

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

**John Bosco Matric Higher Secondary School, 144, Bunglow Street,
Kadaliayur Road, Kovilpatti, Thoothukudi District, Tamil Nadu**

V/s.

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

Case No. 422 of 2019

01.03.2023

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

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

Heard, learned counsel for the petitioner, on application under Order 6 Rule 17 read with Section 12(2) of the NCMEI Act, 2004.

Learned counsel for the petitioner submitted that the NOC application under Section 10 of NCMEI Act, 2004 was filed by the then President of the Society Sr. Antony Xavier. Subsequently, Sr. Pushpa Ranjitham was elected as new President and accordingly a Resolution was executed by the said Society in favor of Sr. Pushpa Ranjitham.

So in view of the facts it is necessary to amend the original application and prayed to amend the petition in the interest of justice, amended petition also filed with the application.

After giving proper notice to the respondent, none was appeared on behalf of the respondent and no response received from the respondent side.

We have considered the facts mentioned in the application. For the reasons as mentioned in the application, the application filed by the petitioner for amendment in the main petition is also in the interest of justice and amended petition filed by the petitioner is taken on record.

Heard, learned counsel for the petitioner.

Reserved for Orders.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Auxilium English Medium High School, Gavaravaram, Koyyalagudem
Mandal, West Godavari Dt., A.P.**

Vs.

**Secretary to Government, Minorities Welfare Department, Government
of A.P.**

Case No. 650 of 2019

01.03.2023

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

Heard, learned counsel for the petitioner.

Reserved for Orders.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Mother Clarac Matriculation School, Kuppangulam, Kumbakonam,
Thanjavur District, Tamil Nadu - 612002**

V/s.

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

Case No. 678 of 2019

01.03.2023

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

Heard, learned counsel for the petitioner.

Reserved for Orders.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

SR

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

St. Ann's Nursery and Primary School, P.T.C. Post, Perungudi, Madurai District, Tamil Nadu

V/s.

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

Case No. 781 of 2019

01.03.2023

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

It transpires from the record that petitioner has filed an application under Order 6 Rule 17 read with Section 12(2) of the NCMEI Act, 2004, which is still pending for adjudication.

We have heard learned counsel for the petitioner on the said application.

Learned counsel for the petitioner submitted that in Col. No. 04 of the petition filed by the petitioner for grant of MSC on dated 09.10.2019, which is wrongly ticked mark and stated that MSC application is pending before the State Competent authority, whereas no such application is pending before the State Competent Authority. So it is necessary to amend the original petition in Col. NO. 04 and prayed to allow the amended petition.

After giving notice to the respondent, respondent has not replied on the application.

Respondent has filed the reply before the Commission which was received by the Commission by post on dated 06.05.2020 and in Para 05 of that reply respondent has subsequently, admitted that till date the petitioner has not submitted any proposal requesting minority status to their institution as specified in the said Government Order either to Government or to Director of Elementary Education. Since there is no application seeking minority status, the respondent could not take any action in this regard.

Above admission clearly reflects that petitioner has not applied before the State Competent Authority for grant of MSC.

Hence, for the reasons as mentioned in the application filed by the petitioner, application stands allowed and amended petition filed by the petitioner is taken on record.

Heard, learned counsel for the petitioner.

Reserved for Orders.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Shri Digamber Jain Junior High School, Chowki Gate, Firozabad, Uttar Pradesh - 283203.

Vs.

- 1. Additional Chief Secretary, Department of School Education, Govt. of Uttar Pradesh, Bahu Khandi,, Secretariat, Lucknow, Uttar Pradesh.**
- 2. The Principal Secretary, School/ Secondary Education, Govt. of Uttar Pradesh, Babu Bhawan, 7th Floor, Lucknow, Uttar Pradesh.**

Case No. 815 of 2019

01.03.2023

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.

Learned counsel for the petitioner prayed for time to argue the case because the arguing counsel Mr. Junais P. is out of station.

In the interest of justice, list on 12.04.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

SR

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

St. Rita's Inter College, Manikpur P.O., Chitrakoot District, Uttar Pradesh - 210208.

Vs.

- 1. Principal Secretary, Higher Education, Deptt. Of Education, Govt. of Uttar Pradesh, Bahukhandi Secretariat, Lucknow, UP.**
- 2. Additional Chief Secretary, Govt. of U.P. Secondary Education, Bahukhandi Secretariat, Lucknow, UP.**

Case No. 116 of 2020

01.03.2023

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

Learned counsel for the petitioner submitted that in Col. No. 06 of the MSC application that the level of the petitioner institution is up to Higher Education but petitioner institution is up to inter college which is up to 12th standard. It means that petitioner institution is higher secondary level but wrongly ticked mark as higher education.

Learned counsel for the petitioner is directed to file proper application for amendment in the petition and to file proper Recognition of the State/Central Board of Secondary Education (CBSE).

In the interest of justice, list on 27.04.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

SR

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

St. Basil's School, Nipaniya, Samaspur, Basti District, Uttar Pradesh - 272124.

Vs.

- 1. Secretary, Room No.- 19, 3rd Floor, Sachiv Bhawan, Uttar Pradesh Secretariat, Lucknow, Uttar Pradesh.**
- 2. The Additional Chief Secretary, Department of Secondary Education, Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh**

Case No. 117 of 2020

01.03.2023

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

Learned counsel for the petitioner filed two documents by hand, before the Commission's Office on dated 22.02.2023, which are taken on record.

In the interest of justice, fix the case for final arguments on 27.04.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Immaculate College of Education for Women, Pakkamudayanpet,
Puducherry - 605008.**

Vs.

Lieutenant Governor, Raj Nivas, Puducherry - 605001.

Case No. 106 of 2021

01.03.2023.

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

Learned counsel for the petitioner has filed notarized copy of affiliation order of the petitioner institution before the Commission's Office on dated 29.12.2022, which is taken on record.

It transpires from the records that petitioner has filed amended special resolution in Col. No.3 of the MoA of the Society.

We have gone through the document and it is found that on the top of the document it is mentioned "*as amended on 18.07.2016*". This document is copy of certified copy given by the registrar of Companies, Puducherry but the date when the Registrar of the Companies has registered the said document is not mentioned on it.

Learned counsel for the petitioner is directed to produce the original copy of the above mentioned document on which the date of registration is mentioned by the Registrar of the Companies.

In the interest of justice, at the request of the learned counsel for the petitioner list the case on 29.03.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Emmanuel English Higher Secondary School, P.O. – Pailapool – 788
098, Dt. – Cachar, Assam.**

Vs.

**Joint Secretary, Deptt. of Education (Elementary Education), Block – C,
Ground Floor, Assam Secretariat, Govt. of Assam, Guwahati – 781 006,
Assam.**

Case No. 07 of 2022

01.03.2023.

Present: Mr. Ravi Sagar, Advocate for the petitioner.
None for the respondent.

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

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

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

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

List on 11.05.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Vanasthali Public School, HS – 32, Sector – Zeta- 1, Greater Noida,
Uttar Pradesh – 201 310.**

Vs.

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

Case No. 08 of 2022

01.03.2023.

Pres

ent: Mr. Mahesh Sharma for the petitioner.

None for the respondent

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

Mr. Mahesh Sharma appearing on behalf of the petitioner submitted that the members of the Physical Inspection Committee have already inspected the petitioner institution and they have provided all the relevant documents to them as well.

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

In the interest of justice, list on 11.05.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

Vyas World School, Opposite - Mahanagar Colony, Behind Reg College, Pilibhit Bypass, Bareilly District, Uttar Pradesh - 243122.

Vs.

- 1. Additional Chief Secretary, Department of Higher & Secondary Education, Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. – 226001**
- 2. Additional Chief Secretary, Department of Secondary Education, Government of U.P., Babu Bhawan, 7th Floor, Lucknow, Uttar Pradesh - 226001**

Case No. 45 of 2022

01.03.2023.

