

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

**Dashmesh Public School, Shalimar Garden Extension – 1,
Sahibabad, Ghaziabad, Uttar Pradesh.**

V/s.

**The Principal Secretary, Secondary Education, Department of
Education, Government of Uttar Pradesh, Lucknow, Uttar Pradesh .**

Case No. 707 of 2019

10.03.2022

Present: Ms. Pavneet Kaur for the petitioner.
None for the respondent.

Ms. Pavneet Kaur filed authorization letter given by Balbir Singh, Chairman of the petitioner Society and is taken on record.

Petitioner has filed by hand an Affidavit and translation of Minutes of Meeting dated 25.08.2018 on dated 25.01.2022, which are taken on record.

We have heard Ms. Pavneet Kaur appeared on behalf of the petitioner institution.

Looking to the Aims and Objects for which Dashmesh Education Society is established i.e. “providing conducive atmosphere for physical and mental growth of children so that they may develop into good citizens and imparting religious and moral teachings, irrespective of caste, creed and community.”

Ms. Pavneet Kaur prayed for time to amend their Memorandum of Association.

In the interest of justice, list on 17.05.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**AS International School, In front of Nagchoon Talab, Juna Sargaon,
Block & Dt. – Khadwa, Madhya Pradesh.**

Vs.

**Secretary/Commissioner, Room No. 339, Backward Classes and
Minority Welfare Department, Satpuda Bhawan, Govt. of MP,
Bhopal, Madhya Pradesh.**

Case No. 833 of 2019

10.03.2022

Present: Mr. Shehbaz Khan for the petitioner.

Mr. Shehbaz Khan present in person and submitted that their application for grant of MSC is still pending before the State Competent Authority

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

In the interest of justice, the petitioner is free to avail appropriate remedy.

Accordingly, the present petition is disposed of.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Somerville International School, A-07, Sector – 132, Expressway,
Noida, Dt. – Gautam Budha Nagar, Uttar Pradesh.**

Vs.

- 1. Additional Chief Secretary, Department of Higher Education,
Govt. of Uttar Pradesh, 11 Naveen Bhawan Secretariat,
Lucknow, Uttar Pradesh**
- 2. Additional Chief Secretary, Department of School Education,
Govt. of Uttar Pradesh, Bahu Khandi,, Secretariat, Lucknow,
Uttar Pradesh.**

Case No. 841 of 2019

10.03.2022

Present: Mr. Ajit Singh Arora, Advocate for the petitioner.
None for the respondents.

Mr. Thomas T. Roy, Secretary has filed ten documents on dated
29.10.2021, which are taken on record.

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**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Benedict Matriculation Higher Secondary School, Kutty Yercaud,
Vellaikaradu, Anaimalayanpatty, Theni District, Tamil Nadu -
625526.**

Vs.

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

Case No. 318 of 2020

10.03.2022

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

Learned counsel for the petitioner filed on dated 03.03.2022, an application U/O VI Rule 17 CPC read with Section 12(2) of NCMEI Act, 2004 seeking permission to amend the Original Application for Minority Status Certificate and submitted a copy of the same along with an envelope & postal stamp and seven documents by hand, which are taken on record.

Office is directed to issue notice of the above amended application to the respondent by registered Ad/email.

Learned counsel for the petitioner submitted that petitioner institution is up to Higher Secondary level and prayed time for file Recognition/Affiliation from the Tamil Nadu State Board.

In the interest of justice, list on 18.05.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Little Heart's Academy, 51/4, Chak Dondi (Sangam Road), Naini,
Allahabad, Uttar Pradesh - 211008.**

Vs.

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

Case No. 336 of 2020

10.03.2022

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

Learned Counsel for the petitioner filed four documents by hand on dated 24.02.2022, which are taken on record.

Learned Counsel for the petitioner prayed for time to comply with the Commission's earlier Order dated 15.09.2020.

