

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

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

**&**

2. **Shri Rohit Kumar, Village & P.O. - dhabahi, S - Laukahi, District - Madhubani, Bihar - 847108**

**V/s**

1. **Shri S.M. Zafar Imam, President, Rauf Muslim Jamia Society, C/o. S.M. Zaheera Alam Teachers Training College, P.O. - Bahera, District - Darbhanga, Bihar & Anr.**

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

**Case No. 319 of 2018**

**05.08.2021**

Present: Mr. S.M. Naiyer Imam for the petitioner  
Mr. Saifi Ahmad, Advocate for the respondent no.1

Mr. S.M. Naiyer Imam, petitioner present in person.

Mr. Saifi Ahmad, Advocate present on behalf of the respondent no.1.

None present on behalf of the petitioner no.2 and respondent no.2.

This is one of the oldest case of this Commission.

We have heard Mr. S.M. Naiyer Imam and Mr. Saifi Ahmad, Advocate.

Reserved for orders.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR

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

**Madaru Dawathil Islamiyya Destitute Home, C.M. Nagar, Karulai  
P.O., Nilambur (Via), Malappuram District, Kerala**

**V/s.**

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

**Case No. 337 of 2019**

**05.08.2021**

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 again prayed for time to  
file certified copies of relevant documents. In the interest of justice,  
time prayed for is allowed.

List on 25.11.2021.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR

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

**A.M.U.P. School, Vaniyannur (Aided), P.O., Iringavoor, Tirur,  
Malappuram, Kerala**

**V/s.**

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

**Case No. 343 of 2019**

**05.08.2021**

Present: None.

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

Reserved for order.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR

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

**VPLPS Karathur (Aided), Codackal P.O., Tirur, Malappuram,  
Kerala**

**V/s.**

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

**Case No. 344 of 2019**

**05.08.2021**

Present: None.

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

Reserved for order.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR

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

**A.M.U.P. School, Parakkal (Aided), Kalpakanchery Kanmanam  
P.O., Malappuram District, Kerala**

**V/s.**

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

**Case No. 345 of 2019**

**05.08.2021**

Present: None.

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

Reserved for order.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR

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

**A.M.L.P.S. Cherai (Aided), Cherai, Andathode P.O., Thrissure,  
Kerala**

**V/s.**

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

**Case No. 346 of 2019**

**05.08.2021**

Present: None.

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

This petition was filed by Shri Muhammed Farooq P.K., Manager,  
A.M.L.P.S., Cherai, Andathode P.O., Thrissure, Kerala.

Petitioner has not complied with the Commission's earlier Order  
dated 04.06.2019, till now.

In the interest of justice, list on 25.11.2021.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR

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

**Cheruvannur West ALP School (Aided), Cheruvannur,  
Kolathara, Kozhikode District, Kerala**

**V/s.**

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

**Case No. 348 of 2019**

**05.08.2021**

Present: None.

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

Reserved for order.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR

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

**S.V.A.L.P. School Edayoor (Aided), Edayoor North P.O.,  
Malapuram, Kerala**

**V/s.**

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

**Case No. 349 of 2019**

**05.08.2021**

Present: None.

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

Reserved for order.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR



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

**C.H. Mohammed Koya Memorial U.P. School (Aided),  
Mundakkulam, Muthuparamba P.O., Mallapuram District, Kerala  
V/s.**

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

**Case No. 350 of 2019**

**05.08.2021**

Present: None.

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

Reserved for order.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR

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

**Erathuvadakara U.P School (Aided), P.O. Erathu Vadakara  
Manimala, Kottayam Dt., Kerala.**

**Vs.**

**Secretary, General Education Deptt., Government of Kerala,  
Thiruvananthapuram, Kerala – 695 001.**

**Case No. 353 of 2019**

**05.08.2021**

Present: None.

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

Reserved for order.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR

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

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

**V/s.**

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

**Case No. 357 of 2019**

**05.08.2021**

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 again prayed for time to file an application under Order 8 Rule 9 and Section 151 C.P.C..

We have perused the file and found that Office has attached the four documents filed by the learned counsel for the petitioner in the file without any Order of Commission's Court. Learned counsel for the petitioner filed said documents on dated 07.11.2019, which are already in file and now taken on record.

In future Office is directed that no documents should be attached with case file without specific Order of Court of the Commission.

In the interest of justice, list on 25.11.2021.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR

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

**St. Anne's Pre-University College, Vidyagiri, Bagalkot,  
Karnataka.**

**Vs.**

**Additional Chief Secretary to Govt., Education Dept. (Higher  
Education), Govt. of Karnataka.**

**Case No. 638 of 2019**

**05.08.2021**

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

Learned counsel for the petitioner has prayed for time to file certified copies of the relevant documents as well as to comply with the Commission's earlier Order dated 15.10.2019.

