Chairman, Changal Kunju Musaliar College of Engineering, Kollam, Kerala.

V/s.

Chairman, All India Council for Technical Education (AICTE), Delhi.

Case No. 777 of 2018

14.07.2021

Present: None.

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

This case is pending since 2018 and the oldest case of this Commission.

On the last occasion dated 04.11.2020, none was present on behalf of both the parties.

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

Hence, the complaint is dismissed in default.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

**Suo Moto** 

V/s

Urdu, Education Board, Kasturba Balika Vidyalaya Campus, Ishwar Nagar, Mathura Road, New Friends Colony, New Delhi Case No. 873 of 2018

Present: Mr. M. Atyab Siddiqui for the respondent. None for the petitioner.

Mr. M. Atyab Siddiqui appeared on behalf of the respondent and submitted that now Writ Petition is fixed for final arguments before the Hon'ble High Court Judicature Delhi on 03.08.2021.

None appeared on behalf of the Suo Moto petitioner. In the interest of justice, list on 16.09.2021.

> JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> > DR. JASPAL SINGH MEMBER

Rahmaniya Public School, 27 Udapura, Indora, Madhya Pradesh – 452002.

V/s

The Secretary, Backward Classes and Minority Welfare Department, Govt. of Madhya Pradesh.

Case No. 1151 of 2018

14.07.2021

Present: None.

Order dictated separately and pronounced, which read as under:

"Consequently, Rahmaniya Public School, 27, Udapura, Indore, Madhya Pradesh - 452002 is declared as a minority educational institution covered under Section 2(g) of the National Commission for Minority Educational Institutions Act, 2004 subject to the condition that the petitioner would file an affidavit or undertaking to the fact that the petitioner institution shall not deny admission of eligible candidate of the Muslim minority community subject to the eligibility of the students and the availability of the accommodation in the petitioner institution."

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

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

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Markaz Public School, Quthubi Campus, Puthayathupuraya, A.R. Nagar, P.O. Kuttoor North, Malappuram Dist., Kerala.

Secretary, General Education Department, Government of Kerala.

Case No. 105 of 2019 14.07.2021

Present: Mr. Vikas, Advocate for the petitioner.

None for the respondent.

Mr. Vikas, Advocate appeared on behalf of the arguing counsel Mr. Junais P. and prayed for time to file certified copies of relevant documents. In the interest of justice, time prayed for is allowed.

List on 20.10.2021.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Markaz Girls Higher Secondary School, Karanthur P.O., Kozhikode Dist., Kerala.

V/s.

Secretary, General Education Department, Government of Kerala.

Case No. 106 of 2019 14.07.2021

Present: Mr. Vikas, Advocate for the petitioner.
None for the respondent.

Mr. Vikas, Advocate appeared on behalf of the arguing counsel Mr. Junais P. and prayed for time to file certified copies of relevant documents. In the interest of justice, time prayed for is allowed.

List on 21.10.2021.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Al Qalam Nursery and Primary School, Jalaliya Nagar, Periyapattinam Main Road, Ramanathapuram TK & District, Tamil Nadu.

V/s.

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

Case No. 294 of 2019

14.07.2021

Present: Mr. Vikas, Advocate for the petitioner.

None for the respondent.

Mr. Vikas, Advocate appeared on behalf of the arguing counsel Mr. Junais P. and prayed for time to file certified copies of relevant documents. In the interest of justice, time prayed for is allowed.

List on 21.10.2021.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Aleef Nursery & Primary School, 4/51, Marcoir Street, Mannady, Chennai - 01, Tamil Nadu.

V/s.

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

Case No. 298 of 2019

14.07.2021

Present: Mr. Vikas, Advocate for the petitioner.

None for the respondent.

Mr. Vikas, Advocate appeared on behalf of the arguing counsel Mr. Junais P. and prayed for time to file certified copies of relevant documents. In the interest of justice, time prayed for is allowed.

List on 21.10.2021.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Qalam International Matriculation School, Thirupper Village, Sendrayanpalayam Post, Thiruvallur Distirct, Tamil Nadu.

V/s.

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

Case No. 303 of 2019

14.07.2021

Present: Mr. Vikas, Advocate for the petitioner.

None for the respondent.

Mr. Vikas, Advocate appeared on behalf of the arguing counsel Mr. Junais P. and prayed for time to file certified copies of relevant documents. In the interest of justice, time prayed for is allowed.

List on 26.10.2021.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Classic Montessori High School, Chaudhrana Malihabad Lucknow, Uttar Pradesh – 227111.

V/s

1. Secretary, Department of Higher Education, Government of Uttar Pradesh.

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

Case No. 330 of 2019

14.07.2021

Present: Mr. Vikas, Advocate for the petitioner.

None for the respondent.

Mr. Vikas, Advocate appeared on behalf of the arguing counsel Mr. Junais P. and prayed for adjournment. In the interest of justice, time prayed for allowed.

Respondent has sent a letter dated 01.01.2021 by post and return the original notice of this Commission along with some papers, which are taken on record.

Learned Counsel for the petitioner prayed for time to file Recognition/Affiliation Certificate of the State/Central Board of Secondary Education (CBSE). In the interest of justice, time prayed for is allowed.

It transpires from the record that petitioner has applied for grant of NOC before the wrong Competent Authority. So Special Secretary, Government of Uttar Pradesh has returned original notice, send to the respondent.

Learned counsel for the petitioner prayed for time to file the clarification in the matter. In the interest of justice, time prayed for is allowed.

List on 26.10.2021.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

M.G.M. Higher Secondary School, Manathavady P.O., Wayanad District, Kerala – 670645.

V/s.

The Secretary, General Education Department, Government of Kerala, Thiruvananthapuram, Kerala.

Case No. 331 of 2019

14.07.2021

Present: Mr. Vikas, Advocate for the petitioner.

None for the respondent.

Mr. Vikas, Advocate appeared on behalf of the arguing counsel Mr. Junais P.

Heard, learned counsel for the petitioner.

Reserved for Orders.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

St. Roch's High School, Thope, Vallakkadavu P.O., Thiruvananthapuram, Kerala

V/s.

Secretary, General Education Department, Government of Kerala, Thiruvananthapuram, Kerala - 695001

Case No. 546 of 2019

14.07.2021

Present: Mr. Vikas, Advocate for the petitioner.

None for the respondent.

Mr. Vikas, Advocate appeared on behalf of the arguing counsel Ms. Lakshmi Sree P.

Heard, learned counsel for the petitioner.

Reserved for Orders.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Madarsa Mehandi Hassan, Jarari Dt., Farrukhabad, U.P. V/s.

Additional Chief Secretary, School Education Dept., Government of U.P.

Case No. 611 of 2019

14.07.2021

Present: None

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

In the interest of justice, list on 26.10.2021.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Moral Noor and E.Mehfooz Madarsa, Village & PO Amarpur, Tehsil Siyana, Dt. Bulandshahar, U.P.

V/s.

Additional Chief Secretary, School Education Dept., Government of U.P.

Case No. 613 of 2019 14.07.2021

Present: None.

Despite notice by Ordinary post and email address to the petitioner, none appeared on behalf of the petitioner, even in second round.

On last occasions dated 06.02.2020, 02.09.2020 and 14.03.2021, none was present on behalf of the petitioner.

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

Hence, the petition is dismissed in default.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

Alwin International Public School, Zion Avenue, Padappai, Kanchipuram Dt., Tamil Nadu.

V/s

Principal Secretary, Higher Education Department, Government of Tamil Nadu.

Case No. 615 of 2019

14.07.2021

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.

Despite service of regd. notice, none appeared on behalf of the respondent.

In the interest of justice, list on 20.10.2021

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Balayesu English Medium High School, Nagarazm (Vil. & Mdl.), Guntur District, Andhra Pradesh - 522268.

Vs

Secretary to Government, Government of Andhra Pradesh, Minorities Welfare Department, 3rd Floor, Andhra Pradesh Secretariat, Velagapudi, Amaravati, Andhra Pradesh - 500022.

Case No. 335 of 2020

14.07.2021

Present: Mr. Vikas, Advocate for the petitioner.

Mr. Vikas, Advocate appeared on behalf of the arguing counsel Mr. Junais P.

Petitioner has filed original acknowledgement copy of the NOC application submitted before the State Competent Authority by hand before the Commission's Office on dated 16.02.2021, which is taken on record.

Office is directed to send notice to the respondent by registered AD/e-mail.

List on 05.01.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Vibgyor High, Survey No. 62-1, Behind TGB, Dummas Road, Magdalla, Surat, Gujarat - 395007.

Vs.

- 1. Commissioner of Schools, Govt. of Gujarat, 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. 405 of 2020

14.07.2021

Present: Mr. Vikas, Advocate for the petitioner.
None for the respondents

Mr. Vikas, Advocate appeared on behalf of the arguing counsel Mr. Junais P.

Despite regd. notice, none appeared on behalf of both the respondents.

In the interest of justice and due to Covid-19 pandemic, learned counsel for the petitioner is directed to submit two envelopes and postal charges for sending regd. notice again to the respondents.

After compliance of the above order by the Petitioner, Office is directed to issue notice to the respondents.

List on 05.01.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

Auxilium Convent School, Makarpura Road, Vadodara, Gujarat - 390010.

Vs.

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

Case No. 406 of 2020

14.07.2021

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 04.11.2020. In the interest of justice, time prayed for is allowed.

List on 05.01.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

My Child Modern Madarsa, 313/76B, Main Road, Near Bilal Masjid, Tulsi Nagar, Delhi - 110035.

Vs.

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

Case No. 407 of 2020

14.07.2021

Present: Mr. Mohdammad Nooruzzama Ansari for the petitioner.

Mr. Mohdammad Nooruzzama Ansari, President of the Society personally present and prayed for time to comply with the Commission's earlier Order dated 04.11.2020. In the interest of justice, time prayed for is allowed.

List on 05.01.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

St. Marys High School, P.B. No. 6, Prabhas Patan, Veraval, Junagadh, Gujarat - 362268.

Vs.

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

Case No. 408 of 2020

14.07.2021

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 04.11.2020. In the interest of justice, time prayed for is allowed.

List on 05.01.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

14.07.2021

New Little Flower Matriculation Hr. Sec. School, Nadwa Nagar Schoolagiri, District Krishnagiri, Tamil Nadu - 635117.
Vs.

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

Present: None.

An application has been received by hand on 15.06.2021 for grant of minority status certificate to New Little Flower Matriculation Hr. Sec. School, Nadwa Nagar Schoolagiri, District Krishnagiri, Tamil Nadu - 635117. It be registered.

It transpires from the petition that on 12.12.2019, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e Principal Secretary, School Education Department, Govt. of Tamil Nadu, Rina Road, Fort St. George, Secretariat, Chennai, Tamil Nadu - 600009, which was received by an unknown person by hand on 30.12.2019 and affixed the seal of School education Department, Tappal, Chennai. 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 the photocopy of letter dated 12.12.2019 submitted to the State Competent Authority for grant of NOC wherein respondent has affixed the seal as PoS.

In this case office has reported that petitioner has filed list of founding trustees and list of current trustees of the Trust but the same have not certified by the registrar of trusts.

Office has also reported that petitioner has filed photocopy of affidavit not in original.

Office is directed to tag the file no. 452 of 2019 with this case.

Issue show cause notice by registered AD/e-mail to the petitioner only as to why this petition be not dismissed at this stage.

In the interest of justice, list on 06.01.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

14.07.2021

Spring Dale School, Dhoom Manikpur, Dadri, U.P. -203207.

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

Present: None.

An application has been received by post on 02.07.2021 for grant of minority status certificate to Spring Dale School, Dhoom Manikpur, Dadri, U.P. -203207. 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 <u>Sisters of St. Joseph of Cluny vs. The State of West Bengal and Ors.</u> 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 also reported that name of signatory of the declaration part of application and affidavit as secretary is available in the list of current members but the same has not certified by the registrar of societies

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

Issue show cause notice by e-mail to the petitioner only as to why this petition be not dismissed at this stage.

In the interest of justice list on 06.01.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

14.07.2021

Don Bosco Arts & Science College (Co-Education), 45, Londons Road, Kilpauk, Chennai, Tamil Nadu - 600010.

Vs.

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

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

An application has been received by hand on 05.07.2021 for grant of minority status certificate to Don Bosco Arts & Science College (Co-Education), 45, Londons Road, Kilpauk, Chennai, Tamil Nadu - 600010. It be registered.

It transpires from the petition that on 04.11.2020, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e Principal Secretary, Higher Education Department, Govt. of Tamil Nadu, Rina Road, Fort St. George, Secretariat, Chennai, Tamil Nadu - 600009, which was received by the respondent on 05.11.2020. 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.

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

In this case office also reported that validity of recognition/affiliation certificate filed by the petitioner has expired.

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

In the interest of justice, list on 06.01.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

A.K.

13.07.2021

Holy Family School, Jagarnathpur, Barharwa, Jhikitia, Sahibganj Dt., Jharkhand - 816101.

Vs.

Director Secondary Education Under school education & literacy department 3 rd floor, MDI Building, S.E & L. Department Behind project bhawan, Post-Dhurwa, Dist-Ranchi-834004.

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

An application has been received by hand on 05.07.2021 for grant of minority status certificate to Holy Family School, Jagarnathpur, Barharwa, Jhikitia, Sahibganj Dt., Jharkhand - 816101. It be registered.

It transpires from the petition that on 11.08.2020, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e Director Secondary Education Under school education & literacy department 3rd floor, MDI Building, S.E & L. Department Behind project bhawan, Post-Dhurwa, Dist-Ranchi-834004, which was received by the respondent on 18.08.2020. 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.

In this case office has reported that the name of signatory of this application, affidavit and Vakalatnama is not available in the list of members of the society certified by the registrar of societies.

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

In the interest of justice list on 06.01.2022.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

A.K.