In the interest of justice, list on 18.05.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

B.K. Private ITI, Mitawali, Tehsil - Etmadpur, Agra District, Uttar Pradesh.

Vs.

**Principal Secretary, Technical Education, Department of Education,
Government of Uttar Pradesh, Lucknow, Uttar Pradesh - 226001.**

Case No. 337 of 2020

10.03.2022

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

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

Learned Counsel for the petitioner filed Governing Body Resolution of the Society by hand on dated 02.03.2022, which is taken on record.

Learned Counsel for the petitioner prayed for time to file certified copies of all the relevant documents.

In the interest of justice, list on 18.05.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Mr. Vadrevu Chinaveerabhadru, IAS, Commissioner of School Education, Government of Andhra Pradesh, School Education Department, Ibrahimpatnam, Andhra Pradesh, Amaravathi.

Vs.

RCM St. Joseph Girls High School, Parvathipuram, Vizianagaram District, Andhra Pradesh - 535501.

Misc. Case No. 04 of 2020

10.03.2022

Present: None for the petitioner.

Mr. Nilakanta Nayak, Advocate for the respondent

Learned counsel for the respondent on dated 08.03.2022 filed application by hand for surrendering of Minority Status Certificate along with Affidavit of Shiny Joseph and covering letter issued by this Commission in File No. 254, 256 and 258 of 2014, copy of Minority Status Certificate and Resolution passed by the Society, which are taken on record.

Mr. Vadrevu Chinaveerabhadru, IAS, Commissioner of School Education, Government of Andhra Pradesh, School Education Department, Ibrahimpatnam, Amaravathi had sent a letter dated 15.12.2019 by post for cancellation of Minority Status Certificate granted to RCM St. Joseph Girls High School, Parvathipuram, Vizianagaram District, Andhra Pradesh – 535501.

We have heard the learned counsel for the respondent.

Learned counsel for the Respondent submitted in the hearing that the Respondent institution has surrendered the aided staff to the State Government and all the students are transferred to the nearby school. The Governing Body would take decision to surrender the Minority Status Certificate with liberty to re-apply in future.

So, this application filed by Mr. Vadrevu Chinaveerabhadru, IAS, Commissioner of School Education, Government of Andhra Pradesh, for cancellation of MSC granted to RCM St. Joseph Girls High School, Parvathipuram, Vizianagaram District, Andhra Pradesh – 535501, is hereby accepted and MSC granted to the Respondent Institution is hereby cancelled.

Learned counsel for the Respondent is directed to surrender the original MSC and free to approach appropriate forum to get MSC as per the settled procedure.

Accordingly, the present case is disposed of.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Shri Sachidanand Gurukul Vidhyalaya, Near Garibsha Pir, Valavad,
P.B. No. 85, Sihor, Bhavnagar District, Gujarat - 364240.**

Vs.

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

Case No. 50 of 2021

10.03.2022

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

Learned Counsel for the petitioner prayed for time to comply with the Commission's earlier Orders dated 09.02.2021 and 02.11.2021.

In the interest of justice, list on 24.05.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Don Bosco School, Makarpura Road, Baroda, Gujarat - 390009.

Vs.

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

Case No. 56 of 2021

10.03.2022

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

Learned Counsel for the petitioner prayed for time to comply with the Commission's earlier Orders dated 11.02.2021 and 10.11.2021.

In the interest of justice, list on 24.05.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Madarsa Darul Uloom Ahle Sunnat Fatma, Village - Parsupura, Post - Said Nagar, Tehsil - Tanda, District - Rampur, Uttar Pradesh - 244927.

Vs.

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

Case No. 187 of 2021

10.03.2022

Present: None.

Despite giving notice by email on dated 25.08.2021 and 02.11.2021, none appeared on behalf of the petitioner, even in the second round.

It transpires from the record that the petitioner has not applied to the State Competent Authority for grant of NOC.