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

None for the respondent.

None appeared on behalf of the respondents even in the second round.

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

In the interest of justice, list the case for final arguments on 16.05.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

Siddhartha Degree College, Akhlor Kheri, Village - Akhlor Kheri, Post Office - Rankhandi, Pargana & Tehsil - Deoband, District - Saharanpur, Uttar Pradesh - 247554.

Vs.

- 1. Secretary, Minority Commission/ State Minority Educational Commission, Indira bhawan, Lucknow Uttar Pradesh**
- 2. Additional Chief Secretary, Department of Higher Education Govt. of UP Bahu Khandi,, Secretariat, Lucknow (UP).**

Case No. 109 of 2022

01.03.2023.

Pres

ent: Dr. Mahak Singh, for the petitioner.
None for the respondents.

Petitioner has filed some documents before the Commission's Office on dated 19.01.2023, which are taken on record.

Special Secretary to Govt. of U.P. has sent by post a letter dated 10.11.2022, which is received in the Commission's Office on dated 22.11.2022 and is taken on record.

In this case the Chaudhary Charan Singh University, Meerut has granted the NOC to the petitioner institution as per the directions of the State Competent Authority.

Heard, the petitioner.

Reserved for Orders.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

Madarsa Faiz-E-Rasheed, Neem Tala, Gangoh, (Saharanpur), Uttar Pradesh - 247341.

Vs.

- 1. Additional Chief Secretary, Department of School Education Govt. of UP Bahu Khandi,, Secretariat, Lucknow (UP).**
- 2. Additional Chief Secretary, Department of Secondary Education Govt. of UP Bahu Khandi,, Secretariat, Lucknow (UP).**
- 3. Additional Chief Secretary, Minority Welfare and Waqf Department, Bahu Khandi, Secretariat, Lucknow, UP- 226001.**

Case No. 121 of 2022

01.03.2023.

Present: Mr. Prasanth.K, Advocate for the petitioner.

None for the respondents.

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

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

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

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

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

List on 17.05.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Notre Dame Academy, Devamata Nagar, Sunamunda P.O., Deograh District,
Odisha - 768108.**

Vs.

- 1. Director, Elementary Education, 5th Floor, HOD Building, Unit - V,
Bhubaneswar - 01, Khordha, Odisha**
- 2. Director, Secondary Education, 5th Floor, HOD Building, Unit - V,
Bhubaneswar - 01, Khordha, Odisha.**

Case No. 171 of 2022

01.03.2023.

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

Respondent has sent by post written submissions dated 29.11.2022, which is received in the Commission's Office on dated 07.12.2022 and is taken on record.

Office is directed to supply a copy of the said written submissions to the learned counsel for the petitioner.

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

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

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

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

List on 17.05.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

01.03.2023

**St. Joseph English Medium High School, Kulshekar, Mangalore, Dakshina
Kannada Dt., Karnataka - 575003.**

Vs.

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

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

An application has been received by hand on 17.02.2023 from St. Joseph English Medium High School, Kulshekar, Mangalore, Dakshina Kannada Dt., Karnataka - 575003 for grant of minority status certificate. It be registered.

It transpires from the petition that on 07.10.2022, the petitioner has applied for grant of No Objection Certificate to the then State Competent Authority i.e. Additional Chief Secretary to Government, Education Department (Higher Education), Government of Karnataka, Sixth Floor, Multi-Storeyed Building, Bengaluru, Karnataka - 560001, which was received by the respondent on 10.10.2022. The said petition is still pending. The petitioner has waited sufficiently for 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 has filed Resolution Passed by the Governing Body to obtain Minority Status Certificate from this Commission and envelope with postage for sending notice to the State Competent Authority.

It also transpires from the petition that in this Un-aided school (Secondary Level) during the academic year 2020-21 total 312 students were studying and out of them 124 Students from the Christian Minority Community, during the academic year 2021-22 total 302 students were studying and out of them 106 were from Christian Minority Community and during the academic year 2022-23 total 288 students were studying and out of them 105 students belongs to the Christian Minority Community.