In the interest of justice, list on 18.01.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR

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

**St. Anne's Public School, Teacher's Colony, Mulbagal, Kolar  
Dt., Karnataka.**

**Vs.**

**Additional Chief Secretary to Govt., Education Dept. (Higher  
Education), Govt. of Karnataka.**

**Case No. 639 of 2019**

**05.08.2021**

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

Learned counsel for the petitioner has prayed for time to file certified copies of the relevant documents as well as to comply with the Commission's earlier Order dated 15.10.2019.

In the interest of justice, list on 18.01.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR

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

**St. Anne's Pre-University College, Hangal Road, Karnataka.**

**Vs.**

**Additional Chief Secretary to Govt., Education Dept. (Higher Education), Govt. of Karnataka.**

**Case No. 640 of 2019**

**05.08.2021**

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

Learned counsel for the petitioner has prayed for time to file certified copies of the relevant documents as well as to comply with the Commission's earlier Order dated 15.10.2019.

In the interest of justice, list on 18.01.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR

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

**St. Anne's Pre-University College, Changavara Road,  
Jyothinagara, Sira, Tumkur Dt., Karnataka.**

**Vs.**

**Additional Chief Secretary to Govt., Education Dept. (Higher  
Education), Govt. of Karnataka.**

**Case No. 641 of 2019**

**05.08.2021**

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

Learned counsel for the petitioner has prayed for time to file certified copies of the relevant documents as well as to comply with the Commission's earlier Order dated 15.10.2019.

In the interest of justice, list on 18.01.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR

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

**St. Anne's Pre-University College, N.R. Mohalla, Mysore,  
Karnataka.**

**Vs.**

**Additional Chief Secretary to Govt., Education Dept. (Higher  
Education), Govt. of Karnataka.**

**Case No. 642 of 2019**

**05.08.2021**

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

Learned counsel for the petitioner has prayed for time to file certified copies of the relevant documents as well as to comply with the Commission's earlier Order dated 15.10.2019.

In the interest of justice, list on 18.01.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR



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

**St. Anne's Pre-University College, M.B. Road, Kolar, Karnataka.  
Vs.  
Additional Chief Secretary to Govt., Education Dept. (Higher  
Education), Govt. of Karnataka.**

**Case No. 644 of 2019**

**05.08.2021**

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

Learned counsel for the petitioner has prayed for time to file certified copies of the relevant documents as well as to comply with the Commission's earlier Order dated 17.10.2019.

In the interest of justice, list on 18.01.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR

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

**St. Anne's Girls Pre-University College, N.E.S. Colony,  
Malavalli, Mandya Dt., Karnataka.**

**Vs.**

**Additional Chief Secretary to Govt., Education Dept. (Higher  
Education), Govt. of Karnataka.**

**Case No. 645 of 2019**

**05.08.2021**

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

Learned counsel for the petitioner has prayed for time to file certified copies of the relevant documents as well as to comply with the Commission's earlier Order dated 17.10.2019.

In the interest of justice, list on 18.01.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR

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

**St. Anne's Girls Pre-University College, Teacher's Colony,  
Mulbagal, Kolar Dt., Karnataka.**

**Vs.**

**Additional Chief Secretary to Govt., Education Dept. (Higher  
Education), Govt. of Karnataka.**

**Case No. 646 of 2019**

**05.08.2021**

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

Learned counsel for the petitioner has prayed for time to file certified copies of the relevant documents as well as to comply with the Commission's earlier Order dated 17.10.2019.

In the interest of justice, list on 18.01.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR

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

**St. Anne's School, Hangal Road, Near Bi Pass Road, Haveri,  
Karnataka.**

**Vs.**

**Additional Chief Secretary to Govt., Education Dept. (Higher  
Education), Govt. of Karnataka.**

**Case No. 649 of 2019**

**05.08.2021**

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

Learned counsel for the petitioner has prayed for time to file certified copies of the relevant documents as well as to comply with the Commission's earlier Order dated 17.10.2019.

In the interest of justice, list on 18.01.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

SR

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

**05.08.2021.**

**Akal Academy, Telipura, Village - Telipura, PO - Choukhandi, Via  
Kashipur, Tehsil - Tanda, District - Rampur, Uttar Pradesh - 244713.**

**Vs.**

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

Present: None

An application for grant of minority status certificate to Akal Academy, Telipura, Village - Telipura, PO - Choukhandi, Via Kashipur, Tehsil - Tanda, District - Rampur, Uttar Pradesh – 244713, has been received by post on 20.07.2021. It be registered.

It transpires from the petition that on 10.02.2020, the petitioner has applied for grant of No Objection Certificate to the wrong State Competent Authority i.e. Principal Secretary, Secondary Education, Uttar Pradesh Govt., Lucknow, Uttar Pradesh instead of Additional Chief Secretary, Department of School Education, Govt., of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. - 226001, who is the State Competent Authority notified by the State of Uttar Pradesh for grant of NOC, which was received by the respondent on 12.12.2020. 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 institute has not submitted a copy of Resolution passed by the Governing Body of the Society for obtaining Minority Status Certificate from this Commission.

Office is directed to issue notice by registered AD/e-mail to the petitioner to file additional envelope with postage charges for sending notice to both the respondents.

In the interest of justice, list on 19.01.2022

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

A.K

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

**05.08.2021**

**TGM Vidyaniketan, Maravanthuruthu PO, Vaikom, Kerala.**

**Vs.**

**Director, Directorate of Minority Welfare, Govt. Kerala, 4th Floor,  
Vikas Bhavan, Thiruvananthapuram, Kerala – 695033.**

Present: None

An application for grant of minority status certificate to TGM Vidyaniketan, Maravanthuruthu PO, Vaikom, Kerala, has been received by post on 20.07.2021. It be registered.

It transpires from the petition that on 10.08.2020, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Director, Directorate of Minority Welfare, Govt. Kerala, 4th Floor, Vikas Bhavan, Thiruvananthapuram, Kerala – 695033, which was received by the respondent on 20.08.2020.

Thereafter, the state competent authority i.e. Director (Competent Authority) of Minority Welfare Department, Kerala has granted No Objection on 17.11.2020, that the No Objection Certificate has granted for minority Status Certificate for the Secondary Section.

It transpires from the petition that the application for grant of NOC has submitted before the State Competent Authority by Manager of the School instead of Secretary/ Chairman / or Member of the Trust belong the School and petitioner institute has filed incomplete UID issued by Niti Ayog.

This Commission has issued public notice on dated 20.01.2020 that in order to streamline the process of filing application for grant of Minority Status Certificate in this Commission and application for grant of NOC before the State Competent Authority, it has been decided that the same person should sign the Declaration, Affidavit , and Vakalatnama, who can be the following:

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

In this case office has reported that name of signatory of the declaration part of application and affidavit as President/ Managing Trustee is available in the list of current members but the same has not certified by the registrar of societies.

Further office has also reported that recognition certificate filed by the petitioner is without signed and not from Central / State Examination Board.

Petitioner institute has not submitted a copy of Resolution passed by the Governing Body of the Society for obtaining Minority Status Certificate from this Commission.

Office is directed to issue show cause notice by registered AD/e-mail to the petitioner to file relevant documents and explanation alongwith additional envelope with postage charges for sending notice to both the respondents.

In the interest of justice, list on 19.01.2022

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

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

**05.08.2021**

**Ebenezer Higher Secondary School, Veetoor Nellad (P.O),  
Kunnathunadu (Thaluk), Ernakulam (Dist.), Kerala - 686669.**

**Vs.**

**Director, Directorate of Minority Welfare, Govt. Kerala, 4th Floor,  
Vikas Bhavan, Thiruvananthapuram, Kerala – 695033.**

Present:

An application for grant of minority status certificate to Ebenezer Higher Secondary School, Veetoor Nellad (P.O), Kunnathunadu (Thaluk), Ernakulam (Dist.), Kerala - 686669, has been received by post on 20.07.2021. It be registered.

On perusal of the petition we, find that petitioner has not filed the copy of application submitted before the State Competent Authority for grant of NOC but filed the No Objection Certificate granted by the state competent authority i.e. Director (Competent Authority) of Minority Welfare Department, Kerala dated 23.11.2020, that the No Objection Certificate has granted to award minority Status Certificate.

Petitioner institute has not submitted a copy of Resolution passed by the Governing Body of the Society for obtaining Minority Status Certificate from this Commission.

It transpires from the petition that the society registration certificate filed by the petitioner with this petition is in other language than Hindi/ English and petitioner institute has filed incomplete UID issued by Niti Ayog.

In this case office has reported that petitioner has filed xerox copy of the affidavit not in original.

Further office has also reported that validity period of the recognition certificate filed by the petitioner has expired.

Office is directed to issue show cause notice by registered AD/e-mail to the petitioner for compliance of the above order.

