

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

Benchmark International School, ILLathappadi Road, South Annara, Thirur, District - Malappuram, Kerala – 676101.

V/s.

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

Case No. 321 of 2019

18.10.2022.

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

Learned Counsel for the petitioner again prayed for last and final opportunity to file the General Body Resolution of the petitioner Trust. In the interest of justice, last and final opportunity is granted

He has submitted that some members of the Trust are out of Country.

Despite inspection done by the members of the Physical Inspection Committee, as per learned counsel for the petitioner , we have not received any response/Physical inspection report from the members of the said Committee till now.

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

List on 24.11.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

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

18.10.2022

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The petition is disposed of as withdrawn.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 envelope to the learned counsel for the petitioner.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

Don Bosco Higher Secondary School, 130, Madhavaram High Road, Perambur, Chennai, Tamil Nadu

V/s.

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

Case No. 357 of 2019

18.10.2022

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

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

Learned counsel for the petitioner submitted that except the recognition/ affiliation order issued by State Board/ CBSE, certified copies of all other relevant documents are already on record.

A similar case of Don Bosco Nursery and Primary School, 130, Madhavaram High Road, Perambur, Chennai, Tamil Nadu Vs The Principal Secretary, School Education Department, Government of Tamil Nadu, Fort St. George, Secretariat, Chennai - 600009, Tamil Nadu registered as Case No. 336 of 2019 was already decided by this Commission. Present case is also similar.

Heard, learned counsel for the petitioner.

Reserved for Orders.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**Sacred Heart Convent School, Pak Dil Nagar, Mari Gorh Singh,
P.O. Bhikhiwind, Tarn Taran, Punjab.**

Vs

- 1. Director of Public Instruction (S.E), Punjab Block E, Vidya Bhawan, 4 th Floor Complex Punjab School Education Board, Sector 62, S.A.S. Nagar, Punjab.**
- 2. Additional Chief Secretary Room No. 510, Fifth Floor, Punjab Civil, Secretariat-II, Sector-09, Chandigarh**

Case No. 633 of 2019

18.10.2022

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

Learned counsel for the petitioner prayed for time to take instructions from his Client about the clarification of the then Secretary , Fr. Joseph Kanjirakatt and present Secretary of the petitioner Society and also the beneficiary clause in the MoA of the Society.

In the interest of justice, list on 01.12.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**Mother Clarac Matriculation School, Kuppangulam,
Kumbakonam, Thanjavur District, Tamil Nadu - 612002**

V/s.

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

Case No. 678 of 2019

18.10.2022

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

Learned counsel for the petitioner submitted that petitioner has already filed the rejoinder and now they don't want to file any rejoinder further.

Learned counsel for the petitioner prayed for time to file updated recognition/ affiliation order issued by State Board or CBSE and also the relevant documents about the beneficiary clause in the Trust deed.

List on 01.12.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**Mount Hira Academy Nursery & Primary School, 52/8H, Net
Complex, 2nd Rajaji Street, Nellikuppam, Tamil Nadu - 607105**

V/s.

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

Case No. 686 of 2019

18.10.2022

Present: Mr. Junais P., 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 envelope and postage charges to
the learned counsel for the petitioner.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**Quadeer Husain Inter College, Ganjundwara, Dt. – Kasganj,
Uttar Pradesh.**

Vs.

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

CASE NO. 741 of 2019

18.10.2022.

Present: Mr. Abdul Vakeel for the petitioner.
None for the respondent.

In compliance of the Commission's earlier Order dated 17.05.2022, the Physical inspection Committee has sent by post the inspection report along with the covering letter dated 05.09.2022 which is received in the Commission's Office on dated 08.09.2022 and is taken on record.

Petitioner has sent by post General Body Resolution of the petitioner Society along with the covering letter dated 23.09.2022 which is received in the Commission's Office on dated 27.09.2022 and is taken on record.

Petitioner has submitted that he has filed certified copies of all the relevant documents.

In the interest of justice, now fix the case for final arguments on 06.12.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

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

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

Case No. 747 of 2019

18.10.2022

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

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

Learned Counsel for the petitioner submitted that petitioner has approached the members of the Physical inspection Committee and provided all the relevant documents to the said Committee but till now, they have not inspected the petitioner institution.

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

Office is also directed to provide a copy of the reminder letter to the learned counsel for the petitioner for perusal.

Learned Counsel for the petitioner is again directed to approach the members of the Physical inspection Committee and provide all the relevant documents to the said Committee.