Office is directed to tag the previous file no. 155 of 2021 with this case and issue notice by registered Ad and e-mail to the respondent.

In the interest of justice, list on 17.05.2023

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

A.K

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

01.03.2023

**Infant Jesus English Medium School, Modankapu, Bantwala Taluk,
Dakshina Kannada District, Karnataka- 574219.**

Vs.

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

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

An application has been received by hand on 17.02.2023 from Infant Jesus English Medium School, Modankapu, Bantwala Taluk, Dakshina Kannada District, Karnataka- 574219 for grant of minority status certificate. It be registered.

It transpires from the petition that on 07.10.2022, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Additional Chief Secretary to Government, Education Department (Higher Education), Government of Karnataka, Sixth Floor, Multi-Storeyed Building, Bengaluru, Karnataka - 560001, which was received by the respondent on 10.10.2022. The said petition is still pending. The petitioner has waited sufficiently for 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 has filed Resolution Passed by the Governing Body to obtain Minority Status Certificate from this Commission and envelope with postage for sending notice to the State Competent Authority.

It also transpires from the petition that in this Un-aided school (Secondary Level) during the academic year 2020-21 total 607 students were studying and out of them 181 Students from the Christian Minority Community, during the academic year 2021-22 total 654 students were studying and out of them 194 were from Christian Minority Community and during the academic year 2022-23 total 686 students were studying and out of them 212 students belongs to the Christian Minority Community.

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

In the interest of justice, list on 17.05.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

A.K

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

01.03.2023

St. Mary's Central School, Kinnigoli, Mangalore Taluk, Dakshina Kannada District, Karnataka - 574150.

Vs.

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

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

An application has been received by hand on 17.02.2023 from St. Mary's Central School, Kinnigoli, Mangalore Taluk, Dakshina Kannada District, Karnataka - 574150 for grant of minority status certificate. It be registered.

It transpires from the petition that on 07.10.2022, the petitioner has applied for grant of No Objection Certificate to the then State Competent Authority i.e. Additional Chief Secretary to Government, Education Department (Higher Education), Government of Karnataka, Sixth Floor, Multi-Storeyed Building, Bengaluru, Karnataka - 560001, which was received by the respondent on 10.10.2022. The said petition is still pending. The petitioner has waited sufficiently for 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 has filed Resolution Passed by the Governing Body to obtain Minority Status Certificate from this Commission and envelope with postage for sending notice to the State Competent Authority.

It also transpires from the petition that in this Un-aided school (Secondary Level) during the academic year 2020-21 total 728 students were studying and out of them 319 Students from the Christian Minority Community, during the academic year 2021-22 total 823 students were studying and out of them 346 were from Christian Minority Community and during the academic year 2022-23 total 930 students were studying and out of them 378 students belongs to the Christian Minority Community.

Office is directed to tag the previous file no. 428 of 2020 with this case and issue notice by registered Ad and e-mail to the respondent.

In the interest of justice, list on 18.05.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

A.K

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

01.03.2023

**Sanskriti Nursery, Gambhir Building, Kotwali Road, Maya Bazar,
Gorakhpur, Uttar Pradesh - 273013.**

Vs.

- 1. Principal Secretary, Department of Secondary Education, Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh**
- 2. Additional Chief Secretary, Department of Basic Education, Government of Uttar Pradesh.**

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

An application has been received by hand on 20.02.2023 from Sanskriti Nursery, Gambhir Building, Kotwali Road, Maya Bazar, Gorakhpur, Uttar Pradesh - 273013 for grant of minority status certificate. It be registered.

It transpires from the petition that on 02.11.2022, the petitioner has applied for grant of No Objection Certificate to the then State Competent Authority i.e. Principal Secretary, Department of Secondary Education, Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh instead of Additional Chief Secretary, Department of Basic Education, Government of Uttar Pradesh, which was received by the respondent on 07.11.2022. The said petition is still pending. The petitioner has waited sufficiently for period of 90 days, before filing this petition.

The petitioner has already filed the proof of delivery of the registered AD to the respondent.

As per Uttar Pradesh Government notification No. 717/52-3-202-writ (30)/14 dated 05.05.2022 at present the State Competent Authority for grant of NOC to the Basic Level Educational Institute in the State of Uttar Pradesh is, Additional Chief Secretary, Department of Basic Education, Government of Uttar Pradesh. Therefore, office is directed to implead the same authority as Respondent No. 2.

Learned counsel for the petitioner prayed for time to file one additional envelope with postage for sending notice to the respondents.

Petitioner has filed Resolution Passed by the Governing Body to obtain Minority Status Certificate from this Commission and envelope with postage for sending notice to the State Competent Authority.

It also transpires from the petition that in this Un-aided school (Basic level) during the academic year 2020-21 total 181 students were studying and out of them 12 Students from the Sikh Minority Community, during the academic year 2021-22 total 220 students were studying and out of them 19 were from Sikh Minority Community and during the academic year 2022-23 total 231 students were studying and out of them 24 students belongs to the Sikh Minority Community.

Office is directed to tag the previous file no. 70 of 2022 with this case and after compliance of the above order by the petitioner issue notice by registered Ad and e-mail to the respondents.

In the interest of justice, list on 18.05.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

A.K

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

01.03.2023

Metropolitan School, D-26 Avas Vikas Colony, Surajkund, Gorakhpur, Uttar Pradesh - 273013.

Vs.

- 1. Principal Secretary, Department of Secondary Education, Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh**
- 2. Additional Chief Secretary, Department of Secondary Education, Government of Uttar Pradesh.**

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

An application has been received by hand on 20.02.2023 from Metropolitan School, D-26 Avas Vikas Colony, Surajkund, Gorakhpur, Uttar Pradesh - 273013 for grant of minority status certificate. It be registered.

It transpires from the petition that on 02.11.2022, the petitioner has applied for grant of No Objection Certificate to the then State Competent Authority i.e. Principal Secretary, Department of Secondary Education, Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh instead of Additional Chief Secretary, Department of Secondary Education, Government of Uttar Pradesh, which was received by the respondent on 07.11.2022. The said petition is still pending. The petitioner has waited sufficiently for period of 90 days, before filing this petition.

The petitioner has already filed the proof of delivery of the registered AD to the respondent.

As per Uttar Pradesh Government notification No. 717/52-3-202-writ (30)/14 dated 05.05.2022 at present the State Competent Authority for grant of NOC to the Secondary Level Educational Institute in the State of Uttar Pradesh is, Additional Chief Secretary, Department of Secondary Education, Government of Uttar Pradesh. Therefore, office is directed to implead the same authority as Respondent No. 2.

Learned counsel for the petitioner prayed for time to file one additional envelope with postage for sending notice to the respondents.

Petitioner has filed Resolution Passed by the Governing Body to obtain Minority Status Certificate from this Commission and envelope with postage for sending notice to the State Competent Authority.

It also transpires from the petition that in this Un-aided school (Middle level) during the academic year 2020-21 total 206 students were studying and out of them 23 Students from the Sikh Minority Community, during the academic year 2021-22 total 188 students were studying and out of them 19 were from Sikh Minority Community and during the academic year 2022-23 total 269 students were studying and out of them 37 students belongs to the Sikh Minority Community.

Office is directed to tag the previous file no. 69 of 2022 with this case and after compliance of the above order by the petitioner issue notice by registered Ad and e-mail to the respondents.

In the interest of justice, list on 18.05.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

A.K

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

01.03.2023

Metropolitan School, Medical College Road, Gulhariya Bazar, Gorakhpur, Uttar Pradesh - 273013.

Vs.

