of Karnataka Sixth Floor, Multi-storeyed Building, Bengaluru-560001

Case No. 48 of 2020

06.01.2022

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.

Learned Counsel for the petitioner filed four documents before the Commission's office on dated 28.12.2021, which are taken on record.

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.

In the interest of justice, list on 04.05.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Al-Hudha High School, Anbu Nagar, Tiruchirappalli, Tamil Nadu - 620007.

Vs.

Principal Secretary, School Education Department, Government of Tamil Nadu, Fort St. George, Secretariat, Chennai, Tamil Nadu – 9.

Case No. 49 of 2020

06.01.2022

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.

Learned counsel for the petitioner has again prayed for time to comply with the Commission's earlier Order dated 16.01.2020.

It transpires from the petition that of the total 343 students, 311 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 04.05.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Islahiya Arabic College, Anbu Nagar, Kulptti Road, Tiruchirappalli, Tamil Nadu - 620007.

Vs.

Principal Secretary, School Education Department, Government of Tamil Nadu, Fort St. George, Secretariat, Chennai, Tamil Nadu – 9.

Case No. 52 of 2020

06.01.2022

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.

Learned counsel for the petitioner has again prayed for time to comply with the Commission's earlier Order dated 16.01.2020.

It transpires from the petition that of the total 189 students all are from 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 04.05.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Shri Selva Vinayagar Primary School, Anbu Nagar, Tiruchirappalli, Tamil Nadu - 620007.

Vs.

Principal Secretary, School Education Department, Government of Tamil Nadu, Fort St. George, Secretariat, Chennai, Tamil Nadu – 9.

Case No. 53 of 2020

06.01.2022

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.

Learned counsel for the petitioner has again prayed for time to comply with the Commission's earlier Order dated 16.01.2020.

It transpires from the petition that of the total 84 students, 72 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 04.05.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

M S Creative School, IFA Building, Haldoni, Greater Noida, Uttar Pradesh - 201306.

Vs.

1. Principal Secretary, Secondary Education, Depatt. Of Education, Govt. of UP, Bahu Khandi, Secretariat, Lucknow. UP.

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

Case No. 278 of 2020

06.01.2022

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 submitted that the petitioner institution is closed now and is not functioning.

On this ground the learned Counsel for the petitioner seeks leave to withdraw the petition.

Leave is granted.

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

The petition is disposed of as withdrawn.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

The Grace Modern Junior High School, 110, Agha Colony, Civil Lines, Sitapur, Uttar Pradesh - 261001.

Vs

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

Case No. 279 of 2020

06.01.2022

Present: None.

Despite notice by e-mail to the petitioner, none appeared on behalf of the petitioner, even in second round.

As per the earlier order dated 01.09.2020, the petitioner has applied on dated 21.07.2019 for grant of NOC to the wrong State Competent Authority.

Petitioner has also not filed any proof of delivery of the said application to the State Competent Authority for grant of NOC.

Office is again directed to again send notice to the petitioner by regd. A.D./email.

List on 11.05.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

Vibgyor Roots and Rise English Medium Primary School, Survey No. 35/2A1A1P2, Bangra Kulur Kulur Post, Vibgyor School Road, Behind Delta House, Mangalore, Karnataka - 575013.

Vs.

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

Case No. 39 of 2021

06.01.2022

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 and again prayed time for adjournment. List on 18.05.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Vibgyor Roots and Rise, Survey No. 84/3, next to Vaswani Reserve, Panathur Main Road, Panatuhr Post, Bangalore East Taluk, Bangalore, Karnataka - 560103.

Vs.

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

Case No. 40 of 2021

06.01.2022

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.

Heard learned counsel for the petitioner.

Reserved for Orders.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

RS

Vibgyor High, No. 52/6, 53/5D, 53/5C, 24th Main 2nd Sector, Haralakunte Village, H.S.R. Layout, Haralakunte Village, Begur Hobli, Bengaluru, Karnataka - 560068.

Vs.

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

Case No. 41 of 2021

06.01.2022

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.

Heard learned counsel for the petitioner.

Reserved for Orders.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

RS

Phoenix International School, Near Toll Tax, Gram Bhuteda, Thasil Jaora, Ratlam District, Bhuteda, Madhya Pradesh.

Vs.

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

Case No. 44 of 2021

06.01.2022

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.

Heard, learned Counsel for the petitioner regarding the percentage of Jain minority community in the State of Madhya Pradesh.

Office is directed to send notice to the respondent by registered AD/e-mail.

It transpires from the records that this application is filed by Mr. Yashwant Kumar, President of Uplai Gopal Shikshan Samiti and authorized representative of Phoenix International School but in Unique ID his name is shown as Yashwant Kumar bafana.

Learned counsel for the petitioner prayed for time to clarify the above position.

List on 19.05.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

New Little Flower Matriculation Hr. Sec. School, Nadwa Nagar Schoolagiri, District Krishnagiri, Tamil Nadu - 635117.

Vs.

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

Case No. 147 of 2021

06.01.2022

Present: None.

Despite registered notice to the petitioner and e-mail also, none appeared on behalf of the petitioner even in the second round.

Office is again directed to again issue notice to the petitioner by e-mail in compliance of earlier order dated 14.07.2021.

In the interest of justice, list on 19.05.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

RS

Spring Dale School, Dhoom Manikpur, Dadri, U.P. -203207. Vs.

Additional Chief Secretary, Department of Higher Education, Govt. of U.P., Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh - 226001.

Case No. 148 of 2021

06.01.2022

Present: None.

Despite notice to the petitioner by e-mail, none appeared on behalf of the petitioner even in the second round.

Petitioner has sent an e-mail that on dated 06.01.2022, the date fixed for hearing of this case, she is out of station and prayed for adjournment and has filed copy of NOC application dated 25.08.2021 which is filed by the petitioner after filing the application for grant of MSC before this Commission.

Looking into the facts of the case this petition for grant of MSC is not maintainable as such because at the time of filing application for grant of MSC before this Commission the petitioner has not applied before the State Competent Authority for grant of NOC.

In the interest of justice, list on 13.01.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Don Bosco Arts & Science College (Co-Education), 45, Londons Road, Kilpauk, Chennai, Tamil Nadu - 600010.

Vs.

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

Case No. 149 of 2021

06.01.2022

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

Learned counsel for the petitioner again prayed for time to comply with the Commission's earlier order dated 14.07.2021. In the interest of justice, time prayed for is allowed.

List on 19.05.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

RS

Holy Family School, Jagarnathpur, Barharwa, Jhikitia, Sahibganj Dt., Jharkhand - 816101.

Vs.

Director Secondary Education Under school education & literacy department 3 rd floor, MDI Building, S.E & L. Department Behind project bhawan, Post-Dhurwa, Dist-Ranchi-834004.

Case No. 150 of 2021

06.01.2022

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

Learned counsel for the petitioner has submitted six documents before the Commission's Office on dated 15.12.2021 which are taken on record.

Learned counsel for the petitioner again prayed for time to comply with the Commission's earlier order dated 14.07.2021. In the interest of justice, time prayed for is allowed.

List on 19.05.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER