

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

Madarsa Kamarunisa Islamia Education, Mitawali, Etmadpur, Agra, Uttar Pradesh - 283202.

Vs.

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

Case No. 338 of 2020

07.07.2022

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

Learned counsel for the petitioner filed six documents on dated 30.03.2022, which are taken on record.

Learned counsel for the petitioner prayed for time to file General Body Resolution of the petitioner Society.

Despite giving regd. notice to the respondents, no reply is received from the State Competent Authority so far.

In the facts and circumstances of the case, we deem just and proper that physical inspection report alongwith the recommendations for issuance of minority status certificate to the petitioner institution, may be obtained from the committee consisting of the following members: -

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

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

Learned counsel for the petitioner prayed for a copy of the letter issued to the members of Physical Inspection Committee in order to pursue the matter with the Physical Inspection Committee, for inspection of the petitioner institution.

Learned counsel for the petitioner is directed to provide all the relevant documents to the members of Physical Inspection Committee.

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

List on 14.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

Mr. Naresh Sharma, Bushehar House No. - 4, Ram Bazar, Shimla - 171001.

Vs.

- 1. St. Thomas School, Shimla, Himachal Pradesh.**
- 2. Director Directorate of Higher Education Shimla – 1, Himachal Pradesh**

Misc. Case No. 03 of 2020

07.07.2022

Present: Mr. Nilakanta Nayak, Advocate for the respondent no.01.
None for the respondents.

Learned counsel for the respondent no.01 filed on dated 23.03.2022 by hand, Compliance Affidavit and also an Affidavit along with 03 Annexures, which are taken on record.

We have perused the file and finds that Mr. Naresh Sharma, R/o Bushehar House No.04, Ram Bazar, Shimla-1711001 has sent this complaint by post for cancellation of Minority Status Certificate issued in favor of Respondent no. 01 but complainant has never appeared before the Commission.

In the interest of justice, Office is directed to send notice along with the reply filed by the respondent no.01 with the observation that if he fails to appear before the Court on next date of hearing, the court will reject the application in default.

List on 21.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

1. Maharashtra Medical Education and Research Centre, A registered Public Trust through its, Treasurer Dr. Mushtaque U. Mukadam, 2390-B, K.B. Hidayatullah Road, New Modikhana, Azam Campus, Camp, Pune – 411001
- Petitioner No. 1
2. ZVM Unani Medical College and Hospital, Pune, through its Principal Dr. Jalis Ahmed, 2390-B, K.B. Hidayatullah Road, New Modikhana, Azam Campus, Camp, Pune – 411001
- Petitioner No. 2

Vs.

1. Department of Medical Education, Govt. of Maharashtra Mantralaya, Mumbai - 400032.
- Respondent No. 1
2. Registrar, Maharashtra University Health Science, Nashik, Mhasrul, Dindori Road, Nashik – 4222004.
- Respondent No. 2
3. Director, Directorate of AYUSH, Maharashtra State, Mumbai, St. George Hospital Compound, P.D. Mello Road Fort, Mumbai – 400001.
- Respondent No. 3

Misc. Case No. 08 of 2021

07.07.2022

Present: Mr. Tejasvi Kumar, Advocate for the petitioners.

Mr. Saket Jain, Advocate for the respondent no. 02.

None for the respondent no. 01 and 03.

Mr. Tejasvi Kumar, Advocate appeared on behalf of the petitioners.

Mr. Saket Jain, Advocate appeared on behalf of the arguing counsel Mr. Gaurav Aggarwal

Learned counsel for the petitioners submitted that today petitioner is complying the Commission's earlier Order dated 22.03.2022.

Learned counsel for the respondent no.02 submitted that in this case, there is no relief against the respondent no.02, so he does not want to file any reply.

After compliance of the earlier Order by the learned counsel for the petitioners, Office is directed to issue notice to the respondent no.01.

List on 20.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

1. Maharashtra Cosmopolitan Education Society, Pune through its President Dr. P.A. Inamdar

-Petitioner No. 1

2. M.C.E. Society's Abeda inamdar senior College, pune, through its Princiapl Dr. Shaila Bootwala

-Petitioner No. 2

Vs.

1. University Grant Commission through its Secretary, Bahadur Shah Zafar Marg, New Delhi-110002.

-Respondent No. 1

2. State of Maharashtra, through its Principal Secretary, Higher & Technical Education Department, 4th Floor, Mantralaya Annex, Madam Cama Road, Nariman Point, Mumbai- 400032.

-Respondent No. 2

3. Savitribai Phule Pune University, through its Registrar, Ganeshkhind, Pune- 411007

-Respondent No. 3

Misc. Case No. 09 of 2021

07.07.2022

Present: Mr. Tejasvi Kumar, Advocate for the petitioners.
Mr. Aditya Malhotra, Advocate for the respondent no.01
None for the respondent no. 02 and 03.

Mr. Tejasvi Kumar, Advocate appeared on behalf of the petitioners.

Mr. Aditya Malhotra, Advocate appeared on behalf of the arguing counsel Mr. Ashwarya Sinha.

None appeared on behalf of the respondent no. 03.

Learned counsel for the respondent no.01 again prayed for time to file his reply.

In the interest of justice, learned counsel for the petitioners is directed to file one more envelope and postal stamps for sending notice to the respondent no.02

After compliance of the above order by the learned counsel for the petitioners, Office is directed to issue notice to the respondent no02 by regd. AD/email.

List on 20.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Hema Sawal, B-441/C, Phase - II, Ashok vihar, Delhi – 110052 - Applicant
Vs.**

**1. The Chairman, Mahavir Sr. Model School, Sangam Park Ext., G.T
Karnal Road, Delhi - 110033.**

- Respondent No. – 1

**2. Assistant Director of Education (Act), Directorate of Education, Govt.
of NCT of Delhi, R.No. 214-A, Old Secretariat, Delhi - 110054.**

Respondent No. - 2

u/s 12-C of the NCMEI Act. 2004 (Cancellation of Minority Certificate)

Misc. Case No. 13 of 2021

07.07.2022

Present: Ms. Hema Sawal for the complainant.

Mr. Atul Jain, Advocate for respondent No.1.

Mr. Satbir from Directorate of Education for respondent No.2

Ms. Hema Sawal, the complainant is present in person.

Mr. Atul Jain, Advocate appeared on behalf of the respondent No.1.

Mr. Satbir, Section Officer, Directorate of Education appeared on behalf
of the respondent No.2.

Learned counsel for the respondent no.01 filed his reply along with his
Vakalatnama before the Commission's Office on dated 31.03.2022., which are
taken on record.

Complainant has already obtained the copy of the reply.

Mr. Satbir, Section Officer, Directorate of Education appeared on behalf
of the respondent No.2 is directed to file their Action Taken Report before the
Commission's Office and also to give their report to the complainant as well as
learned counsel for the respondent no.1.

Mr. Satbir, Section Officer again prayed for time to file reply.

List on 27.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

Suo Moto

V/s

**Urdu, Education Board, Kasturba Balika Vidyalaya Campus, Ishwar Nagar,
Mathura Road, New Friends Colony, New Delhi**

Misc. Case No. 19 of 2021

07.07.2022

Present: Dr. M. Atyab Siddiqui, Advocate for the respondent.
None for the petitioner.

Dr. M. Atyab Siddiqui appeared on behalf of the respondent and submitted that now the Writ Petition is fixed for arguments on dated 01.09.2022, before the Hon'ble High Court Judicature Delhi.

None appeared on behalf of the Suo Moto petitioner.

In the interest of justice, list on 28.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Madarsa Misbahul Uloom, Village and Post - Siraskhera, Thesil and District
- Moradabad, Uttar Pradesh - 244001.**

Vs.

**Principal Secretary, Secondary Education Department, Babu Bhawan, 7th
Floor, Lucknow, Uttar Pradesh - 226001.**

Case No. 32 of 2022

07.07.2022

Present: None.

Despite giving notice to the petitioner, 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.

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

It also transpires from the petition that the petitioner has not filed Niti Ayog Unique ID, Governing Body Resolution and Envelope with postage charges for sending notice to the State Competent Authority.

Hence, the petition is dismissed in default.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Samrat Chandragupt Maurya Madhyaamik Vidyalaya, Bahadurnagar,
Soron, Zila Kasganj, Uttar Pradesh - 207403.**

Vs.