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 minority educational institution after the amendment Act of 2006 came into force, must apply only to the competent authority for grant of No Objection Certificate for the said purpose.

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

It transpires from the petition that this application for grant of Minority Status Certificate has filed by Manager of the petitioner Institute instead of Secretary/ Chairman / or Member of the Society belong the School. This Commission has issued public notice on dated 20.01.2020 that in order to streamline the process of filing application for grant of Minority Status Certificate in this Commission, it has been decided that the same person should sign the Declaration, Affidavit, and Vakalatnama, who can be the following:

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

Petitioner institution has not submitted a copy of Resolution passed by the Governing Body of the Society.

Contd...2/-

Case No. 187 of 2021

10.03.2022

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

Since nobody has appeared to make any submission. The Commission has waited sufficiently. The Commission has been forced to dismiss the petition.

Hence, the petition is dismissed in default.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Hashmi Educational Society, Village & Post - Bankagaon, Block -
Pasgawan, District - Lakhimpur, Kheri, Uttar Pradesh.**

Vs.

**Additional Chief Secretary, Department of Higher Education, Govt.
of U.P., Bahu Khandi, Secretariat, Lucknow, U.P.**

Case No. 188 of 2021

10.03.2022

Present: None.

Despite giving notice by email on dated 25.08.2021 and 02.11.2021, none appeared on behalf of the petitioner, even in the second round.

It transpires from the record that the petitioner has not applied to the State Competent Authority for grant of NOC.

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 minority educational institution after the amendment Act of 2006 came into force, must apply only to the competent authority for grant of No Objection Certificate for the said purpose.

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

It transpires from the petition that this application for grant of Minority Status Certificate has filed by Manager of the petitioner Institute instead of Secretary/ Chairman / or Member of the Society belong the School. This Commission has issued public notice on dated 20.01.2020 that in order to streamline the process of filing application for grant of Minority Status Certificate in this Commission, it has been decided that the same person should sign the Declaration, Affidavit, and Vakalatnama, who can be the following:

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

Petitioner institution has not submitted a copy of Resolution passed by the Governing Body of the Society.

Contd...2/-

Case No. 188 of 2021

10.03.2022

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

Since nobody has appeared to make any submission. The Commission has waited sufficiently. The Commission has been forced to dismiss the petition.

Hence, the petition is dismissed in default.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Azad Jannat Nishan School, Mohalla - Jagat, District - Sambhal,
Uttar Pradesh - 244302.**

Vs.

**Additional Chief Secretary, Department of Higher Education, Govt.
of U.P., Bahu Khandi, Secretariat, Lucknow, U.P.**

Case No. 193 of 2021

10.03.2022

Present: Mr. Surjeet Singh, Advocate for the petitioner.

Mr. Surjeet Singh, Advocate has filed his Vakalatnama on behalf of the petitioner institution.

Learned Counsel for the petitioner submitted that he has not copy of the petition and prayed for time to seek petition from his client.

In the interest of justice, list on 24.05.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Marthoma Warriors, Kerala. - Complainant

Vs.

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

Misc. Case No. 03 of 2021

10.03.2022

Present: KM. Vignesh Ram, Advocate for the respondent no. 1
Mr. Alim Anvar , Advocate for the respondent no. 02
None for the complainant.

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

KM. Vignesh Ram, Advocate appeared for the respondent no.1.

Mr. Alim Anvar , Advocate appeared for the respondent no.2 and prayed for time to file response. In the interest of justice, time prayed for is allowed.

