

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

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

**Ilm Nursery and Primary School, Ilayangudi-Sivangagai Road,
Ilayangudi, Sivagangai District, Tamil Nadu-630 702.**

Vs

**Principal Secretary, School Education Department, Government of
Tamil Nadu, Fort St. George, Secretariat, Chennai, Tamil Nadu-
600 009.**

Case No. 141 of 2019

09.02.2022

Present: Mr. Prasanth Kulambil., Advocate for the petitioner.
None for the respondent

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

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

Respondent has sent by post, Counter Affidavit along with
covering letter dated 02.02.2022 before the Commission's Office on
dated 07.02.2022, which is taken on record.

Office is directed to supply copy of the Counter Affidavit to the
learned counsel for the petitioner.

Learned Counsel for the petitioner filed General Body Resolution
of the Trust by hand, before the Commission's office on dated
02.02.2022, which is also taken on record.

Heard, learned counsel for the petitioner.

Reserved for Orders.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Adarsh Jeevan Mahavidhyalaya, Village and Post - Amol (Patha),
Tehe - Karera, District - Shivpuri, Madhya Pradesh.**

V/s.

**The Secretary, Room No. 339, Backward Classes and Minority
Welfare Department, Government of Madhya Pradesh, Mantraya,
Bhopal, Madhya Pradesh.**

Case No. 146 of 2019

09.02.2022

Present: Mr. Prasanth Kulambil., Advocate for the petitioner.
None for the respondent

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

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

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

It transpires from the record that in Col. No. 03 of the MSC
application which is regarding whether claim of the institution is based on
religious or linguistic, the petitioner has mentioned NO.

Learned counsel for the petitioner submitted that due to
typographical error it is mentioned 'no' whereas the institution claim is based
on religious.

Learned counsel for the petitioner prayed for time to file Affiliation
Certificate from the concerned University

In the interest of justice, list on 08.03.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

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

**CH Institute of Business Studies, Palia Road, Off Ujjain Road,
Baroli, Indore, Madhya Pradesh.**

V/s.

**The Secretary, Backward Classes and Minority Welfare
Department, Government of Madhya Pradesh**

Case No. 228 of 2019

09.02.2022

Present: Mr. Prasanth Kulambil., Advocate for the petitioner.
None for the respondent

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

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

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

Learned counsel for the petitioner prayed for time to file General
Body Resolution of the Society and Recognition/Affiliation Certificate from the
concerned University

In the interest of justice, list on 23.03.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

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

**St. Mary's School, Nr. Osho Ashram, Porbander Road, Upleta,
Rajkot Dt., Gujarat.**

V/s.

**Commissioner of Schools, Block No. 9-1, Dr. Jivraj Meheta
Bhawan, Gandhinagar, Gujarat – 382 010.**

Case No. 608 of 2019

09.02.2022

Present: Mr. Jose Abraham, 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 the envelope and postal stamps to the
Learned Counsel for the petitioner.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

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

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

09.02.2022

Present: None.

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

On last occasions dated 14.07.2021 and 26.10.2021, none was present on behalf of the petitioner.

It transpires from the record that this MSC petition and NOC application dated 01.04.2019 under Section 10 of NCMEI Act, 2004 is filed by the Manger of the Society.

Petitioner has also failed to comply with the Commission's earlier Order dated 03.10.2019.

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**

**DR. SHAHID AKHTER
MEMBER**

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

**JMJ Nursery and Primary School, 42/28, 4th Main Road,
Ramakrishna Nagar, Ennore Beach Road, Chennai - 600057, Tamil
Nadu**

V/s.

**Principal Secretary, School Education Department, Fort St.
George, Secretariat, Chennai, Tamil Nadu**

Case No. 724 of 2019

09.02.2022

Present: Mr. Pramod Singh, Advocate for the petitioner

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 the envelope and postal stamps to the Learned Counsel for the petitioner.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

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

**Seventh Day Adventist Matriculation High School, 464/5-1,
Pookara Thottam, Kalarampatti, Salem District, Tamil Nadu –
636015.**

V/s.

