

**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**

**28.03.2023.**

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

In compliance of the Commission's earlier Order dated 19.04.2022, the Physical Inspection Committee has sent by post its inspection report along with the covering letter dated 03.02.2023 which is received in the Commission's Office on dated 07.02.2023 and is taken on record.

Learned counsel for the petitioner submitted that petitioner has filed certified copies of all the relevant documents which are already on record.

In the interest of Justice, list the case for final arguments on 16.05.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**International Access School, At-Barhan, Post & Dt., - Siwan,  
Bihar.**

**Vs.**

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

**Case No. 836 of 2019**

**28.03.2023.**

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

District Minority Welfare Officer, Siwan, Bihar has sent by e-mail a letter dated 15.03.2023 wherein he has prayed for time for sending the Physical Inspection Report which is received by the Commission's office on dated 15.03.2023 and is taken on record.

Learned counsel for the petitioner has submitted that the members of the Physical Inspection Committee have already 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.

In the interest of justice, list on 18.05.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**St. Mary's High School, Bakshi Bandh, Dumka, Jharkhand -  
814101**

**V/s.**

**Director, Secondary Education, Under School Education &  
literacy Department, 3rd floor, MDI Building, S.E & L. Department,  
Behind Project Bhawan, Post-Dhurwa, Dist-Ranchi-834004**

**Case No. 65 of 2020**

**28.03.2023.**

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.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**R.C.M. High School, St. Thomas Mount, Chennai, Tamil Nadu - 600016.**

**Vs.**

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

**Case No. 175 of 2020**

**28.03.2023.**

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

Despite service of registered letter to the State Competent Authority, we have not received any reply/response from them till now.

Learned Counsel for the petitioner submitted that respondent has not replied in response to the letter sent by this Commission because they do not have any copy of the original petition and other documents. So, he requested to send notice of original petition to the respondent.

Office is directed to issue notice of the original petition as well as reminder letter to the State Competent Authority of Tamil Nadu about the said application.

In the interest of justice, list on 04.07.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**St. Joseph's Girls Hr. Sec. School, Jayamadha Nagar,  
Jolarpettai, Vellore District, Tamil Nadu - 635851.**

**Vs.**

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

**Case No. 177 of 2020**

**28.03.2023.**

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

None for the respondent.

Despite service of registered letter to the State Competent Authority, we have not received any reply/response from them till now.

Learned Counsel for the petitioner submitted that respondent has not replied in response to the letter sent by this Commission because they do not have any copy of the original petition and other documents. So, he requested to send notice of original petition to the respondent.

Office is directed to issue notice of the original petition as well as reminder letter to the State Competent Authority of Tamil Nadu about the said application.

In the interest of justice, list on 04.07.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**St. John's Academy, 25/2 Police Chawki, Prem Nagar, Nagra, Jhansi  
District, Uttar Pradesh - 284003**

**V/s.**

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

**Case No. 327 of 2020**

**28.03.2023.**

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

We have heard, learned counsel for the petitioner at some length. During the course of arguments it is pointed out that the amended MoA of the Catholic Diocese of Jhansi Education Society was registered and Assistant Registrar, Firm Societies and Chits, Jhansi, U.P. has issued certified copy to the petitioner on dated 14.02.2020.

Learned counsel for the petitioner stated that at this time he can't say that on which dated the Registrar has attested the amended MoA of the petitioner Society.

Learned counsel for the petitioner submitted that at the time of registering the amended MoA, the Registrar has given this copy to the petitioner.

Office is directed to send letter to the Assistant Registrar, Firm Societies and Chits, Jhansi, U.P. that on which date he has registered this second amendment in the MoA of Catholic Diocese of Jhansi Education Society.

Learned counsel for the petitioner is directed to file an affidavit of the petitioner that on which date they have placed the said amended MoA before the Registrar, Firm Societies and Chits, Jhansi, U.P. and on which date he has registered it.