List on 12.04.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

1. **Shri S.M. Naiyer Imam, S/o Late S.M. Zareef, Founder Rauf Muslim Jamia (RMJ) & its Institutions, Bahera, Darbhanga-847201 (Bihar)** **Secretary, District**

2. **Shri Rohit Kumar, S/o Shri Santosh Kumar, Village & PO Dhabahi, S-Laukahi, District Madhubani-847108 (Bihar)**

.....Complainants /Petitioners
V/s

1. **Shri S.M. Zafar Imam, S/o Late S.M. Zareef, President, Rauf Muslim Jamia Society, C/o S.M. Zaheer Alam Teachers Training College, PO Bahera, District Darbhanga, Bihar**

2. **Secretary, Human Resource Development Department, Government of Bihar**

..... Respondents

Misc. Case No. 15 of 2021

10.03.2022

Present: Mr. S.M. Naiyer for the petitioner
Dr. Jayesh Gaurav, Advocate for the Respondent No.01.
None for the Respondent No. 2.

Heard Mr. Jayesh Gaurav, Advocate appeared on behalf of the Respondent No. 1 i.e. Shri S.M. Zafar Imam, Mr. S.M. Naiyer Imam, petitioner of original Case No. 319 of 2018 on an application submitted u/s 10-A read with Section 12A (5) of the National Commission for Minority Educational Institutions Act 2004 read with Section 151 of Civil Procedure Code 1908 for re-calling the order dated 19.08.2021 passed by this Commission in Case No. 319 of 2018, by the Respondent No. 1.

We have considered the arguments of both the parties and perused the case file and also order dated 19.08.2021 passed in case No. 319 of 2018. Above said case was the oldest case of this Commission and after giving sufficient opportunity to represent their case and arguments on several times, the Case was heard on dated 05.08.2021 in the presence of Mr. S.M. Naiyer Imam for the petitioner and Mr. Shaifi Ahmed, Advocate for the Respondent No. 1 and thereafter, dictated detailed Judgment of 24 pages containing 43 paras have passed on dated 19.08.2021, after lapses of 14 days.

We have again perused the entire order passed by this Commission and in our considered opinion, there is no mistake or error apparent on the face of record and also there is no ground to re-call the earlier order passed by this Commission. Hence, in view of the above, present application for recalling the earlier order dated 19.08.2021 passed by this Commission in Case No. 319 of 2018 is hereby dismissed.

Contd..

1. Shri S.M. Naiyer Imam, (Bihar), etc.
.....Complainants /Petitioners
V/s
1. Shri S.M. Zafar Imam, Bihar, etc.
..... Respondents

Continue from pre-page.

In Case No. 319 of 2018, Respondent No. 1 i.e. Shri S.M. Zafar Imam was directed to surrender the Original Minority Status Certificate of this Commission within the time period of one month from the date of earlier order dated 19.08.2021 but till now Respondent No. 1 has not surrender the Original MSC. Therefore, Respondent No. 1 is directed to surrender the original MSC to this Commission immediately.

Accordingly, the present application is disposed of.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Surjan Devi Anusuiya Devi Degree College, Gangaganj, Lucknow, Uttar Pradesh.

Vs.

Principal Secretary, Higher Education, Deptt. Of Education, Government of Uttar Pradesh, Secretariat, Lucknow – 226001, Uttar Pradesh .

Case No. 227 of 2021

10.03.2022

Present: Mr. Rajesh Singh for the petitioner.

None for the respondent.

Order dictated separately and pronounced, which reads as under:

“Relying on the said unrebutted evidence produced on behalf of the petitioner, we find and hold that Surjan Devi Anusuiya Devi Degree College, Gangaganj, Lucknow, Uttar Pradesh run by Lala Ganesh Prasad Verma Balika Vidyalaya Samiti is eligible for grant of minority status on religious basis. The evidence also proves that the said educational institution was established with the main objective of subserving the interests of the Buddhist minority community.

Consequently, Surjan Devi Anusuiya Devi Degree College, Gangaganj, Lucknow, Uttar Pradesh is declared as a minority educational institution covered under Article 30 of the Constitution of India within the meaning of Section 2(g) of the National Commission for Minority Educational Institutions Act, 2004 subject to the condition that the petitioner would file an affidavit or undertaking to the fact that the petitioner institution shall not deny admission of eligible candidate of the Buddhist minority community subject to the eligibility of the students and availability of the accommodation in the petitioner institution.”