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

Case No. 726 of 2019

09.02.2022

Present: Mr. Jose Abraham, 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 the envelope and postal stamps to the
Learned Counsel for the petitioner.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

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**GOVERNMENT OF INDIA
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EDUCATIONAL INSTITUTIONS**

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

**Seventh Day Adventist Matriculation School, Alagar Kovil Main
Road, Surya Nagar, Madurai District, Tamil Nadu**

V/s

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

Case No. 727 of 2019

09.02.2022

Present: Mr. Jose Abraham, 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 the envelope and postal stamps to the
Learned Counsel for the petitioner.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

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

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

**Seventh Day Adventist Matriculation School, No. 249, G.S.T. Road,
Kadaperi, Tambaram, Chennai, Tamil Nadu - 600045**

V/s.

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

Case No. 728 of 2019

09.02.2022

Present: Mr. Jose Abraham, 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 the envelope and postal stamps to the
Learned Counsel for the petitioner.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

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

**Madarsa Jaan Mohammad Islamiya Inter College Shiksha Samiti, Village
- Daulatpurwa Khirabha, Post - Ummedjot, District - Gonda, Uttar
Pradesh - 271123.**

Vs.

**Additional Chief Secretary, Govt. of U.P. Higher Education & Secondary
Education, Bahukhandi Secretariat, Lucknow, UP.**

Case No. 68 of 2020

09.02.2022

Present: None.

Despite giving again and again notices to the petitioner, none appeared on behalf of the petitioner, even in the second round.

On last occasions dated 18.08.2020, 03.03.2021 and 09.09.2021, none was present on behalf of the petitioner.

As per the Commission's earlier Order 22.01.2022, this application for grant of MSC is filed by the Principal in old format.

Petitioner has not filed Niti Ayog Unique ID, list of founding members, recognition/affiliation certificate and envelope and postage charges for sending the notice to the respondent.

It also 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.

Hence, the petition is dismissed in default.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

DR. SHAHID AKHTER

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

MEMBER

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**Alpha Elite High, Berigai Road, Belathur Post, Bagalur, Hosur
Taluk, Krishnagiri District, Tamil Nadu - 635124**

V/s.

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

Case No. 244 of 2020

09.02.2022

Present: Mr. Jose Abraham, 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.

Learned Counsel for the petitioner has filed General Body
Resolution of the Trust before the Commission's Office on dated
11.01.2022, which is taken on record.

Heard learned counsel for the petitioner.

Reserved for Orders.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Sufa Matriculation School, No. R-45, 4th Block, Muthamizh Nagar,
Kodungaiyur, Chennai, Tamil Nadu - 600118**

V/s.

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

Case No. 245 of 2020

09.02.2022

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

Learned counsel for the petitioner has filed before the Commission's Office on dated 02.02.2022, the Judgement dated 02.12.2021 in case W.P. No.25596 of 2021. The copy of the Judgement is downloaded from the website of the High Court of Judicature at Madras and is taken on record.

In the said matter the Hon'ble High Court of Judicature at Madras has given direction to dispose of the present petition with in a period of three months from the date of receipt of a copy of the order.

Office is directed not to give long date in this case.

Learned counsel for the petitioner has filed General Body Resolution of the Trust before the Commission's Office on dated 04.02.2022, which is also taken on record.

We have perused the record and it is observed that till date no notice has been given to the respondent in this case.

In the interest of justice, office is directed to issue notice to the respondent by registered AD and also by e-mail.

Secretary of this Commission is directed to issue a letter to the State Competent Authority to enquiring about the authority which conducts the examinations for Secondary and Senior Secondary School in the State of Tamil Nadu and who is the certificate issuing authority to the students from the State of Tamil Nadu.

List on 09.03.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

St. Aloysius English Medium School, Janum Village, Angara Block, Ranchi District, Jharkhand - 836103.

Vs.

Director, Primary Education, Department of School Education & Literacy, Government of Jharkhand, MDI Building, S.E & L. Department, Behind Project Bhawan, Post - Dhurwa, District - Ranchi- 834004.

CASE NO. 460 of 2020

09.02.2022

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

Learned counsel for the petitioner again prayed for time to comply with the Commission's earlier orders dated 08.12.2020 and 08.09.2021. In the interest of justice, time prayed for is allowed.