In the interest of justice, list on 31.05.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**St. Joseph's English Medium School, Dolo Tank Road,  
Paralakhemundi, Gajapathi, Odisha - 760001.**

**Vs.**

**Director, Elementary Education, 5th Floor, HOD Building, Unit - V,  
Bhubaneswar - 01, Khordha, Odisha – 751001.**

**Case No. 414 of 2020**

**28.03.2023.**

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

We have heard, learned counsel for the petitioner at some length. During the course of arguments it is pointed out that petitioner institution is upto Higher Secondary level and petitioner has filed one certificate issued by the Council for the Indian School Certificate Examinations which is for the purpose of grant of MSC to the petitioner institution from this Commission.

Physical Inspection Committee has mentioned in their inspection report that petitioner institution is upto Higher Secondary level and the validity of the recognition certificate is upto 31.03.2026 and also submitted a certificate issued by the Council for the Indian School Certificate Examinations which is for a period of 03 years i.e. upto 31.03.2013.

Petitioner has not filed the updated recognition certificate issued by any Council and prayed for time to file updated recognition certificate issued by the concerned Authority. Time prayed for is allowed.

In the interest of justice, list on 12.07.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**Shams-UI-Uloom College of Education, Sy. No. 948/3, Ongole Road, Podili Panchayat, Prakasam District, Andhra Pradesh - 523240.**

**Vs.**

- 1. Principal Secretary, Minorities Welfare Department, Govt. of Andhra Pradesh, Velagapudi, District – Guntur, Andhra Pradesh.**
- 2. Secretary, Minorities Welfare Department, 3rd Floor, A.P. Secretariat, Velagapudi, Amaravat, Andhra Pradesh.**

**Case No. 60 of 2021**

**28.03.2023.**

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

Learned counsel for the petitioner again prayed for last and final opportunity to file the relevant documents. In the interest of justice, last and final opportunity is granted.

List on 30.05.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS



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

**Royal College of Education, Plot No. 973, 965/4, 975/1, Idupur Village, Markapur Post, Prakasam District, Andhra Pradesh - 523316. Vs.**

- 1. Principal Secretary, Minorities Welfare Department, Govt. of Andhra Pradesh, Velagapudi, District – Guntur, Andhra Pradesh.**
- 2. Secretary, Minorities Welfare Department, 3rd Floor, A.P. Secretariat, Velagapudi, Amaravat, Andhra Pradesh.**

**Case No. 61 of 2021**

**28.03.2023.**

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

Learned counsel for the petitioner again prayed for last and final opportunity to file the relevant documents. In the interest of justice, last and final opportunity is granted.

List on 30.05.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

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

**Vs.**

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

**Case No. 89 of 2021**

**28.03.2023**

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

We have heard the learned counsel for the petitioner at some length.

During the course of arguments, it is pointed out that petitioner has filed MOA of Al-Birr Educational and Welfare Society.

Learned counsel for the petitioner submitted that from page no. 07 -34 are certified by the Registrar but these documents are filed by the petitioner are seems to be different document. So learned counsel for the petitioner is directed to submit original document before the Commission.

Learned counsel for the petitioner submitted that at the time of registering the Society, the Registrar has registered the MOA of the petitioner's Society and kept the original MOA for their record and issued certified copy of MOA to the petitioner.

Learned counsel for the petitioner is directed to submit the original copy of the document which was given by the Registrar at the time of registering.

In the interest of justice, list on 13.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**Nirmala Matha Convent School (ICSE), Sakthi Easwar Nagar,  
Vellalore Village, Coimbatore, Tamil Nadu - 641111.**

**Vs.**

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

**Case No. 153 of 2021**

**28.03.2023**

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

We have heard the learned counsel for the petitioner.

During the course of arguments, learned counsel for the petitioner produced the original amended/ supplementary Trust Deed for perusal.

We have perused the original amended/ supplementary Trust Deed. Earlier petitioner has filed only 04 pages of the above documents but in original there are 07 pages of the said document.

Today during the course of arguments, learned counsel for the petitioner submitted that copy of amended supplementary Trust Deed having 07 pages and at the last page sub- Registrar has signed the documents and the date is specifically mentioned as 03.03.2016.

During the course of arguments the copy document is taken on record.

Heard, learned counsel for the petitioner.