Learned counsel for the petitioner has filed notarized copy of the recognition order of the petitioner institution issued by District Education Officer, Indore before the Commission's Office on dated 23.09.2022 which is taken on record.

List on 07.12.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**G.D. Global School, Kartalpur Bypass, Palhani Azamgarh,
District - Azamgarh, Uttar Pradesh - 276001**

V/s.

- 1. Additional Chief Secretary, Department of School Education, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh.**
- 2. Additional Chief Secretary, Govt. of U.P., Department of Secondary Education, Bahukhandi Secretariat, Lucknow, UP.**

Case No. 750 of 2019

18.10.2022

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

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

Learned Counsel for the petitioner submitted that petitioner has approached the members of the Physical inspection Committee and provided all the relevant documents to the said Committee but till now, they have not inspected the petitioner institution.

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

As per Order dated No. 989/52-3-2022- र. त. (30)/2014 dated 14.06.2022, Lucknow, State of Uttar Pradesh has appointed Additional Chief Secretary, Deptt. of Secondary Education as the Competent Authority. So, Office is directed to add the said authority as respondent No.2.

Learned counsel for the petitioner is directed to submit one more envelope and postal charges along for sending regd. notice to the newly added respondent no.02.

After compliance of the above order by the learned counsel for the petitioner, Office is directed to issue notice to the respondent no.02 by reg AD/e-mail.

List on 07.12.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**Kerala Residential High School, Pandikasala, Kooriya P.O.,
Malappuram District, Kerala - 676306**

V/s.

**Secretary, General Education Department,
Thiruvananthapuram, Kerala**

Case No. 753 of 2019

18.10.2022

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

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

Learned counsel for the petitioner submitted that the members of the Physical inspection Committee have already inspected their educational institution.

We have received an e-mail from District Education Officer, Malappuram in the Commission's Office on dated 22.09.2022, which is taken on record.

Learned counsel for the petitioner submitted that the members of the Physical inspection Committee have already mailed the physical inspection report to this Commission.

Office is directed to check for physical inspection report and if received on e-mail or in the Commission's Office, then place the same on record.

Learned counsel for the petitioner prayed for time to file updated recognition/ affiliation order issued by the State Board/ CBSE.

List on 08.12.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**Jothi Dharman Assissi Hr. Sec. School, Sathangudi P.O.,
Madurai Dt., Tamil Nadu.**

Vs.

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

Case No. 783 of 2019

18.10.2022

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

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

We have received a letter No. 5339/213/2022 dated Sep, 2022 by post which is in Tamil language and can't be read by anyone in the Commission received in the Commission's Office on dated 03.10.2022 and is taken on record.

Learned counsel for the petitioner submitted that the members of the Physical inspection Committee have not inspected their educational institution however petitioner has already approached the said Committee members and provided all the relevant documents to them.

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

Office is also directed to provide a copy of the reminder letter to the learned counsel for the petitioner for perusal.

Learned Counsel for the petitioner is again directed to approach the members of the Physical inspection Committee.

List on 08.12.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**Saifee Golden Jubilee Quaderia College, Burhanpur,
M.P.**

V/s.

**Secretary, Backward Classes and Minority Welfare
Department, Government of M.P., Room No. 339,
Mantralaya, Bhopal, M.P.**

Case: 56 of 2020

Date: 18.10.2022

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

In compliance of earlier order dated 05.07.2022, physical inspection committee has sent their report alongwith covering letter dated 25.08.2022, which was received by the Commission by post on dated 31.08.2022, which is taken on record.

List the case for final arguments on 13.12.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

Ks

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

**Quaderia Burhani English Hr. Sec. School, Itwara Main
Road, Tehsil Burhanpur, Khandwa Dist., M.P.**

V/s.

**Secretary, Backward Classes and Minority Welfare
Department, Government of M.P., Room No. 339,
Mantralaya, Bhopal, M.P.**

Case: 57 of 2020

Date: 18.10.2022

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

None for the respondent.

Despite letter by post and also by e-mail to the members of the physical inspection committee, we have not received any response/physical inspection report from the members of the said committee till now.

The District Education Officer, Khandwa has addressed a letter dated 26.07.2022 to the District Education Officer, Burhanpur, for sending inspection report, which is received by the Commission on dated 06.09.2022. The said letter is taken on record.

The District Collector, Khandwa has also addressed a letter dated 17.09.2022 to the Collector, Burhanpur for sending physical inspection report to this Commission in compliance of earlier order of this Commission. The said letter was received by the Commission on dated 04.10.2022 and the same is taken on record.