**Principal Secretary, Secondary Education Department, Babu Bhawan, 7th
Floor, Lucknow, Uttar Pradesh - 226001.**

Case No. 33 of 2022

07.07.2022

Present: Mr. Tejasvi Kumar, Advocate for the petitioner.

Office has sent regd. notice to the petitioner, which is received un-served and returned back to this Commission on dated 28.04.2022, which is taken on record.

Mr. Tejasvi Kumar, Advocate appeared on behalf of the petitioner and 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**

SR

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

A.G. Hashmi Degree College, Sadullah Nagar, Balrampur, Uttar Pradesh.

V/s.

**Principal Secretary, Higher Education, Deptt. Of Education,
Government of Uttar Pradesh, Lucknow, U.P.**

Case No. 537 of 2019

07.07.2022.

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**

Maharashtra Medical Education and Research Centre, 2390, B, K.B. Hidayathullah Road, New Modhikhana Azam Campus, Pune, Maharashtra

V/s

- 1. Secretary, Department of Medical Education, Mantralaya, Mumbai, Maharashtra.**
- 2. Maharashtra University of Health Science, Nashik, Through its Registrar, Dindori Road, Mahasrul, Nashik-422004.**

Appeal 27 of 2019

07.07.2022

Present: Mr. Tejasvi Kumar, Advocate for the appellants.
Mr. Saket Jain, Advocate for respondent No.2.

Mr. Tejasvi Kumar, Advocate appeared on behalf of the appellants and submitted that he has received the copy of reply filed by respondent No. 2 on dated 22.02.2022.

Mr. Saket Jain appeared on behalf of the arguing counsel Mr. Gaurav Aggarwal, Advocate for respondent No. 2 and submitted that on earlier hearing dated 22.03.2022, he has filed the reply on behalf of respondent No. 2 alongwith Annexure-1 instead of some documents.

In this case there are only two respondents. However, in earlier order sheet it is wrongly mentioned that none appeared on behalf of respondent No. 01 and 03.

None appeared on behalf of the respondent No.1 i.e. Secretary, Department of Medical Education, Mantralaya, Mumbai, Maharashtra.

Since, none appeared on behalf of the respondent No.1, we proceed ex-parte against respondent No.1.

Now, fix the case for final arguments on 15.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

1. Maharashtra Cosmopolitan Education Society, through its presidents, Dr. P.A. Inamdar, 2390-B, K.B. Hidayatullah Road, New Modikhana, Azam campus, Camp, Pune - 400001,
2. M.C.E. Society's Abeda Inamdar Senior College for Arts, Science & Commerce, Pune through its Principal i.e. Dr. Shaila Bootwala, 2390-B, K.B. Hidayatullah Road, New Modikhana, Azam campus, Camp, Pune - 400001

V/s.

1. State of Maharashtra, through its Principal Secretary, Higher & Technical Education Department, 4th Floor, Mantralaya Annex, Madam Cama Road, Nariman Point, Mumbai
2. Joint Director, Higher Education, Pune Region, Pune 17, Dr. Ambedkar Road, near St. Mathew Marathi Church, Camp, Pune
3. University Grant Commission (UGC), Bahadur Shah Zafar Marg, New Delhi
4. Savitribai Phule Pune University through its Registrar, Pune University Road, Ganeshkhind, Pune - 411007.

Misc. Case No. 28 of 2019

07.07.2022

Present: Mr. Tejasvi Kumar, Advocate for the petitioners.

None for the respondent no. 1, 2, 3 and 4.

Mr. Tejasvi Kumar, Advocate appeared on behalf of the petitioners.

None appeared on behalf of the respondents no. 1 to 4, even in the second round.

Mr. Vijay Kumar, Advocate appeared on behalf of the respondent no.4 on earlier hearing dated 22.03.2022 but none appeared on behalf of the respondent No. 4 today.

Due to Covid-19 pandemic situation in the country and in the interest of justice, learned counsel for the petitioners is directed to file four envelopes alongwith postage charges for sending notices to the respondents.

After compliance of this order, Office is directed to issue notices to all the respondents by registered AD/e-mail.

List on 20.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

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

Vs.