Reserved for Orders.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**Ayushman College of Nursing, Gwalior Road, Pidora, District  
Bhind, Madhya Pradesh-477001**

**Vs.**

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

**Case No. 181 of 2021**

**28.03.2023**

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

None for the respondent.

Despite sending reminder letter by post and email to the members of Physical Inspection Committee, we have not received any response from the Physical Inspection Committee till now.

Office has sent letter to the District Minority Welfare Officer (Member Secretary), Bhind, Madhya Pradesh which was received unserved and returned back to this Commission on dated 07.03.2023, which is taken on record.

Learned Counsel for the petitioner is directed to submit correct addressed of District Minority Welfare Officer (Member Secretary), Bhind, Madhya Pradesh.

Learned Counsel for the petitioner submitted that petitioner has provided certified copy of all the relevant documents to all the three members of the Physical Inspection Committee but they have inspected their institution.

Office is directed to send reminder by post and also by email to the members of Physical Inspection Committee, for sending the inspection report positively by next date of hearing.

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

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

List on 31.05.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**Cambridge International School, S. No. 291/01, Athens Arc,  
Keelambur, Ambasamudram Tenkasi Main Road, Tirunelveli Dt.,  
Tamil Nadu.**

**Vs.**

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

**Case No. 246 of 2021**

**28.03.2023**

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

Learned counsel for the petitioner prayed for time to comply  
with the Commission's earlier Order dated 22.03.2023.

In the interest of justice, list on 31.05.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**Safa Public School, Mawana, Meerut District, Uttar Pradesh - 250401.**

**Vs.**

**1. Additional Chief Secretary, Department of School Education, Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. – 226001. 2. Additional Chief Secretary, Department of Basic Education, Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. – 226001.**

**Case No. 249 of 2022**

**28.03.2023**

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

Mr. Tirvendra Kumar, Block Education Officer for the respondents.

Learned counsel for the petitioner filed by hand three documents, before the Commission's Office on dated 13.12.2022, which are taken on record.

Mr. Tirvendra Kumar, Block Education Officer, Mawana Kalan appeared on behalf of the respondents and prayed for time to file reply.

In the interest of justice, time prayed for is allowed.

List on 06.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**Sir Syed Balika Inter College, Ghauspur, Mahul, District -  
Azamgarh, Uttar Pradesh - 223225.**

**Vs.**

**1. Additional Chief Secretary, Department of School Education,  
Government of U.P., Bahu Khandi, U.P. – 226001. 2. Additional  
Chief Secretary, Department of Secondary Education, Government  
of U.P., Bahu Khandi, U.P. – 226001.**

**Case No. 250 of 2022**

**28.03.2023**

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

Learned counsel for the petitioner prayed for time to comply with the Commission's earlier Order dated 30.11.2022.

We have seen the file and also the previous Order-sheet dated 30.11.2022. We have not ordered to issue the notice to both the respondents in this case but without any Order Office have issued regd. notice and also email to both the respondents.

Secretary, NCMEI is directed to call explanation to the concerned clerk and authority, why they have issued notice to both the respondents without any Order.

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

In the interest of justice, list on 06.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**SDPS Women's College Indore, Khandwa Road, Opposite Bilawali Tank,  
Indore, District - Indore, Madhya Pradesh.**

**Vs.**

**Secretary, Backward Classes and Minority Welfare Department, Govt. of  
M.P., Room No. 339, Mantraya, Bhopal, Madhya Pradesh.**

**Case No. 251 of 2022**

**28.03.2023**

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

None for the respondent.

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

Learned counsel for the petitioner filed by hand five documents, before the Commission's Office on dated 13.12.2022, which are taken on record.

Respondent has sent a letter dated 06.01.2023, which was received in the Commission's Office on dated 10.01.2023 and is taken on record.

By the said letter respondent has submitted that petitioner has not filed any application for grant of NOC in the prescribed format, so they have not act upon on that application.

We have perused the file only one notice was issued to the respondent by the Office but two tracking reports were submitted by the Office.

Office is directed to file another tracking report in the proper file.

Office has also place before the Commission Physical Inspection Report of the same case which was already withdrawn by the petitioner in case no. 278 of 2019, which is tagged with this petition no. 251 of 2022.

