Olive English Medium High School, Kinassery, Pokkunnu P.O., Kozhikode, Kerala

V/s.

The Secretary, General Education Department, Government of Kerala, Thiruvananthapuram, Kerala – 695001

Case No. 401 of 2019

11.04.2023.

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

None for the respondent.

Learned Counsel for the petitioner has filed true notarized copy of online proof of State Board affiliation from General Education Department, Govt. of Kerala before the Commission's Office on dated 09.03.2023, which is 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The petition is disposed of as withdrawn.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 envelope and postage charges to the learned counsel for the petitioner.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Jamiatul Iqra Arabic Institute, Gandhi Nagar, Zaidpur Dehat, Nawabganj, District- Barabanki, Uttar Pradesh - 225414 V/s.

- 1. Additional Chief Secretary, Department of School Education, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh.
- 2. Additional Chief Secretary, Department of Higher Education, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh.
- 3. Principal Secretary, Department of School Education, Govt. of Uttar Pradesh.
- 4. Additional Chief Secretary, Minority Welfare and Waqf Department, Bahu Khandi, Secretariat, Lucknow, UP-226001.

Case No. 749 of 2019

11.04.2023.

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

Learned counsel for the petitioner has filed renewed Society Registration Certificate before the Commission's office on dated 31.03.2023, which is taken on record.

Despite service of letters and e-mails, the members of the Physical Inspection Committee have failed to send the Physical inspection report.

In the interest of justice, we have heard learned counsel for the petitioner.

Reserved for Orders.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

Oxford English School, Mutlur Byepass, Thillainayagapuram, Near Vandigate, Chdambaram Taluk, District - Cuddalore, Tamil Nadu - 608001

V/s.

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

Case No. 50 of 2020

11.04.2023.

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

National Institute of Fire & Safety Engineering & Technology, No. 4&26/2, College, Road, Subramaniyapuram, Karaikudi, Sivaganga District, Tamil Nadu - 630002

V/s.

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

Case No. 51 of 2020

11.04.2023.

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

Despite service of registered notice and e-mail, none appeared on behalf of the respondent even in the second round.

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

In the interest of justice, list the case for final arguments on 20.07.2023.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

National Public School, Whitefield, 1/4., KG&S and SRB Gurukul, Kumbena, Agrahara, Kadugodi Post, Whitefield, Bangalore, Karnataka.

Vs.

Additional Chief Secretary, Department of Higher Education, Govt. of Karnataka, Sixth Floor, Multi Storeyed Building, Bengaluru.

Case No. 104 of 2020

11.04.2023.

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

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

Vs.

- 1. Additional Chief Secretary, Department of Higher Education, Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh 226001.
- 2. Deputy Director, Minority Welfare Department, 6th Floor, Indira Bhawan, Lucknow, Uttar Pradesh
- 3. Additional Chief Secretary, Secondary Education Department, Bapu Bhawan, 7th Floor, Lucknow 226001.

Case No. 336 of 2020

11.04.2023.

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

Learned counsel for the petitioner has filed an affidavit in compliance of Hon'ble Court of the Commission's Order dated 07.02.2023 before the Commission's Office on dated 06.04.2023, which is taken on record.

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

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

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

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

List on 01.06.2023.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

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

Vs.

- 1. Additional Chief Secretary, Department of Technical Education, Government of Uttar Pradesh, Lucknow, Uttar Pradesh 226001.
- 2. Deputy Director, Minority Welfare Department, 6th Floor, Indira Bhawan, Lucknow, Uttar Pradesh

Case No. 337 of 2020

11.04.2023.

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

Mr. Yogendra Singh, Joint Director, TRG/APR Office for the respondent.

Mr. Yogendra Singh, Joint Director, TRG/APR Office appeared on behalf of the respondents and prayed for time to file the reply.

Mr. M.K. Singh Principal, Govt. - ITI, Agra has written a letter dated 06.02.2023 addressed to the Commission which is received in the Commission's Office on dated 07.02.2023 and is taken on record.

Looking to the previous Order sheet dated 07.02.2023, last and final opportunity is granted to the respondent for filing the reply.

In the interest of justice, list on 12.07.2023.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

Iqra Public School, B-305, Street No. 6, Nehru Vihar, New Mustafabad, Delhi - 110094.

Vs.

Assistant Director of Education (Act), Directorate of Education, Government of NCT of Delhi, Room No. 214-A, Old Secretariat, Delhi – 110054.

Case No. 233 of 2021

11.04.2023.

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

In compliance of the Commission's earlier Order dated 09.02.2023, despite letter by post and e-mail to the members of the Physical Inspection Committee, we have not received any response/Physical inspection report from the members of the said Committee.

Office is directed to again issue reminder letter by post and e-mail to the members of the Physical Inspection Committee for sending the report in compliance of the Commission's earlier Order dated 09.02.2023, positively before the next date of hearing.