In the interest of justice, list on 19.01.2022

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

A.K

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

**05.08.2021.**

**Linh Son Buddhist Intermediate College, Kushinagar, Uttar Pradesh.  
Vs.**

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

Present: None

An application for grant of minority status certificate to Linh Son Buddhist Intermediate College, Kushinagar, Uttar Pradesh, has been received by post on 20.07.2021. It be registered.

Peruse the officer report; it transpires from the records that the petitioner has not applied before the State Competent Authority for grant of No Objection Certificate.

The Hon'ble Supreme Court in Civil Appeal No. 3945 of 2018 in case of Sisters of St. Joseph of Cluny vs. The State of West Bengal and Ors. vide order dated 18.04.2018, has held that any person who desires to establish a minority educational institution after the amendment Act of 2006 came into force, must apply only to the competent authority for grant of No Objection Certificate for the said purpose.

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

It also transpires from the records, that the petitioner has also applied before the State Competent Authority for grant of Minority Status Certificate and that the 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 petitioner has filed recognition / affiliation certificate filed with this petition but its validity has expired on 2018-19 and not issued by Central / State Education Board.

Petitioner institute has not submitted a copy of Resolution passed by the Governing Body of the Society for obtaining Minority Status Certificate from this Commission

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

In the interest of justice, list on 19.01.2022

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

A.K



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

**05.08.2021.**

**Mount Carmel Convent School, Bairagarh Chichli, Kolar Road,  
Bhopal Dt., Madhya Pradesh - 471001.**

**Vs.**

**Secretary, Backward Classes and Minority Welfare Deptt., Govt. of  
M.P., Room No. 339, Mantralaya, Bhopal, M.P. – 462004.**

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

An application for grant of minority status certificate to Mount Carmel Convent School, Bairagarh Chichli, Kolar Road, Bhopal Dt., Madhya Pradesh - 471001, has been received by hand on 22.07.2021. It be registered.

It transpires from the petition that on 20.02.2021, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Secretary, Backward Classes and Minority Welfare Deptt., Govt. of M.P., Room No. 339, Mantralaya, Bhopal, M.P. – 462004, which was received by the respondent on 22.02.2021. 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.

In this case office has reported that school is operational in Madhya Pradesh and society registered in Delhi.

Petitioner institute has not submitted a copy of Resolution passed by the Governing Body of the Society for obtaining Minority Status Certificate from this Commission

It transpires from the information furnished by the petitioner in Column No.6 (a) of the Application that there is only 14 students of Christian Minority Community is studying presently in the school out of 883 students. It is not clear that what percentage of Christian Minority Community is existing in the district Bhopal of Madhya Pradesh State and how this Institute is primarily working for the benefit of Christian Community.

Learned counsel for the petitioner has prayed for time to file certain relevant documents and explanation. Time prayed for is allowed.

In the interest of justice, list on 18.01.2022

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

A.K

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

**05.08.2021**

**Child Jesus Nursery and Primary School, No. 53, Susaipuram,  
Nungambakkam, Chennai, Tamil Nadu - 600034.**

**Vs.**

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

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

An application for grant of minority status certificate to Child Jesus Nursery and Primary School, No. 53, Susaipuram, Nungambakkam, Chennai, Tamil Nadu – 600034 has been received by hand on 22.07.2021. It be registered.

It transpires from the petition that on 05.07.2019, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Principal Secretary, School Education Department, Government of Tamil Nadu, Rina Road, Fort St. George, Secretariat, Chennai, Tamil Nadu - 600009, which was received by the respondent on 11.07.2019. The said petition is still pending. The petitioner has waited sufficiently for a period of 90 days, before filing this petition.

The petitioner has filed original AD received from the Postal Department as proof of delivery of NOC application to the respondent.

Petitioner institute has not submitted a copy of Resolution passed by the Governing Body of the Society for obtaining Minority Status Certificate from this Commission

It transpires from the information furnished by the petitioner in Column No.6 (a) of the Application that there is only 37 students of Christian Minority Community is studying presently in the school out of 277 students. It is not clear that what percentage of Christian Minority Community is existing in the district Bhopal of Madhya Pradesh State and how this Institute is primarily working for the benefit of Christian Community

Office is directed to tag the file no. 296 of 2018 with this case.

Issue notice to the respondent by registered Ad/e-mail.

In the interest of justice list on 19.01.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

A.K

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

**05.08.2021**

**St. Joseph's Matriculation School, No. 23, Erusappan Street, J.J. Khan Road, Royapettah, Chennai, Tamil Nadu - 600014.**

**Vs.**

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

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

An application for grant of minority status certificate to St. Joseph's Matriculation School, No. 23, Erusappan Street, J.J. Khan Road, Royapettah, Chennai, Tamil Nadu - 600014 has been received by hand on 22.07.2021. It be registered.