After compliance of the above order, a minority status certificate be issued accordingly.

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

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**S. A. College of Education, Village- Sikandra, Bhuie Road, Silao,
Nalanda, Bihar.**

V/s.

**Secretary, Human Resource Development Department, Government
of Bihar.**

Case No. 59 of 2019

10.03.2022

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

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

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

It transpires from the records that the NOC application was filed before the State Competent Authority on dated 11.11.2018 but in Colum No.6 of this MSC petition, it is mentioned as 22.11.2018.

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.

List on 05.04.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Iqra Matriculation School, Dharmar Garden, Azeez Nagar,
Aruppudottai, Virudhnagar District, Tamil Nadu.**

V/s.

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

Case No. 130 of 2019

10.03.2022

Present: Mr. Junais P, advocate for the Petitioner.
None for the respondent.

Heard, learned counsel for the petitioner.

Reserved for Orders.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Excel Nursery and Primary School, 3/234 A, B.G. Pudur (Village),
Kallukuriki P.O., Krishnagiri District, Tamil Nadu.**

V/s.

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

Case No. 131 of 2019

10.03.2022

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

Learned counsel for the petitioner again prayed for time to comply with the Commission's earlier Order dated 01.02.2022, to submit clarification regarding the discrepancies mentioned in earlier order dated 22.09.2021 and also to file updated recognition order. 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**

RS

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

**Ehiapur Teachers Training Institute, Plot No. 1635, 1636, 4158, Village
Ehiapur, Ehiapur, P.O. Tehsil/ Taluka Ketugram, Katwa, Bardhman, W.B.**

V/s.

**Commissioner, Minority Affairs & Madrasah Education Department,
Government of W.B.**

Case No. 202 of 2019

10.03.2022

Present: Mr. Junais P, advocate for the Petitioner.
None for the respondent.

Learned counsel for the petitioner again prayed for time to file certain documents, General Body Resolution of the Society and updated affiliation from the University. He also prayed for time to file clarification regarding the filing of MSC application by the Manager. In the interest of justice, time prayed for is allowed.

Despite giving registered notice to the respondent, who being the Competent Authority to grant NOC to the Minority Institutions in the State of West Bengal, none appeared his behalf on earlier occasions. On behalf of respondent, Minority Affairs & Madrasah Education Department has sent three letters to this Commission that granting NOC to the petitioner institution does not fall under the jurisdiction of this department. It being a training institute, School Education Department is the appropriate authority which is entrusted to deal with this matter and requested to contact with the concerned department accordingly.

We have gone through the list of State Competent Authority and as per the record of this Commission, the Competent Authority for West Bengal is "The Commissioner, Minority Affairs & Madrasah Education Department, Government of W.B". So, we need not send notice to the any other authority.

Office is directed to send notice to the Competent Authority for filing their reply positively.

This case is pending since 2019, and inspite of the notice, the respondent has not sent any reply. 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 committee constituting of following members 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)
3. 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 19.04.2022..

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

Fatika Nazrul Sukanta Educational Training Centre D.Ed., Plot No. 1553-1559, 1542, 1544, 1545, 1547, Street No. Indas Road, Village Fatika, P.O. ROL, Fatika Taluk, Indas, Bankura, W.B.

V/s.

**Commissioner, Minority Affairs & Madrasah Education Department,
Government of W.B.**

Case No. 203 of 2019

10.03.2022

Present: Mr. Junais P, advocate for the Petitioner.
None for the respondent.

Learned counsel for the petitioner again prayed for time to file certain documents, General Body Resolution of the Society and updated affiliation from the University. He also prayed for time to file clarification regarding the filing of MSC application by the Manager. In the interest of justice, time prayed for is allowed.