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

Misc. Case No. 29 of 2019

07.07.2022

Present: Mr. Tejasvi Kumar, Advocate for the petitioners.
None for the respondent no. 1, 2 and 3.

Mr. Tejasvi Kumar, Advocate appeared on behalf of the petitioners.
None appeared on behalf of the respondents no. 1 to 3, even in the second round.

Due to Covid-19 pandemic situation in the country and in the interest of justice, learned counsel for the petitioners is directed to file three envelopes alongwith postage charges for sending notices to the respondents.

After compliance of this order, Office is directed to issue notices to all the respondents i.e. respondent No. 1, 2 and 3 by registered AD/e-mail.
List on 20.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

1. Maharashtra Cosmopolitan Education Society, through its presidents, Dr. P.A. Inamdar, 2390-B, K.B. Hidayatullah Road, New Modikhana, Azam Campus, Camp, Pune - 400001
2. M.C.E. Society's Allana College of Pharmacy, Pune through its Principal i.e. Dr. Kiran S. Bhise, 2390-B, K.B. Hidayatullah Road, New Modikhana, Azam Campus, Camp, Pune - 400001

Vs.

1. State of Maharashtra through its Principal Secretary, Higher & Technical Education Depatt., 4th Floor, Manttralaya Annex, Madam Cama Road, Nariman Point Mumbai.
2. Savitribai Phule Pune University through its Registrar, Pune University Road, Ganeshkhind, Pune – 411007

Misc. Case No. 30 of 2019

07.07.2022

Present: Mr. Tejasvi Kumar, Advocate for the petitioners.
None for the respondent no. 1 and 2.

Mr. Tejasvi Kumar, Advocate appeared on behalf of the petitioners.

None appeared on behalf of the respondent no. 1 and 2, even in the second round.

Due to Covid-19 pandemic situation in the country and in the interest of justice, learned counsel for the petitioners is directed to file two envelopes alongwith postage charges for sending notices to the respondents.

After compliance of this order, Office is directed to issue notices to respondent No. 1 and 2, by registered AD/e-mail.

List on 20.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**St. Xavier English School, Ummatwada, Vanthali, Junagadh District,
Gujarat - 362002**

V/s.

- 1. Commissioner of Schools, Block No. 9-1, Dr. Jivraj Mehta Bhawan, Gandhinagar, Gujarat.**
- 2. Deputy Director, Directors of Schools, Old Sachivalaya, Block 9/1, Gandhinagar, Gujarat – 382010**

Case No. 259 of 2020

07.07.2022

Present: Ms. Anju Joseph, Advocate for petitioner.

Ms. Anju Joseph appeared on behalf of the arguing counsel Mr. Jose Abraham and 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**

**St. Xavier School, Ummatwada, Vanthali, Junagadh District, Gujarat -
362002**

V/s.

- 1. Commissioner of Schools, Block No. 9-1, Dr. Jivraj Mehta
Bhawan, Gandhinagar, Gujarat**
- 2. Deputy Director, Directors of Schools, Old Sachivalaya, Block 9/1,
Gandhinagar, Gujarat - 382010.**

Case No. 260 of 2020

07.07.2022

Present: Ms. Anju Joseph, Advocate for petitioner.

Ms. Anju Joseph appeared on behalf of the arguing counsel Mr. Jose Abraham and 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**

**M S Future School, 20-4-104/D, Behind Charminar Bus Stand,
Panchmohalla, Near Charminar, Hyderabad, Telangana - 500002**

V/s

**Secretary, Minorities Welfare Department, "D" - Block, Ground Floor,
Telangana Secretariat, Hyderabad**

Case No. 288 of 2020

07.07.2022

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

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham and again prayed for time to comply with the Commission's earlier Orders dated.

In the interest of justice, last and final opportunity is granted to comply with the Commission's earlier Orders.

List on 13.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**M S Junior College, H. No. : 16-2-705/5/5, Akbarbagh, Malakpet,
Nalgonda District, Telangan - 500036**

V/s

**Secretary, Minorities Welfare Department, "D" Block, Ground Floor,
Telangana Secretariat, Hyderabad**

Case No. 289 of 2020

07.07.2022

Present: Ms. Anju Joseph, Advocate for the petitioner.
None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.