In the interest of justice, list on 12.07.2023.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Madarsa Aliya Sageeran, Mohalla - Qureshi, Vasudev Amroha, Uttar Pradesh - 244221.

Vs.

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

Case No. 250 of 2021

11.04.2023

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

Mr. Junais P., Advocate appred on behalf of the petitioner institution and seeks leave to withdraw the petition with liberty to file a fresh petition for the same relief.

Manager of the petitioner's Society filed a letter by hand, before the Commission's Office on dated 09.02.2023, which is taken on record.

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.

> DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> > DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Minerva Institute of Management and Technology, Sudhowala, Chakrata Road, Dehradun, Uttarakhand - 248001.

Vs.

- 1. The Addl. Chief Secretary, Higher Education, Govt. of Uttarakhand, Dehradun.
- 2. Principal Secretary, Higher Education, uttarakhand Govt., Devendra Shastri Bhawan, Uttarakhand Secretariat, Dehradun.
- 3. Incharge Secretary, Higher Education, Uttarakhand Govt., Room No. 7, Ground Floor, Late Soban Singh Jeena Bhawan (SBI Bank Building), Uttarakhand Secretariat.

Case No. 60 of 2022

11.04.2023

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

Learned counsel for the petitioner again prayed for last and final opportunity file the rejoinder.

In the interest of justice, last and final opportunity is granted. List on 01.06.2023.

DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

IPS Academy Institute of Business Management & Research, Sanwer Road, Gram Badodia Khan, Indore Ujjain Road, Gram Badodiya Khan Sanwer, Madhya Pradesh - 453551.

Vs.

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

Case No. 163 of 2022

11.04.2023

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/ physical inspection report from the Physical Inspection Committee till now.

Office is directed to again 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.

In the interest of justice, list on 19.07.2023.

DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

IPS Academy, Bilidoz, Old Ranappur Road, Near Natural Residency, Jhabua, Madhya Pradesh - 457661.

Vs.

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

Case No. 164 of 2022

11.04.2023

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

None for the respondent.

In compliance of the Commission's earlier Order dated 22.11.2022, Physical Inspection Committee, Jhabua has sent by post, physical inspection report along with covering letter dated 06.03.2023, which was received in the Commission's Office on dated 09.03.2023.

We have perused the physical inspection report, which is pertaining to Indore Public School, Jhabua, N.H. 59, Kishanpuri, Gram Gadwada, Jhabua, which is not for this case but pertaining to Case no. 01 of 2023 listed today.

So Office is director to attach the above report to Case no. 01 of 2023.

We have also perused the file, in this case file Hon'ble Minister, State of Madhya Pradesh Shri Inder Singh Parmar has written a recommendation letter to the Commission which was attached in this file but this letter is also pertaining to Indore Public School, Jhabua, N.H. 59, Kishanpuri, Gram Gadwada, Jhabua,

We have also reply to the Hon'ble Minister of above letter.

Office is directed to take these both letters in the file no. 01 of 2023 because both are also pertaining to Indore Public School, Jhabua, N.H. 59, Kishanpuri, Gram Gadwada, Jhabua.

Looking to the covering letter of Physical Inspection Report that IPS

IPS Academy, Bilidoz, Old Ranappur Road, Near Natural Residency, Jhabua is not functioning.

Learned Counsel for the petitioner seeks leave to withdraw the petition.

Leave is granted.

The petition is disposed of as withdrawn.

Office is directed to return the envelope to the learned counsel for the petitioner.

DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Shalom Matriculation Higher Secondary School, G.S.T. Road, Vandalur, Chennai, Tamil Nadu - 600048.

Vs.

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

Case No. 264 of 2022

11.04.2023

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

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham and prayed for time to comply with the Commission's earlier Order dated 13.12.2022. In the interest of justice, time prayed for is allowed.

List on 19.07.2023.

DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Rampur National Junior Basic School, Khusro Bagh Road, District - Rampur, Uttar Pradesh - 244901.

Vs.

- 1. Additional Chief Secretary, Department of School Education Govt. of UP Bahu Khandi,, Secretariat, Lucknow (UP).
- 2. Additional Chief Secretary, Department of Secondary Education, Government of Uttar Pradesh.

Case No. 265 of 2022

11.04.2023

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

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

Despite giving regd. notice to the respondent, 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.

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

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

List on 20.07.2023.

DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Indore Public School, N.H. 59, Kishanpuri, Gram Gadwada, Jhabua, Madhya Pradesh - 457661.

Vs.

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

Case No. 01 of 2023

11.04.2023

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

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

Respondent has sent a letter dated 31.01.2023 by post, which was received in the Commission's Office on dated 06.02.2023 and is taken on record.

Same letter is also received by email on dated 02.02.2023, which is also taken on record.