Despite giving registered notice to the respondent, who being the Competent Authority to grant NOC to the Minority Institutions in the State of West Bengal, none appeared his behalf on earlier occasions. On behalf of respondent, Minority Affairs & Madrasah Education Department has sent two letters to this Commission that granting NOC to the petitioner institution does not fall under the jurisdiction of this department. It being a training institute, School Education Department is the appropriate authority which is entrusted to deal with this matter and requested to contact with the concerned department accordingly.

We have gone through the list of State Competent Authority and as per the record of this Commission, the Competent Authority for West Bengal is "The Commissioner, Minority Affairs & Madrasah Education Department, Government of W.B". So, we need not send notice to the any other authority.

Office is directed to send notice to the Competent Authority for filing their reply positively.

This case is pending since 2019, and inspite of the notice, the respondent has not sent any reply. 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 committee constituting of following members 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)
3. 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 19.04.2022..

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Bam Vivekananda PTI College, Plot No. 2270, 2272, 2267, 2238,
Street No. Tantipara, Village Bam, Joteram P.O., Baikuntapur – 1,
G.P., Burdwan, Dist. Bardhaman, W.B.**

V/s.

**Commissioner, Minority Affairs & Madrasah Education Department,
Government of W.B.**

Case No. 208 of 2019

10.03.2022

Present: Mr. Junais P, advocate for the Petitioner.
None for the respondent.

Learned counsel for the petitioner again prayed for time to file certain documents, General Body Resolution of the Society and updated affiliation from the University. He also prayed for time to file clarification regarding the filing of MSC application by the Manager. In the interest of justice, time prayed for is allowed.

Despite giving registered notice to the respondent, who being the Competent Authority to grant NOC to the Minority Institutions in the State of West Bengal, none appeared his behalf on earlier occasions. On behalf of respondent, Minority Affairs & Madrasah Education Department has sent a letter to this Commission that granting NOC to the petitioner institution does not fall under the jurisdiction of this department. It being a training institute, School Education Department is the appropriate authority which is entrusted to deal with this matter and requested to contact with the concerned department accordingly.

We have gone through the list of State Competent Authority and as per the record of this Commission, the Competent Authority for West Bengal is "The Commissioner, Minority Affairs & Madrasah Education Department, Government of W.B". So, we need not send notice to the any other authority.

Office is directed to send notice to the Competent Authority for filing their reply positively.

This case is pending since 2019, and inspite of the notice, the respondent has not sent any reply. 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 committee constituting of following members 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)
3. 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 19.04.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**New Madhukar Rajgarh Public Higher Secondary School, Mela
Maidan, Rajgarh, Dist. Dhar, M.P.**

V/s.

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

Case No. 229 of 2019

10.03.2022

Present: Mr. Junais P, advocate for the Petitioner.
None for the respondent.

Despite sending letter and e-mail to the members of the Physical Inspection Committee, we have not received any response from the said Committee.

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 and copy of the reminder be also sent to the Chief Secretary of Madhya Pradesh along with a letter stating that despite of registered notice to the State Competent Authority, they he failed to respond and even the members of the Physical Inspection Committee have not sent the inspection report inspite of three reminders letters from the Commission.

Learned counsel for the petitioner has on dated 23.02.2022 filed General Body Resolution of the Society which is taken on record.

Learned counsel for the petitioner again prayed for time to comply with the Commission's earlier Order dated 09.11.2021. In the interest of justice, time prayed for is allowed.

List on 26.04.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**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

10.03.2022

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 relevant documents as well as to comply with the Commission's earlier Order dated 18.08.2021. In the interest of justice, time prayed for is allowed.

List on 26.04.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**National Academy Montessori Matric Higher Secondary School,
Pattinamkathan, Ramanathapuram, Tamil Nadu - 623503**

V/s

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

Case No. 297 of 2019

10.03.2022

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 relevant documents as well as to comply with the Commission's earlier Order dated 09.11.2021. In the interest of justice, time prayed for is allowed.

List on 26.04.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Notre Dame Academy, Kullanoor, Pochampalli P.O. & T.K.,
Krishnagiri District, Tamil Nadu**

V/s

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

Case No. 332 of 2019

10.03.2022

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

Heard, learned counsel for the petitioner.

Reserved for Orders

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Madara Da'wathil Islamiyya (MDI) School, C.M. Nagar, Karulai P.O.,
Nilambur (Via), Mallapuram District, Kerala**

V/s.

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

Case No. 338 of 2019

10.03.2022

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

In compliance of earlier order dated 10.11.2021, District Education Officer, Wandoor has sent its inspection report by post which received in the Commission's office on dated 15.02.2022 and is taken on record.

District Education Officer, Malappuram has sent by post a letter dated 15.12.2021 wherein it is stated that petitioner institution is under the jurisdiction of the Wandoor District and have forwarded our letter to the said officer, which is received in the Commission's office on dated 31.01.2022 and is taken on record. In response to that letter, District Education Officer, Wandoor has already sent the inspection report.

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

List on 27.04.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Don Bosco College (Art & Science) No. - 4, East Street,
Thamanangudy, Ambagarathur P.O., Karaikal District, Pondicherry
V/s**

**Secretary to Govt. (Education), Chief Secretariat No. 1, Goubert
Avenue, Beach Road, Puducherry**

Case No. 355 of 2019

10.03.2022

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 and also to comply with the Commission's earlier Orders dated 11.11.2021. In the interest of justice, time prayed for is allowed .

List on 27.04.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**KSHM Art & Science College, Edathanattukara, Vattamannapuram
P.O., Palakkad District, Kerala – 6786010**

V/s.

**The Principal Secretary, Higher Education Department, Government
of Kerala, Thiruvananthapuram, Kerala – 695001.**

Case No. 363 of 2019

10.03.2022

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

In compliance of earlier order dated 10.08.2021, the Physical Inspection Committee has sent its inspection report along with the covering letter dated 11.02.2022 by post which is received in the Commission's office on dated 23.02.2022 and is taken on record.

Learned counsel for the petitioner has on dated 24.02.2022, filed General Body Resolution of the Trust, which is taken on record.

Learned counsel for the petitioner submitted that he has filed certified copies of all the relevant documents.

In the interest of justice, list the case for final hearing on 28.04.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Dada Chokha Memorial School, Shahchokha Nuh, Haryana
V/s.**

**The Additional Chief Secretary, School Education Department, 7th
Floor, Haryana Civil Secretariat, Sector - 1, Chandigarh – 160001.**

Case No. 451 of 2019

10.03.2022

Present: None.

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

It transpires from the records that NOC application dated 29.01.2019 under Section 10 of NCMEI Act, 2004 is filed by the Headmaster of the petitioner school.

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

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

Hence, as per the settled procedure of this Commission, this application for grant of MSC is not maintainable at this stage.

Accordingly, this petition for grant of MSC is hereby dismissed at this stage.

However, the petitioner is free to move fresh application as per prevailing law, rules and notifications.

Hence, the petition is disposed of.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Bright Academy Vill- Partappur No- 7, PostPartappur No. 4, Teh
Khatima Dist, Udham Singh Nagar, Uttarakhand.**

V/s.

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

Case No. 695 of 2019

10.03.2022

Present: Mr. Pushpinder Singh, Advocate for the petitioner.

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**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Bright Inter College, Sisakhera Post, Ghusari, Teh. Sitarganj, Dt.
Udham Singh Nagar, Uttarakhand.**

V/s.

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

2. District Education Officer, Udham Singh Nagar, U.K.

Case No. 696 of 2019

10.03.2022

Present: Mr. Pushpinder Singh, Advocate for the petitioner.

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**

**DR. SHAHID AKHTER
MEMBER**

RS