List on 20.04.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Pius X Matriculation Higher Secondary School, No. 19/58,
Church Road, Perungudi, Kanchipuram, Chennai, Tamil Nadu -
600009.**

Vs.

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

CASE NO. 461 of 2020

09.02.2022

Present: Mr. Jose Abraham, Advocate for 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.

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

The petition is disposed of as withdrawn.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR MINORITY
EDUCATIONAL INSTITUTIONS

Mount Carmel Primary School, Shirthady, Mangalore Taluk,
Dakshina Kannada District, Karnataka - 574236.

Vs.

Additional Chief Secretary to Government, Education
Department (Higher Education), Government of Karnataka,
Sixth Floor, Multi- Storeyed Building, Bengaluru, Karnataka -
560001.

CASE NO. 462 of 2020

09.02.2022

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

Learned counsel for the petitioner again prayed for time to
comply with the Commission's earlier orders dated 08.12.2020 and
08.09.2021. In the interest of justice, time prayed for is allowed.

List on 26.04.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR MINORITY
EDUCATIONAL INSTITUTIONS

**St. Sebastian English Medium Higher Primary School,
Permanur, Mangalore Taluk, Dakshina Kannada District,
Karnataka - 575017.**

Vs.

**Additional Chief Secretary to Government, Education
Department (Higher Education), Government of Karnataka,
Sixth Floor, Multi- Storeyed Building, Bengaluru, Karnataka -
560001.**

CASE NO. 463 of 2020

09.02.2022

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

Learned counsel for the petitioner again prayed for time to
comply with the Commission's earlier orders dated 08.12.2020 and
08.09.2021. In the interest of justice, time prayed for is allowed.

List on 26.04.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Delhi Global Institute of Management, Jasana, Faridabad,
Haryana.**

Vs.

**Additional Chief Secretary Govt. of Haryana Higher Education
Department for General Colleges & Technical Education
Department for Technical Institutions Room no. 403, 4th Floor
Haryana New Secretariat, Sector-17, Chandigarh.**

Misc Case No. 01 of 2020

09.02.2022

Present: Mr. Prasanth K. Advocate for the petitioner.
Mr. Naveen Kumar ADA, for the respondent.

Mr. Prasanth K. Advocate appeared on behalf of the arguing counsel Mr. Junais P.

In compliance of the Commission's earlier order dated 25.11.2021, office has issued notice to the respondent for final hearing and in response, Mr. Naveen Kumar ADA from the Office of Director General Higher Education, Harynana appeared on behalf of the respondent and desired to file certain documents.

He is directed to supply copies of the documents to the learned counsel for the petitioner and thereafter file the documents in the Commission's office, as per the settled procedure .

Superintendent College-II, for Director General Higher Education, Panchkula, Haryana, has submitted before the Commission's office on dated 03.02.2022, the reply of the respondent which is signed by Mr. Deepak Kumar, Joint Director Administration, Office of Director General Higher Education, Panchkula, Haryana, and the document is taken on record.

Office is directed to supply the copy of the reply sent by the respondent to the learned counsel for the petitioner.

Both of the parties are directed to come prepared to argue the matter. In the interest of justice, list on 16.03.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Deputy Education Director, Commissionerate of Schools, Block
No. 9/1, Dr. Jeevraj Maheta Bhavan, Gandhinagar, Gujarat -
382010**

Vs.

**Secretary, Shree Unnati Education Trust, Gulam Haider,
Nurbhai Dodiya, Kesharpura, Taluk-Idar, Dt. - Sabarkantha,
Gujarat.**

Misc. Case No. 05 of 2020

09.02.2022

Present: Mr. Shubham Singh, Advocate for the Non- applicant.
None for the petitioner.

Learned counsel for the non-applicant submitted that he has
filed some documents before the Commission's Office on dated
08.12.2021 which are not available on record.

Secretary of the Commission is directed to enquire the matter
and if the documents are filed by the learned counsel for the non-
applicant then place the same on file and also issue show cause
notice to the concerned clerk for not filing the said documents.

In the interest of justice, list on 31.03.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR MINORITY
EDUCATIONAL INSTITUTIONS

**Shri Shahid Muneer Siddiqui, Village Hussainpur, Musaiman,
Post Sahijina Hamzapur, District – Ambedkar Nagar, Uttar
Pradesh**

&

**Shri Vinod Kumar Singh, District School Inspector, Ambedkar
Nagar, Uttar Pradesh**

V/s.

**S.N. Inter College, Indaipur, Ambedkar Nagar, Uttar Pradesh –
244129**

Misc. Case No. 08 of 2020

09.02.2022

Present: Mr. Manjive Shukla, Advocate for the petitioner No.2.
None for the petitioner No.1 and respondent.

Despite service of registered notice, none appeared on behalf
of the petitioner No.1, even in the second round.

None appeared on behalf of the and respondent, even in the
second round

Mr. Manjive Shukla, Advocate appeared on behalf of the
petitioner No.2 i.e. Shri Vinod Kumar Singh, District School Inspector,
Ambedkar Nagar, Uttar Pradesh.

Mr. Shahid Muneer Siddiqui has sent by post a letter dated
04.02.2022 which is received in the Commission's office on dated
07.02.2022 and is taken on record.

Office is directed to tag case file no. 1288 of 2016 with this
file.

In the interest of justice, list on 07.04.2022..

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Mount Carmel School, Pabau PO, Pauri-Garhwal (District),
Uttarakhand - 246164.**

Vs.

**Incharge Secretary, Higher Education, Uttarakhand
Government, Room No. 7, Ground Floor, Late Soban Singh
Jeena Bhawan (SBI Bank Building), Uttarakhand Secretariat,
Uttarakhand - 248001.**

Case No. 04 of 2021

09.02.2022

Present: None.

Despite notice by post and also by e-mail, none appeared on behalf of the petitioner, even in the second round.

It transpires from the record that the petitioner has not applied before 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 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 applied before the State competent Authority for grant of MSC and the said application is still pending.

As per law and settled procedures of this Commission, the petitioner cannot apply before this Commission unless and until their MSC application is disposed of by the State competent Authority. Hence, this application is not maintainable as such.

In this case the MoA filed by the petitioner with this petition is not legible petitioner and also he has not filed affidavit and list of present Society members. Further, the petitioner has filed only one small envelope instead of A-4 size envelopes with postage charges for sending notice to the respondent.

Since nobody has appeared to make any submission and 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**

**DR. SHAHID AKHTER
MEMBER**

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

Vision India Convent School, L-3/73, Vineet Khand, Gomti Nagar, Lucknow, Uttar Pradesh.

Vs.

**Additional Chief Secretary, Department of Higher Education,
Government of Uttar Pradesh, Bahu Khandi, Secretariat,
Lucknow, Uttar Pradesh - 22600**

Case No. 22 of 2021

09.02.2022

Present: None.

Despite notice by post and also by e-mail, none appeared on behalf of the petitioner, even in the second round.

It transpires from the record that the Petitioner has not applied before 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 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 applied before the State Competent Authority for grant of MSC and the said application is still pending.

As per law and settled procedures of this Commission, the Petitioner cannot apply before this Commission unless and until their MSC application is disposed of by the State Competent Authority. Hence, this application is not maintainable as such.

In this case the petitioner has mentioned that the petitioner institution is upto the Secondary level whereas in recognition/affiliation certificate submitted alongwith the petition, it is mentioned from Nursery to 8th and has not filed envelope and postage charges for sending notice to the respondent.

Since nobody has appeared to make any submission and 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**

**DR. SHAHID AKHTER
MEMBER**

RS

GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR MINORITY
EDUCATIONAL INSTITUTIONS

09.02.2022

Carmel English Medium School, Village - Chindauli, Post - Bawankera, Mahasamund, Chattisgarh - 493551.

Vs.

Commissioner, ST&SC Development Department, Indrawati Bhawan, Nava Raipur Atal Nagar, Chhattisgarh – 492101.

Present: None.

An application has been received by hand on 31.01.2022 from Carmel English Medium School, Village - Chindauli, Post - Bawankera, Mahasamund, Chattisgarh - 493551 for grant of minority status certificate, which is in old format. It be registered.

Perused the office report and it transpires from the 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.

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

Perused the documents submitted alongwith petition and find that there is no beneficiary clause available in the MoA.

In this case office has also reported that the affidavit filed by the petitioner is not original but a photocopy.

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

In the interest of justice, list on 04.05.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K

GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR MINORITY
EDUCATIONAL INSTITUTIONS

09.02.2022

**Khalsa Public School, Ruria, Post - Kadher Chaura, Tehsil -
Puranpur, District - Pilibhit, Uttar Pradesh - 262122.**

Vs.

- 1. Director, Basic Education Department, Nishadganj, Lucknow,
Uttar Pradesh**
- 2. Principal Secretary, Secondary Education Department, Babu
Bhawan, 7th Floor, Lucknow-226001**

Present: None.

An application has been received by post on 01.02.2022 from Khalsa Public School, Ruria, Post - Kadher Chaura, Tehsil - Puranpur, District - Pilibhit, Uttar Pradesh – 262122 for grant of minority status certificate. It be registered.

It transpires from the petition that on 23.01.2021, the petitioner has applied for grant of No Objection Certificate to the wrong State Competent Authority i.e. Director, Basic Education Department, Nishadganj, Lucknow, Uttar Pradesh instead of Principal Secretary, Secondary Education Department, Babu Bhawan, 7th Floor, Lucknow-226001, which was received by the respondent on 29.01.2021. The said petition is still pending. The petitioner has waited sufficiently for a period of 90 days, before filing this petition.

The petitioner has filed proof of delivery to the Respondent by registered AD.

It also transpires from the records that the petitioner has also applied for grant of Minority Status Certificate before the State Competent Authority 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 Governing Body Resolution to obtain Minority Status Certificate from this Commission, complete UID issued by the NITI Ayog, and Envelope with postage charges for sending notice to the State Competent Authority.

Office is directed, in future mention right State Competent Authority / Respondent in the Cause List of the Uttar Pradesh State.

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

In the interest of justice, list on 04.05.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN
DR. JASPAL SINGH
MEMBER
DR. SHAHID AKHTER
MEMBER**

A.K.

GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR MINORITY
EDUCATIONAL INSTITUTIONS

09.02.2022

**Rahmania Memorial Public School, Village & P.O. - Roopaka,
Tehsil - Hatina, District - Palwal, Haryana - 121103.**

Vs.

- 1. Finance Commissioner and Principal Secretary, Education Department, Haryana Government, Sector – 17, Chandigarh,.**
- 2. Principal Secretary, School Education Department, Room No. 37, 7th Floor Haryana Civil Secretariat, Sector1, Chandigarh-160001**

Present: None.

An application has been received by post on 01.02.2022 from Rahmania Memorial Public School, Village & P.O. - Roopaka, Tehsil - Hatina, District - Palwal, Haryana - 121103 for grant of minority status certificate. It be registered.

It transpires from the petition that on 19.06.2019, the petitioner has applied for grant of No Objection Certificate to the wrong State Competent Authority i.e. Finance Commissioner and Principal Secretary, Education Department, Haryana Government, Chandigarh, Section – 17 instead of Principal Secretary, School Education Department, Room No. 37, 7th Floor Haryana Civil Secretariat, Sector1, Chandigarh-160001, but petitioner has not filed the proof of service of the said letter.

It also transpires from the records, that the petitioner has also applied for grant of Minority Status Certificate before the State Competent Authority 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 as per the information furnished by the Petitioner the school is upto Secondary level but Recognition Certificate which is filled with petition is of class 1st to 8th.

Office has also reported that it appears that the petitioner has submitted xerox copy of the old MSC application by filling the columns which earlier was left blank.

Petitioner has not filed Governing Body Resolution to obtain Minority Status Certificate from this Commission, complete UID issued by the NITI Ayog, and Envelope with postage charges for sending notice to the State Competent Authority.

Contd...

GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR MINORITY
EDUCATIONAL INSTITUTIONS

-2-

Rahmania Memorial Public School, Haryana - 121103.

Vs.

- 1. Finance Commissioner and Principal Secretary, Education Department, Haryana Government, Sector – 17, Chandigarh,.**
- 2. Principal Secretary, School Education Department, Room No. 37, 7th Floor Haryana Civil Secretariat, Sector1, Chandigarh-160001**

Continue from pre-page.

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

In the interest of justice, list on 04.05.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K.