Learned counsel for the petitioner submitted that this case was filed after withdrawing the earlier case no. 117 of 2019 on dated 27.01.2022.

There was a controversy in the previous case regarding variance in the no. of students.

We have seen the inspection report send in case no. 164 of 2022, which is pertaining to Indore Public School, Jhabua, N.H. 59, Kishanpuri, Gram Gadwada, Jhabua.

Now students of Jain Community are in satisfactory percentage as per the Census of the year 2011 of State of Madhya Pradesh.

Office is directed to attach the physical inspection report, which is received in the case no. 164 of 2022.

As per the special request of learned counsel for the petitioner and also the request received from the Hon'ble Minister, State of Madhya Pradesh and in the interest of justice, heard, learned counsel for the petitioner.

Reserved for Orders.

DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Kids Delhi Public School, K Block, Kidwai Nagar, Behind Mikky House, Kanpur, Uttar Pradesh - 208011.

Vs.

1. Additional Chief Secretary, School Education Department, Bapu Bhawan, 7th Floor, Lucknow, Uttar Pradesh - 226001

2. Additional Chief Secretary, Secondary Education Department, Bapu Bhawan, 7th Floor, Lucknow, Uttar Pradesh - 226001.

Case No. 03 of 2023

11.04.2023

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

Mr. Susheel Kumar Sharma for the respondents.

Mr. Susheel Kumar Sharma, BEO, U. P. appeared on behalf of the respondents and prayed for time to filed his reply.

Learned counsel for the petitioner filed by hand, certified copy of the Old Memorandum of Association before the Commission's Office on dated 21.03.2023, which is taken on record.

Amended Memorandum of Association was registered before the Pradhan Sahayak, Firms, Societies and Chits, Kanpur on dated 19.01.2022 and petitioner has filed NOC application under Section 10 of NCMEI Act, 2004 on dated 25.05.2022 and application for grant of MSC on dated 08.12.2022 before this Commission, which is amended prior to filing both the applications.

List on 20.07.2023.

DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Preeti Shimmar, D/o. Sh. Satvir Singh, R/o H.No. 111, Nizam Pur Rashid Pur, Nizam Pur, Delhi - 81.

- Applicant

Vs.

1. The Chairman, Sukho Khalsa Sr. Sec. School, Jail Road, Janak Puri, New Delhi - 110058.

- Respondent No. 1

2. The Assistant Director of Education (Act), Govt. of NCT Delhi, Old Secretariat, New Delhi – 110054

- Respondent No. 2

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

Misc. Case No. 23 of 2022

11.04.2023

Present: Mr. Rohit Sehrawat, Advocate for the applicant.

Ms. Jyotsna Kaur, Advocate along with Mr. kuldeep Singh

for the respondent no. 01

None for the respondent no.02.

Despite service of regd. notice and email also, none appeared on behalf of the respondent no. 02, even in the second round.

Mr. Rohit Sehrawat, Advocate appeared on behalf of the applicant.

Ms. Jyotsna Kaur, Advocate appeared on behalf of the respondent no.01 and prayed for time to file her Vakalatnama as well as reply to the petition filed under Section 12 (c) of NCMEI Act, 2004.

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

List on 20.07.2023.

DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Mr. Anil Kumar Yadav, Manager, Acharya Baldev Shiksha Samiti, Kopa, Patarahi, Jaunpur, Uttar Pradesh

..... Petitioner

V/s

- 1) Principal/Headmaster, Acharya Baldev Sansthan, Village Kopa, P.O. Patarahi, District Jaunpur, UP
- 2) Deputy Director, Minorities Welfare Department, Indira Bhawan, Lucknow, Uttar Pradesh
- 3) Additional Chief Secretary, Department of Secondary Education, Bapu Bhawan, 7<sup>th</sup> Floor, Lucknow, Uttar Pradesh-226001

..... Respondents

Misc. Case No. 02 of 2023

11.04.2023

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

Order dictated separately and pronounced, which reads as under:

"It is an admitted fact that only seven (7) members out of seventeen (17) total members are from minority community and ten (10) are from non minority community remaining in the Society. This minority educational institution is being run by a Society, then majority of the members of the Society, must be from the minority community. So as per the provisions of the NCMEI Act, 2004, petitioner institution has lost the minority status. There is no documentary evidence on record to rebut the documentary evidence filed by the petitioner.

In the premise, the petition filed by Mr. Anil Kumar Yadav, Manager, Acharya Baldev Shiksha Samiti, Kopa, Patarahi, Jaunpur, Uttar Pradesh succeeds and allowed. The impugned order dated 04.12.2012 passed by this Commission in favour of Acharya Baldev Sansthan, Village Kopa, P.O. Patarahi, District Jaunpur, UP for grant of MSC is hereby cancelled."

In view of the above, the present petition is allowed and disposed of accordingly.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER