

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

**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

05.01.2022

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

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

Despite notice by regd. post and email, none appeared on behalf
of the respondent, even in the second round.

Office has issued regd. notice to the respondent but tracking/
acknowledgement is not available.

Respondent has sent a letter dated 21.10.2021 by post, which is
received in the Commission's Office on dated 17.11.2021 and is taken on
record.

Learned Counsel for the petitioner submitted that application
dated 06.08.2019 for grant of NOC under Section 10 of NCMEI Act, 2004 is
filed by the Head Mistress of the petitioner institution. Therefore, he wants
to 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The petition is disposed of as withdrawn.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**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

05.01.2022

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

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

Despite service of notices, none appeared on behalf of both the
respondents, even in the second round.

Deputy Director, Directorate of Primary Education, Gandhinagar,
Gujarat has sent a letter dated 21.10.2021 by post, which is received in the
Commission's Office on dated 26.10.2021 and is taken on record.

It transpires from the petition that of the total 529 students, none
from the Parsee Minority Community, even then 01 Parsee teacher is
available in the petitioner institution.

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
EDUCATIONAL INSTITUTIONS**

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

05.01.2022

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

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

Learned Counsel for the petitioner has not complied with the Commission's earlier Order dated 04.11.2020 till now.

In this case petitioner has filed an application for grant of NOC dated 04.12.2018 before the wrong State Competent Authority as mentioned in the Commission's earlier Order dated 04.11.2020.

It transpires from the record that school name is different in recognition/affiliation certificate and in application form submitted by the petitioner. Name of signatory of the declaration part of application for grant of MSC St. Rita LOBO Secretary, is available in list of current society members but the same has not certified by the registrar of societies.

It also transpires from the record that this MSC petition is filed by Sr. Rita Lobo, Secretary, Auxilium Society and NOC application dated 04.12.2018 under Section 10 of NCMEI Act, 2004 is filed by the Principal, Auxilium Convent School.

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, 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

Hence, this application for grant of MSC is not maintainable at this stage.

Accordingly, this application for grant of MSC is hereby dismissed at this stage.

However, the petitioner is free to move fresh application as per prevailing law, rules and notifications.

Hence, the petition is disposed of.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

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

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

05.01.2022

Present: None.

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

Petitioner has filed an application for early hearing on dated 15.07.2021 by hand, before this Commission that is already disposed of and is taken on record.

Petitioner has also filed four documents by hand, before the Commission Office on dated 15.07.2021 and are also taken on record.

Petitioner has filed an application dated 23.08.2021 along with National Institute of Open School Certificate, before the Commission's Office on dated 24.08.2021 and is also taken on record.

Petitioner has informed in Column No. 03 of the petition that Minority Status Certificate has already granted (letter attached) but petitioner has not attached any letter by which State Competent Authority granted Minority Status Certificate to the petitioner institution.

It transpires from the petition that of the total 113 students, 111 students are from the Muslim Minority Community.

In the interest of justice, list on 21.04.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**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

05.01.2022

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

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

Learned counsel for the petitioner has again prayed for time to comply with the Commission's earlier Order dated 04.11.2020.

It transpires from the petition that of the total 986 students, 12 students are from the Christian Minority Community.

Learned Counsel for the petitioner submitted that Mr. Josy Joseph is the Principal of the petitioner institution as well as Managing Trustee of the Stella Maris Trust.

Learned Counsel for the petitioner is directed to file Resolution passed by the General Body of the Trust for obtaining Minority Status Certificate from this Commission.

List on 21.04.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Alphonsa's School, Hindla, Gaganpur P.O., Chakai P.S., Jamui Dt.,
Bihar - 811303.**

Vs.

**Secretary, Human Resource Development Department, Govt. of Bihar,
Secretariat, Patna, Bihar.**

Case No. 144 of 2021

05.01.2022

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

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

Learned counsel for the petitioner has again prayed for time to
comply with the Commission's earlier Order dated 13.07.2021.

List on 10.05.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Thomas School, Agiamore, Agiamore P.O., Godda District,
Jharkhand - 814153.**

Vs.

- 1. 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.**
- 2. Director, Primary Education Department of School Education & Literacy Government of Jharkhand MDI Building, S.E & L. Department Behind project bhawan, PostDhurwa, Dist-Ranchi-834004.**

Case No. 145 of 2021

05.01.2022

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

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

Learned counsel for the petitioner has again prayed for time to comply with the Commission's earlier Order dated 13.07.2021.

List on 10.05.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Thomas School, Sundermore, Sarauni Bazar P.O., Godda District,
Jharkhand - 814156.**

Vs.

- 1. 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.**
- 2. Director, Primary Education Department of School Education & Literacy Government of Jharkhand MDI Building, S.E & L. Department Behind project bhawan, PostDhurwa, Dist-Ranchi834004.**

Case No. 146 of 2021

05.01.2022

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

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

Learned counsel for the petitioner has again prayed for time to comply with the Commission's earlier Order dated 13.07.2021.

List on 10.05.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Anjuman Matriculation Higher Secondary School, No. 16, B.N. Reddy Road, T. Nagar, Chennai, Tamil Nadu – 600017.

V/s

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

Case No. 47 of 2019

05.01.2022

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

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

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**

**Mount Carmel Matriculation School, Carmel Nagar, Podanur,
Coimbatore District, Tamil Nadu.**

V/s.

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

Case No. 434 of 2019

05.01.2022

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

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

Learned Counsel for the petitioner again prayed for time to
file an application in compliance of earlier Order dated 20.01.2021 of
this Commission.

Learned Counsel for the petitioner also prayed for time to
comply with the Commission's earlier Order dated 07.10.2021. In the
interest of justice, time prayed for is allowed.

List on 24.03.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Udhayam Polytechnic College, thenkuda, Thankachimadam, Ariyankudi
P.O., Rameswaram Taluk, Ramanathapuram District, Tamil Nadu.**

V/s.

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

Case No. 438 of 2019

05.01.2022

Present: Ms. Anju Joseph, Advocate for petitioner.

Sh. Ashish Chatterjee , Resident Commissioner, Govt. of Tamil Nadu
for the Respondent.

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

Learned Counsel for the petitioner has filed two documents before the Commission's office on dated 28.12.2021 which are taken on record.

Sh. Ashish Chatterjee, Resident Commissioner, Govt. of Tamil Nadu appeared on behalf of the respondent and submitted that the petitioner institution has applied before the State for grant of MSC on dated 18.11.2019 and State Government has granted MSC to the petitioner institution by Order dated 04.01.2022. So, the application filed by the petitioner institution is not maintainable as such.

Learned Counsel for the petitioner has submitted copy of order G.O.(D). No.6 dated 04.01.2022 of the respondent State and submitted that State has granted MSC to the petitioner institution but that is for a period of 05 years and that is why they are continuing this petition for grant of MSC before this Commission.

We have perused the file and also the said order of State Government dated 04.01.2022.

First of all this case was registered on 17.07.2019 and till now the petitioner institution has not filed any application that the petitioner institution has filed application for grant of MSC before the State Competent Authority. So, it is a clear case of suppression of the material facts from this Commission.

In the facts and circumstances of the case, this petition has become infructuous because State has already granted MSC in favor of the petitioner institution.

Hence, this petition deserves to be dismissed.

However, the petitioner is free to challenge the Order passed by the State Government for granting MSC to the petitioner institution for a period of five years.

Accordingly, this petition is disposed of.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

DR. SHAHID AKHTER

MEMBER

RS

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

**Tagore Public School, Kidwai Nagar, Dadri, Gautam Budh
Nagar, Uttar Pradesh.**

V/s.

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

Case No. 441 of 2019

05.01.2022

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

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

Learned Counsel for the petitioner again prayed for time to comply
with the Commission's earlier order dated 07.10.2021. In the interest of
justice time prayed for is allowed.

Petitioner institution has applied to NCMEI for grant of minority
status certificate. In the facts and circumstances of the case we deem it
just and proper that physical inspection report alongwith the
recommendation may be obtained from the following committee for
issuance of the minority status certificate to the petitioner institution: -

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

Office is directed to issue letter to the above authorities.

In the interest of justice, list on 30.03.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Joseph's School, Gandhi Nagar, Old Town, Badravathi,
Shimoga District, Karnataka.**

V/s.

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

Case No. 443 of 2019

05.01.2022

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

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

Learned Counsel for the petitioner again prayed for time to
comply with the Commission's earlier order dated 07.10.2021. In the
interest of justice time prayed for is allowed.

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**

M S Creative School, C-4/88 A, Yamuna Vihar, (East), Delhi - 110053.

V/s.

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

Case No. 273 of 2020

05.01.2022

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

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

Learned counsel for the petitioner has submitted four
documents before the Commission's Office on dated 28.12.2021
which are taken on record.

It transpires from the records that of the total 412 students
studying in this institution, all are from the Muslim Minority
Community .

Office is directed to issue notice to the respondent by
registered AD and also by e-mail.

List on 12.04.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**M S Future School, Khasra No. 14-15, Biharipur Village,
Shahdara Delhi.**

V/s.

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

Case No. 274 of 2020

05.01.2022

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

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham and again prayed for time to comply with the Commission's earlier Order dated 27.08.2020. In the interest of justice, time prayed for is allowed.

It transpires from the records that of the total 218 students studying in this institution, all are from the Muslim Minority Community .

List on 12.04.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**M S Creative School, 2183, Kucha Aqil Khan, Bazar Sita Ram,
Old Delhi - 110006.**

V/s.

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

Case No. 275 of 2020

05.01.2022

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

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

Learned counsel for the petitioner has submitted four
documents before the Commission's Office on dated 28.12.2021
which are taken on record.

It transpires from the records that of the total 602 students
studying in this institution, all are from the Muslim Minority
Community .

Office is directed to issue notice to the respondent by
registered AD and also by e-mail.

List on 12.04.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

M S Creative School, Khasra No. 346/136, Plot No. 114, 115 & 127, D11, West End, Zakir Nagar, South District, Delhi - 110025.

V/s.

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

Case No. 276 of 2020

05.01.2022

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

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

Learned counsel for the petitioner has submitted four documents before the Commission's Office on dated 28.12.2021 which are taken on record.

It transpires from the records that of the total 642 students studying in this institution, all are from the Muslim Minority Community .

Office is directed to issue notice to the respondent by registered AD and also by e-mail.

List on 12.04.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

05.01.2022

St. Joseph's High School EM, Irusumanda P.O., Ambajipeta, East Godevari District, Andhra Pradesh - 533239.

Vs.

Secretary, Govt. of Andhra Pradesh, Minorities Welfare Deptt., 03rd Floor, Andhra Pradesh Secretariat, Velagapudi, Amaravati, Andhra Pradesh - 522503.

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

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

An application for grant of minority status certificate to St. Joseph's High School EM, Irusumanda P.O., Ambajipeta, East Godevari District, Andhra Pradesh - 533239 has been received by hand on 20.12.2021 from the petitioner mentioned above. It be registered.

It transpires from the petition that on 01.09.2020, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Secretary, Govt. of Andhra Pradesh, Minorities Welfare Deptt., 03rd Floor, Andhra Pradesh Secretariat, Velagapudi, Amaravati, Andhra Pradesh - 522503, which was received by the respondent on 03.09.2020. 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 as per information furnished by the petitioner in the MSC application, level of this petitioner school is upto High School and petitioner has not filed recognition certificate issued by Central / State Examination Board and signatures on application for grant of NOC and in the declaration part of MSC application not appear same.

It transpire from the information furnished by the petitioner in Column No.6 (a) of the Application that there is only 12 students from Christian Community is studying during the academic year 2021-22 in the school out of 280 students.

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

In the interest of justice, list on 19.05.2022

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K.

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

05.01.2022

**A.V. Kazman Junior High School, 404/35, Chaupatiyan, Lucknow,
U.P. - 226003.**

Vs.

**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 A.V. Kazman Junior High School, 404/35, Chaupatiyan, Lucknow, U.P. – 226003, has been received by post on 23.12.2021 from the petitioner mentioned above, which is in old format. It be registered.

Perused the officer report; it transpires from the record 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.

In this case office has reported that against the column no. 5 regarding application before the State Competent Authority, petitioner has furnished information that "orally rejected", petitioner has also filed two affidavits one from Principal of the School and another by Chairman of the Society and list of present members of the society filed by the petitioner is not certified by the registrar.

It transpires from the record that petitioner has not filed Copy of Resolution Passed by the Governing Body of the society to obtain Minority Status Certificate from this Commission and Envelopes with postage for sending notice to the respondent.

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

In the interest of justice, list on 19.05.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER
DR. SHAHID AKHTER
MEMBER**

A.K.

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

05.01.2022

**Kazman Girls Junior High School, 404/35, Chaupatiyan, Lucknow,
Uttar Pradesh - 226003.**

Vs.

**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 Kazman Girls Junior High School, 404/35, Chaupatiyan, Lucknow, Uttar Pradesh - 226003, has been received by post on 23.12.2021 from the petitioner mentioned above, which is in old format. It be registered.

Perused the officer report; it transpires from the record 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.

In this case office has reported that against the column no. 5 regarding application before the State Competent Authority, petitioner has furnished information that "orally rejected", petitioner has filed two affidavits one from Principal of the School and another by Chairman of the Society and list of present members of the society filed by the petitioner is not certified by the registrar.

It transpires from the record that petitioner has not filed Copy of Resolution Passed by the Governing Body of the society to obtain Minority Status Certificate from this Commission and Envelopes with postage for sending notice to the respondent.

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

In the interest of justice, list on 19.05.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K.

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

05.01.2022

St. Antony's Nursery and Primary School, No. 20, Dr. Narayanasamy Street, Puliakulam, Coimbatore, Tamil Nadu – 641 045.

Vs.

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

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

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

An application for grant of minority status certificate to St. Antony's Nursery and Primary School, No. 20, Dr. Narayanasamy Street, Puliakulam, Coimbatore, Tamil Nadu – 641 045 has been received by hand on 30.12.2021 from the petitioner mentioned above. It be registered.

It transpires from the petition that on 19.07.2021, 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 the respondent on 20.07.2021. 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 name of signatory of the declaration part of application and affidavit as President is available in the list of current members but the same has not certified by the registrar of societies and resolution filed by petitioner is signed only by President instead of majority of Governing Body Members.

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

In the interest of justice, list on 19.05.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K.