Office is directed to take this report along with covering letter dated 18.01.2023, which was received in the Commission's Office on dated 30.01.2023 in file no. 278 of 2019, which was withdrawn by the petitioner on dated 25.08.2022.

Learned counsel for the petitioner submitted that in previous file Physical Inspection Committee has sent their physical inspection report, which is available in the case no. 278 of 2019.

Learned counsel for the petitioner is directed to submit certified copy of physical inspection report, which is already on record in case no.278 of 2019.

List on 12.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR



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

**Rosemary School of Excellence, S.No. 828/2, Issac Nagar, NGO  
New Colony, Perumalpuram P.O., Palayamkottai Taluk, Tirunelveli  
District, Tamil Nadu - 627007.**

**Vs.**

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

**Case No. 252 of 2022**

**28.03.2023**

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

Learned counsel for the petitioner filed by hand, notarized copy of the Recognition Order of the petitioner institution, before the Commission's Office on dated 06.12.2022, which is taken on record.

Office is directed to issue notice to the respondent by registered Ad and email.

In the interest of justice, list on 12.07.2023.`

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**Central Academy Senior Secondary School, Sector -XIII, R.K.  
Puram, New Delhi**

**- Petitioner**

**Vs.**

**1. Directorate of Education, Government of NCT of Delhi, Room  
No. 214- A, Old Secretariat, Delhi - 110054**

**- Respondent No. 1**

**2. Government of National Capital Territory of Delhi.**

**- Respondent No. 2**

**Unregistered Case**

**28.03.2023**

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

Mr. Shubham Singh, Advocate appeared on behalf of the petitioner institution and prayed for time to argue the matter.

We have perused the file, learned counsel for the petitioner frankly submitted that in the year 2005, Delhi Government has taken over the petitioner institution in their possession and today also management is in the hand of the Delhi Government.

In between in the year 2012, petitioner institution has taken Minority Status Certificate from this Commission.

In our considered opinion, when Delhi Government is taken the administration in the hand of the Government how the petitioner institution has taken Minority Status Certificate from this Commission and now they have filed the petition under Section 12D of the NCMEI Act, 2004.

In the interest of justice, last and final opportunity is granted to argue the matter at the admission stage.

List on 25.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**28.03.2023**

**St. Peter's College Kolencherry, Ernakulam District, Kerala - 682311**

**- Applicant**

**Vs.**

**Mahatma Gandhi University, Priyadarshini Hills, Kottayam P.O.,  
Kottayam District, Kerala - 686560.**

**Respondent**

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

This petition u/s 11 (b) of NCMEI Act 2004 has been filed by the St. Peter's College Kolencherry, Ernakulam District, Kerala – 682311, which was received in the Commission by hand on 15.03.2023 for seeking protection to administer petitioner Minority Institution without any hindrance from the respondent.

We heard learned counsel for the petitioner at admission stage and perused the case file.

In nut shell the brief facts of the case are that petitioner Institute has been established in the year 1964 and thereafter petitioner applicant obtain Minority Status Certificate from this Commission on dated 14.04.2021 vide case No. 786 of 2019.

It is submitted by the learned counsel for the Petitioner that on dated 15.11.2020, petitioner Institution has received a letter from the Respondent University stating that one Dr. Shajila Beevi has been nominated by Respondent University as the members of Unitary Management of Petitioner / Applicant Institution as per the provision of Sec. 54 (c) of Mahatma Gandhi University Act, 1985. Thereafter they have challenged this order before the Hon'ble High Court of Kerala and High Court has passed the order dated 30.06.2022. The operative part of the Judgment is as follows:

Contd..

**St. Peter's College Kerala - 682311**

- **Applicant**

**Vs.**

**Mahatama Gandhi University, Kerala - 686560.**

**Respondent**

**Continued from pre-page**

*After I dictated this part of the Judgment, Sri Babu Vargese, learned senior counsel, intervened to say that even though the "M.G. University Act" was brought into effect in the year 1985, until today, no nomination has been made by either the University or the Government to the "Governing Body" or the "Managing Council", which would clearly indicate that their present attempt is to usurp the management of the Institution/s.*

*I do not require to answer the afore apprehension again because my observations above, and in particular the declaration that the "Governing Body" or the "Managing Council" – which are mentioned in Sections 54 and 55 of the "M.G. University Act" – are only advisory in nature and distinct from the Management or Educational Agency, would fully allay it.*

Thereafter Respondent University has again issued a circular dated 20.01.2023 stating that all the aided College must follow the University Rules and by Laws while implementing Statuary Committee.

In the said circular Respondent University used the word "Statutory Committee" instead of "Advisory Committee" and it is done purposefully. So instead of going before the Hon'ble High Court of the Kerala petitioner has approach this Commission by way of filing this petition u/s 11 (b) of NCMEI Act 2004.

As per section 11 (b) of the NCMEI Act, 2004 this Commission enquire, suo motu, or on a petition presented to it by any Minority Educational Institution, or any person on its behalf into complaints regarding deprivation or violation of rights of minorities to establish and administer educational institutions of their choice and any dispute relating to affiliation to a University and report its finding to the appropriate Government for its implementation.

**St. Peter's College Kerala - 682311**

**- Applicant**

**Vs.**

**Mahatama Gandhi University, Kerala - 686560.**

**Respondent**

**Continued from pre-page**

On perusal of the petition it found that petitioner / applicant has not make party to the State Government through its Competent Authority. So before going on the other aspects, petitioner Institute is directed to make party to the State Government also through its State Competent Authority in this case.

In the interest of justice, list on 31.05.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

A.K.

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

**28.03.2023**

**Madarsa Sultania Ziaul Uloom, Village & Post - Shrinagar  
Lakhimpur-Kheri, Uttar Pradesh.**

**Vs.**

**Additional Chief Secretary, Department of Minority Welfare and  
Waqf Department, Government of U.P., Bahu Khandi, Secretariat,  
Lucknow, U.P. - 226001**

Present: None.

An application has been received by post on 20.03.2023 from Madarsa Sultania Ziaul Uloom, Village & Post - Shrinagar Lakhimpur-Kheri, Uttar Pradesh, for grant of minority status certificate. It be registered.

It transpires from the petition that on 29.09.2022, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Additional Chief Secretary, Department Minority Welfare and Waqf Department, Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. – 226001, which was received by the respondent on 03.10.2022, The said petition is still pending. The petitioner has waited sufficiently for a period of 90 days, before filing this petition.

The petitioner has already filed the proof of delivery of the registered AD to the respondent.

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

It also transpires from the petition that in this Un-aided Madarsa (Higher Secondary level) during the academic year 2019-20 total 573 students were studying and all of them from the Muslim Minority Community, during the academic year 2020-21 total 602 students were studying and all were from the Muslim Minority Community and during the academic year 2021-22 total 723 students were studying and all students belongs to the Muslim Minority Community.

In this case Office has reported that petitioner has filed envelope with this petition but not of A4 size and validity period is not clear in affiliation certificate filed by the Petitioner Institute.

Office is directed to issue letter by post and e-mail to the petitioner for compliance of the above order

In the interest of justice, list on 12.07.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

A.K.

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

**28.03.2023**

**St. Anthony's Convent School Atkur, Ungutur Mandalam, Krishna District, Andhra Pradesh - 521286.**

**Vs.**

**Secretary, Department of Minorities Welfare, Government of Andhra Pradesh, 3rd Floor, Andhra Pradesh Secretariat, Velagapudi, Amaravati, Andhra Pradesh.**

Present: None.

An application has been received by hand on 20.03.2023, from St. Anthony's Convent School Atkur, Ungutur Mandalam, Krishna District, Andhra Pradesh – 521286, for grant of minority status certificate, which is in old format. 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.

In this case Office has reported that petitioner has not filed UID issued by Niti Ayog, Certified list of founding and Present Governing Body Members, General Body Resolution to obtain Minority Status Certificate from this Commission, Envelope with postage for sending notice to the Respondent and petitioner filed photocopy of affidavit not in original.

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

In the interest of justice, list on 12.07.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**