The petitioner institution Quaderia Burhani English Hr. Sec. School, Itwara Main Road, Tehsil Burhanpur, Khandwa Dist., M.P, has mentioned District Khandwa in the application form for grant of minority status certificate as prescribed by the Commission but as per above-said letters of District Education Officer, Khandwa and District Collector, Khandwa, Burhanpur and Khandwa are both different districts of Madhya Pradesh.

Learned counsel for the petitioner prayed time to take instructions from his client about the name of district in which petitioner institution is located.

Learned counsel for the petitioner also submitted that members of physical inspection committee have already inspected their educational institution.

Office is directed to issue letter to the members of physical inspection committee, dist. burhanpur for sending the report positively before the next date of hearing and a copy thereof also sent to the members of physical inspection committee, dist. khandwa.

In the interest of justice, list on 13.12.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

Ks

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

**M S Creative School, Municipal No. 1-4-758/7 to 10, 10A,
10B, Bakaram, Musheerabad, Hyderabad, Telangana.**

V/s.

**Secretary, Minorities Welfare Department, Government
of Telangana, Hyderabad, Telangana.**

Case: 285 of 2020

Date: 18.10.2022

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

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

The Principal Secretary to Government, Minorities Welfare (ESTT-II) Department, Government of Telangana, has sent a photocopy of letter dated 08.08.2022 alongwith copies of some unsigned papers by post, which was received by the Commission on dated 17.08.2022. Photocopy of above-said letter alongwith copies of some unsigned papers are taken on record.

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

Office is directed to provide a copy of the reminder letter to the learned counsel for the petitioner for perusal.

Learned Counsel for the petitioner is directed to approach the members of the Physical inspection Committee and provide all the relevant documents to the said Committee.

Learned counsel for the petitioner again prayed for time to file updated recognition/affiliation certificate issued by Central/ State Examination Board.

In the interest of justice, list on 13.12.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

Ks

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

**M S Creative School, Municipal No. 13-8-429, Plot No. 7,
Gudimalkapur, Mehdiapatnam, Hyderabad, Telangana.**

V/s.

**Secretary, Minorities Welfare Department, Government
of Telangana.**

Case: 286 of 2020

Date: 18.10.2022

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

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

The Principal Secretary to Government, Minorities Welfare (ESTT-II) Department, Government of Telangana, has sent a photocopy of letter dated 08.08.2022 alongwith copies of some unsigned papers by post, which was received by the Commission on dated 17.08.2022. Photocopy of above-said letter alongwith copies of some unsigned papers are taken on record.

The letter dated 07.09.2022 issued by the Commission to the District Social Welfare Officer(Member Secretary), Dist. Hyderabad, Telangana, received unserved on 22.09.2022. The same is taken on record.

Learned counsel for the petitioner submitted that due to shortage of students, the management of petitioner institution has decided to close the institution for some period.

Learned counsel for the petitioner seeks leave to withdraw the petition with liberty to file a fresh petition for the same relief. Leave and liberty is granted. The petition is disposed of as withdrawn. Office is directed to return envelope and postage charges to the learned counsel for the petitioner.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

Ks

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

**M S Future School, Plot No. 18, Heera Nagar, Upparpally,
Rajendra Nagar, Telangana.**

V/s.

**Secretary, Minorities Welfare Department, Government
of Telangana.**

Case: 287 of 2020

Date: 18.10.2022

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

None for the respondent.

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

The Principal Secretary to Government, Minorities Welfare (ESTT-II) Department, Government of Telangana, has sent a letter dated 08.08.2022 alongwith copies of some unsigned papers by post, which was received by the Commission on dated 17.08.2022. The above-said letter alongwith copies of some unsigned papers are taken on record.

The letter dated 09.09.2022 issued by the Commission to the District Social Welfare Officer(Member Secretary), Dist. Hyderabad, Telangana, received unserved with a note that insufficient address on 22.09.2022. The same is taken on record.

Learned counsel for the petitioner is directed to provide proper address of third member of physical inspection committee.

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

Office is directed to provide a copy of the reminder letter to the learned counsel for the petitioner for perusal.

Learned Counsel for the petitioner is directed to approach the members of the Physical inspection Committee and provide all the relevant documents to the said Committee.

Learned counsel for the petitioner again prayed for time to file updated recognition/affiliation certificate issued by Central/ State Examination Board.

In the interest of justice, list on 14.12.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

Ks

GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR MINORITY
EDUCATIONAL INSTITUTIONS

**Bethel Matriculation Higher Secondary School, No. 15,
Sarathy Nagar, 2nd Street, Velachery, Chennai, T.N.**

V/s.

**Principal Secretary, School Education Department,
Government of T. N., Rina Road, Fort St. George,
Secretariat, Chennai, T.N.**

Case: 105 of 2021

Date: 18.10.2022

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

The Hon'ble High court of Judicature at Madras has sent a copy of order dated 05.08.2022 passed in Writ Petition No. 17371 of 2022, which is received by the Commission on dated 20.09.2022, which is taken on record.

Heard learned counsel for the petitioner. Reserved for orders.

JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN

DR. JASPAL SINGH
MEMBER

Ks

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

**Immaculate College of Education for Women,
Pakkamudayanpet, Puducherry.**

V/s.

Lieutenant Governor, Raj Nivas, Puducherry.

Case: 106 of 2021

Date: 18.10.2022

Present: Mr. Jose Abraham, Advocate for the petitioner.
Mr. George Kangung for the respondent.

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

Under Secretary to Government, Higher and Technical Education, Government of Puducherry, has sent a letter dated 20.09.2022 alongwith photocopy of letter dated 12.08.2022 and request to adjourn the case and intimate for next hearing.

Mr. George Kangung appeared on behalf of the respondent and submitted that today he is filing reply. He is directed to file reply before the Commission's office and a copy thereof furnish to the learned counsel for the petitioner.

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

Office is directed to provide a copy of the reminder letter to the learned counsel for the petitioner for perusal.

Learned Counsel for the petitioner is directed to approach the members of the Physical inspection Committee and provide all the relevant documents to the said Committee.

List on 15.12.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

Ks

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

**Jai Shri Shyam College of Management, Bajhera,
Gwalior Dist., M.P.**

V/s.

**Secretary, Backward Classes and Minority Welfare
Department, Government of M.P.**

Case: 225 of 2021

Date: 18.10.2022

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

Learned counsel for the petitioner prayed time to
comply with the Commission's earlier orders dated 30.09.2021
and 23.02.2022. Time prayed for is allowed.

List the matter on 15.12.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

Ks

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

**St. Thomas School, Khanpur Joth, Dhanghata, Sant
Kabir Nagar Dt., Uttar Pradesh – 272 165.**

Vs.

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

&

**2. Additional Chief Secretary, Basic Education
Department, Secretariat, Uttar Pradesh.**

Case: 10 of 2022

Date: 18.10.2022

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

Despite service of registered notice to respondent no. 2,
none appeared on behalf of the respondent even in second
round.

Physical Inspection Committee has already sent their
report, which is taken on record.

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

List for final arguments on 10.01.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

Ks

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

**St. Thomas School of Nursing, Jyothi Hospital Campus,
Kuruda P.O., Balasore Dt., Orissa.**

V/s.

**Director, Secondary Education, 6th Floor, HOD Building,
Unit-V, Bhubaneswar, Khordha, Odisha.**

Case: 11 of 2022

Date: 18.10.2022

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

None for the respondent.

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

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

Office is directed to provide a copy of the reminder letter to the learned counsel for the petitioner for perusal.

Learned Counsel for the petitioner is directed to approach the members of the Physical inspection Committee and provide all the relevant documents to the said Committee.

Learned counsel for the petitioner submitted that petitioner has already filed certified copies of all relevant documents. He prayed time to file updated recognition/affiliation certificate issued by the concerned council.

We have perused the letter dated 16.03.2022 of Additional Director (H&S), Directorate of Secondary Education, Bhubaneswar, Odisha, in which he has requested that the matter is pertaining to the health department of Government of Odisha and also to exempt the Director, Secondary Education, Odisha from the proposed appearance in this case.

Office is directed to issue letter to the respondent mentioning therein that as per our record you are the State Competent Authority other than the elementary educational institution. So Director, Secondary Education is the State Competent Authority of the State of Odisha.

List the matter on 10.01.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

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

**Madarsa Hadeesul Quran Arabic College, Laliyana,
Meerut, Uttar Pradesh - 250104.**

Vs.

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

&

**2. Secretary, Minority Welfare and Waqf Department,
Government of Uttar Pradesh.**

Case: 62 of 2022

Date: 18.10.2022

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

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

Learned counsel for the petitioner submitted that the members of the Physical inspection Committee have already inspected their educational institution.

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

List the matter on 10.01.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

Ks

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

N.S. Inter College, Laliyana, Meerut, U.P.

V/s.

**Additional Chief Secretary, Department of School
Education, Government of U.P.**

Case: 63 of 2022

Date: 18.10.2022

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

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

Learned counsel for the petitioner submitted that the members of the Physical inspection Committee have already inspected their educational institution.

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

List the matter on 10.01.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

Ks

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

18.10.2022

**Advance Kids School, H.No. 200-201 M.H. Degree College Ke Samne,
Ward No. 21 Lajpatnagar, Moradabad, Uttar Pradesh - 244001.**

Vs.

**Additional Chief Secretary Department of Secondary Education Govt.
of UP Bahu Khandi, Secretariat, Lucknow (UP).**

Present: None.

An application has been received by post on 03.10.2022 from Advance Kids School, H.No. 200-201 M.H. Degree College Ke Samne, Ward No. 21 Lajpatnagar, Moradabad, Uttar Pradesh - 244001 for grant of minority status certificate. It be registered.

Perused the office report and it transpires from record that the petitioner has not applied for grant of No Objection Certificate before the State Competent Authority.

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 also transpires from the records, that the petitioner has also applied before the State Competent Authority for grant of Minority Status Certificate and that 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.

In this case, office has reported that the petitioner has filed conditional recognition certificate which is also expired and petitioner has not filed General Body Resolution to obtain Minority Status Certificate from this Commission and envelope with postage charges for sending notice to the State Competent Authority.

It also transpire from the petition that in this Un-aided School total 333 students are studying and out of them 292 students are from the Muslim Minority Community and petitioner has left blank many columns of the MSC application.

Office is directed to issue show cause notice to the petitioner by post and e-mail as to why this petition may not be dismissed at this stage.

In the interest of justice, list on 04.01.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

A.K

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

18.10.2022

**Aman Public School, Islam Nagar Road, Lambakheda, Bhopal,
Madhya Pradesh - 462001.**

Vs.

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

Present: None.

An application has been received by post on 04.10.2022, from Aman Public School, Islam Nagar Road, Lambakheda, Bhopal, Madhya Pradesh - 462001, for grant of minority status certificate. It be registered.

It transpires from the petition that on 22.03.2022, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Secretary, Backward Classes and Minority Welfare Department, Government of M.P., Mantralaya, Bhopal, M.P. – 462004. The NOC application has been received in the Office of the Respondent same day by hand and bears the seal of the Secretariat, backward Classes and Minority Welfare and signed by an unknown person and the same has been filed as proof of service.

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

It also transpire from the petition that in this Un-aided School total 443 students are studying and out of them 392 students are from the Muslim Minority Community.

Office is directed to issue notice to the respondent by registered AD/ e-mail and letter of hearing to the petitioner also.

In the interest of justice, list on 05.01.2023

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

A.K.

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

18.10.2022

I.B.M. Inter College, Mohiuddinpur, Kailashpur, Saharanpur, Uttar Pradesh - 247001.

Vs.

- 1. Director, Minority Welfare Department, 6th Floor, Indira Bhawan, Lucknow, Uttar Pradesh.**
- 2. Additional Chief Secretary, Department of Secondary Education, Bapu Bhawan, 7th Floor, Lucknow, Uttar Pradesh – 226001.**

Present: None.

An application for grant of minority status certificate to I.B.M. Inter College, Mohiuddinpur, Kailashpur, Saharanpur, Uttar Pradesh - 247001 has been received from the petitioner by post on 04.10.2022. It be registered.

It transpires from the petition that on 12.02.2022, the petitioner has applied for grant of No Objection Certificate to the wrong State Competent Authority i.e. Director, Minority Welfare Department, 6th Floor, Indira Bhawan, Lucknow, Uttar Pradesh instead of Additional Chief Secretary, Department of Secondary Education, Bapu Bhawan, 7th Floor, Lucknow, Uttar Pradesh – 226001, which was received by an unknown person and affixed the seal of Office, of Minority Welfare Directorate and same has filed by the petitionern as Proof of Service. The said petition is still pending. The petitioner has waited sufficiently for a period of 90 days, before filing this petition.

Petitioner has not filed Resolution Passed by the Governing Body to obtain Minority Status Certificate from this Commission, envelope filed by the petitioner is not of A4 size and postage is also not sufficient and beneficiary clause is also not specific for Muslim Minority Community.

It also transpire from the petition that in this Un-aided School total 790 students are studying and out of them 710 students are from the Muslim Minority Community

Office is directed to issue show cause notice to the petitioner by post and e-mail as to why this petition may not be dismissed at this stage.

In the interest of justice, list on 05.01.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

A.K.