It transpires from the petition that on 28.11.2020, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Principal Secretary, School Education Department, Government of Tamil Nadu, Rina Road, Fort St. George, Secretariat, Chennai, Tamil Nadu - 600009, which was received by the respondent on 17.12.2020. The said petition is still pending. The petitioner has waited sufficiently for a period of 90 days, before filing this petition.

The petitioner has filed original AD received from the Postal Department as proof of delivery of NOC application to the respondent.

It transpires from the information furnished by the petitioner in Column No.6 (a) of the Application that there is only 22 students of Christian Minority Community is studying presently in the school out of 349 students. It is not clear that what percentage of Christian Minority Community is existing in the district Bhopal of Madhya Pradesh State and how this Institute is primarily working for the benefit of Christian Community.

Petitioner institute has not submitted a copy of Resolution passed by the Governing Body of the Society for obtaining Minority Status Certificate from this Commission

In this case office has reported that recognition / affiliation certificate filed by the petitioner is not issued by Central/ State Examination Board and validity of the said affiliation has expired.

Office is directed to tag the file no. 293 of 2018 with this case.

Learned counsel for the petitioner has prayed for time to file certain relevant documents and explanation. Time prayed for is allowed.

In the interest of justice list on 19.01.2022

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

A.K

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

**05.08.2021**

**Goodness Public School Samiti, Village and Post - Ikla Rasoolpur,  
Meerut, Uttar Pradesh - 250406.**

**Vs.**

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

Present: None.

An application for grant of minority status certificate to Goodness Public School Samiti, Village and Post - Ikla Rasoolpur, Meerut, Uttar Pradesh - 250406 has been received by post on 26.07.2021, which is an online application from the petitioner mentioned above. It be registered.

Peruse the officer report; it transpires from the records that the petitioner has not applied before the State Competent Authority for grant of No Objection Certificate.

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.

Petitioner institute has not submitted a copy of Resolution passed by the Governing Body of the Society for obtaining Minority Status Certificate from this Commission.

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 the 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 petitioner has filed recognition / affiliation certificate with this petition but its validity has expired on 2019-20.

Petitioner has not filed envelope with postage charges for sending notice to the respondent and affidavit filed by the petitioner is xerox not in original.

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

In the interest of justice, list on 19.01.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

A.K

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

05.08.2021

1. Dr. Govind Babu, S/o Sh. Bachchan Lal, R/o. 5, Nehru Road, Baraut District, Baghpat, Uttar Pradesh

Applicant No. 1

2. Dr. Deepak Chandra Maurya, S/o, Poshaki Lal Maurya, D.J. College Quarters, Nehru Road, C- Field, Baraut District, Baghpat, Uttar Pradesh.

- Applicant No. 2

3. Dr. Krishna Govind Pandeya, S/o, Suraj Prasad Pandeya, D.J. College Quarters, Nehru Road, C- Field, Baraut District, Baghpat, Uttar Pradesh.

Applicant No. 3

Vs.

1. Digambar Jain College, Baraut, District - Bagpat, Uttar Pradesh -250609, run by (Digambar Jain High School Association, Baraut, Distt.- Bhagpat).

- Respondent No. – 1

2. Principal Secretary, Higher Education, Department of Education Government of UP.

Respondent No. - 2

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

Present: Mr. C. Kannan, Advocate for the Applicant.

An application has been received on 22.07.2021 by hand in the Commission filed by Susheel Tomar & Associates, Advocate on behalf of the above mentioned petitioners for cancellation of minority status certificate issued in favor of Digambar Jain College, Baraut, District - Bagpat, Uttar Pradesh -250609, vide case no. 1905 of 2011 dated 21.02.2012. It be registered as miscellaneous case under section 12-C of the NCMEI Act 2004.

Mr. C. Kannan, Advocate has appeared on behalf of the arguing counsel Mr. Susheel Tomar.

It transpires from the application that applicants have not made the party to the State Competent Authority in this case.

Learned counsel for the appellant is directed to file copies of amended application and envelope with postage charges for sending notice to the parties.

Learned counsel for the applicant has prayed for time to compliance of the above order.

Office is directed to tag the file no. 1905 of 2011 with this case.

After compliance of the above order by the learned counsel for the applicants office is directed to issue notice to the parties by registered Ad/e-mail.

In the interest of justice, list on 19.01.2022

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

A.K.