Learned counsel for the petitioner submitted that petitioner does not want to file any subsequent pleading.

Learned Counsel for the petitioner prayed for time to file updated recognition/ affiliation certificate from the concerned University.

Despite registered notice and e-mail to the respondent, we have not received any response/reply from the State Competent Authority. In the facts and circumstances of the case we deem it just and proper that physical inspection report alongwith the recommendations may be obtained from the Committee constituting of the 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.

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.

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

In the interest of justice, list on 13.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**M S Creative High School, Muncipal No. 8-1- 366/B/12, Hill Top
Tower, Janaki Nagar, Tolichowki, Hyderabad, Telangana - 500008**

V/s

**Secretary, Minorities Welfare Department, "D" Block, Ground Floor,
Telangana Secretariat, Hyderabad**

Case No. 290 of 2020

07.07.2022

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

Ms. Anju Joseph, Advocate appeared on behalf of the arguing
counsel Mr. Jose Abraham.

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

In the interest of justice and on the request of learned Counsel for
the petitioner last and final opportunity is granted to file the relevant
documents.

In this case no notice was issued to the respondent till now.

List on 13.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

07.07.2022

Madarsa Yusuf Ali, Village and Post - Rustampur niyawali, Tehsil and District - Sambhal, Uttar Pradesh - 244302.

Vs.

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

Present: None.

An application has been received by post on 13.06.2022 from Madarsa Yusuf Ali, Village and Post - Rustampur niyawali, Tehsil and District - Sambhal, Uttar Pradesh - 244302 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.

In this case, office has reported that the petitioner has left blank column no. 2 and not filed General Body Resolution and envelope with postage charges for sending notice to the State Competent Authority.

In this un-aided Institution out of the total 189 students all are from Muslim Minority Community.

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

In the interest of justice, list on 15.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

A.K

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

07.07.2022

G.N. Junior High School, Village - Islampur Narendrapur, Post - Padiya Nagla, Tehsil and District- Moradabad, Uttar Pradesh - 244001.

Vs.

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

Present: None.

An application has been received by post on 13.06.2022 from G.N. Junior High School, Village - Islampur Narendrapur, Post - Padiya Nagla, Tehsil and District- 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.

In this case, office has reported that the petitioner has not filed General Body Resolution and envelope with postage charges for sending notice to the State Competent Authority and affidavit filed by the petitioner is a photocopy not in original.

In this un-aided Institution out of the total 189 students are from Muslim Minority Community.

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

In the interest of justice, list on 15.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

A.K

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

07.07.2022

Ben-Hur Gurukul, Ben-Hur Road, Pilibhit, Uttar Pradesh.

Vs.

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

Present: None.

An application for grant of minority status certificate to Ben-Hur Gurukul, Ben-Hur Road, Pilibhit, Uttar Pradesh has been received by post on 13.06.2022 from the petitioner mentioned above. It be registered.

It transpires from the petition that on 01.09.2021, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Additional Chief Secretary, Department of Secondary Education, Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. - 226001, which was received by the respondent on 03.09.2021. 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 Copy of Resolution Passed by the Governing Body to obtain Minority Status Certificate from this Commission.

In this case Mr. Om Prakash Singh, District School Inspector, Pilibhit, Uttar Pradesh vide letter dated 12.04.2022 has granted NOC to the Petitioner Institute.

Secretary – NCMEI is directed to send letter (alongwith NOC letter) to the State Competent Authority of the Uttar Pradesh with directions that as per NCMEI Act. 2004, only the authority nominated by the Government of Uttar Pradesh can grant NOC to the Educational Institutions. So, in future only State Competent Authority should issue NOC in favor of Institutions.

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

In the interest of justice, list on 15.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

A.K.

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

07.07.2022

Modern School, Jhansi - 284001.

Vs.

- 1. Director, Minority Welfare Department, 6th Floor, Indira Bhawan, Lucknow, Uttar Pradesh**
- 2. Additional Chief Secretary, Department of School Education Govt. of UP Bahu Khandi,, Secretariat, Lucknow (UP).**

Present: Mr. Tejasvi Kumar, Advocate for the petitioner.

Mr. Tejasvi Kumar, Advocate, appeared on behalf of the petitioner.

An application has been received by hand on 14.06.2022 from Modern School, Jhansi - 284001 for grant of minority status certificate. It be registered.

It transpires from the petition that on 17.08.2020, 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 School Education Govt. of UP Bahu Khandi,, Secretariat, Lucknow (UP), but petitioner has not filed any proof of service of the above mentioned letter.

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 not filed complete Unique ID issued by Niti Ayog and mentioned wrong UID no. in the MSC application.

Mr. Tejasvi Kumar 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 with postage to the petitioner.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

A.K

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

07.07.2022

Modern College of Engineering, Kochabhawar, Kanpur Road, Jhansi - 284128.

Vs.

- 1. Director, Minority Welfare Department, 6th Floor, Indira Bhawan, Lucknow, Uttar Pradesh**
- 2. Additional Chief Secretary, Department of Higher Education Govt. of UP Bahu Khandi,, Secretariat, Lucknow (UP).**

Present: Mr. Tejasvi Kumar, Advocate for the petitioner.

An application has been received by hand on 14.06.2022 from Modern College of Engineering, Kochabhawar, Kanpur Road, Jhansi - 284128 for grant of minority status certificate. It be registered.

It transpires from the petition that on 17.08.2020 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 School Education Govt. of UP Bahu Khandi,, Secretariat, Lucknow (UP), but petitioner has not filed any proof of service of the above mentioned letter.

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 not filed complete Unique ID issued by Niti Ayog.

Mr. Tejasvi Kumar 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 with postage to the petitioner.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

A.K

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

07.07.2022

Modern College of Pharmacy, Kochabhawar, Kanpur Road, Jhansi - 284128.

Vs.

- 1. Director, Minority Welfare Department, 6th Floor, Indira Bhawan, Lucknow, Uttar Pradesh**
- 2. Additional Chief Secretary, Department of Higher Education Govt. of UP Bahu Khandi,, Secretariat, Lucknow (UP).**

Present: Mr. Tejasvi Kumar, Advocate for the petitioner.

An application has been received by hand on 14.06.2022 from Modern College of Pharmacy, Kochabhawar, Kanpur Road, Jhansi - 284128 for grant of minority status certificate. It be registered.

It transpires from the petition that on 17.08.2020 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 School Education Govt. of UP Bahu Khandi,, Secretariat, Lucknow (UP), but petitioner has not filed any proof of service of the above mentioned letter.

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 not filed complete Unique ID issued by Niti Ayog.

Mr. Tejasvi Kumar 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 with postage to the petitioner.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

A.K

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

07.07.2022

Modern Public School, Lalitpur - 284403.

Vs.

- 1. Director, Minority Welfare Department, 6th Floor, Indira Bhawan, Lucknow, Uttar Pradesh**
- 2. Additional Chief Secretary, Department of Higher Education Govt. of UP Bahu Khandi,, Secretariat, Lucknow (UP).**

Present: Mr. Tejasvi Kumar, Advocate for the petitioner.

An application has been received by hand on 14.06.2022 from Modern Public School, Lalitpur - 284403 for grant of minority status certificate. It be registered.

It transpires from the petition that on 17.08.2020 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 School Education Govt. of UP Bahu Khandi,, Secretariat, Lucknow (UP), but petitioner has not filed any proof of service of the above mentioned letter.

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 not filed complete Unique ID issued by Niti Ayog.

Mr. Tejasvi Kumar 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 with postage to the petitioner.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

A.K

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

07.07.2022

Vahidan Memorial Education Social Welfair Society, Village - Padli, Post - Barampur, District - Bijnor, Uttar Pradesh - 246731.

Vs.

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

Present: None.

An application for grant of minority status certificate to Vahidan Memorial Education Social Welfair Society, Village - Padli, Post - Barampur, District - Bijnor, Uttar Pradesh - 246731 has been received by hand on 27.06.2022 from the petitioner mentioned above. It be registered.

It transpires from the petition that on 07.12.2021, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Additional Chief Secretary, Department of Secondary Education, Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. - 226001, which was received by the respondent on 10.12.2021. 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.

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.

Petitioner has not filed Resolution Passed by the Governing Body to obtain Minority Status Certificate from this Commission and left blank column no. 6(a).

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

In the interest of justice, list on 15.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

A.K.