- 1. Principal Secretary, Department of Secondary Education, Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh**
- 2. Additional Chief Secretary, Department of Secondary Education, Government of Uttar Pradesh.**

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

An application has been received by hand on 20.02.2023 from Metropolitan School, Medical College Road, Gulhariya Bazar, Gorakhpur, Uttar Pradesh - 273013 for grant of minority status certificate. It be registered.

It transpires from the petition that on 02.11.2022, the petitioner has applied for grant of No Objection Certificate to the then State Competent Authority i.e. Principal Secretary, Department of Secondary Education, Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh instead of Additional Chief Secretary, Department of Secondary Education, Government of Uttar Pradesh, which was received by the respondent on 07.11.2022. The said petition is still pending. The has petitioner waited sufficiently for period of 90 days, before filing this petition.

The petitioner has already filed the proof of delivery of the registered AD to the respondent.

As per Uttar Pradesh Government notification No. 717/52-3-202-writ (30)/14 dated 05.05.2022 at present the State Competent Authority for grant of NOC to the Basic Level Educational Institute in the State of Uttar Pradesh is, Additional Chief Secretary, Department of Secondary Education, Government of Uttar Pradesh. Therefore, office is directed to implead the same authority as Respondent No. 2.

Petitioner has filed Resolution Passed by the Governing Body to obtain Minority Status Certificate from this Commission and envelope with postage for sending notice to the State Competent Authority.

It also transpires from the petition that in this Un-aided school (Higher Secondary level) during the academic year 2020-21 total 1506 students were studying and out of them 233 Students from the Sikh Minority Community, during the academic year 2021-22 total 1341 students were studying and out of them 219 were from Sikh Minority Community and during the academic year 2022-23 total 1397 students were studying and out of them 227 students belongs to the Sikh Minority Community.

In this case office has reported that this school is upto Higher Secondary Level but recognition certificate filed by the petitioner is without level of education and validity period.

Contd..

Metropolitan School, Uttar Pradesh - 273013.

Vs.

1. Principal Secretary, Uttar Pradesh

2. Additional Chief Secretary, Uttar Pradesh.

Continued from pre-page.

On perusal of the petition it is found that Council for the Indian School Certificate Examination has given an affiliation certificate that the petitioner Institution has been affiliated to the Council but the issuing authority i.e. Chief Executive & Secretary of the Council have not mentioned the level of education and validity period of the affiliation certificate that whether it is permanent in nature or for a certain period.

In the eye of the law and our considered opinion, this type of certificate is not acceptable.

Secretary of the Commission is directed to send a letter to the Chairman and Chief Executive & Secretary of the Council for the Indian School Certificate Examination to seek clarification that what is the level of the petitioner institution and for how much period they have given this affiliation certificate to the petitioner institution.

Learned counsel for the petitioner prayed for time to file 01 more additional envelope with postal charges for sending notice to the respondents and updated affiliation certificate with level of education and validity period.

After compliance of the above order by the petitioner issue notice by registered Ad/e-mail to the respondents.

In the interest of justice, list on 18.05.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

A.K

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

01.03.2023

St. Xavier's English Medium School, Simrawari Bhel, Jhansi District, Uttar Pradesh - 284129.

Vs.

Additional Chief Secretary, Department of Secondary Education, Government of Uttar Pradesh.

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

An application has been received by hand on 21.02.2023 from St. Xavier's English Medium School, Simrawari Bhel, Jhansi District, Uttar Pradesh – 284129 for grant of minority status certificate. It be registered.

It transpires from the petition that on 09.11.2022, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Additional Chief Secretary, Department of Secondary Education, Government of Uttar Pradesh, which was received by the respondent on 14.11.2022. The said petition is still pending. The petitioner has waited sufficiently for 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 has filed Resolution Passed by the Governing Body to obtain Minority Status Certificate from this Commission and envelope with postage for sending notice to the State Competent Authority.

It also transpires from the petition that in this Un-aided school (Higher Secondary level) during the academic year 2020-21 total 398 students were studying and out of them 05 Students from the Christian Minority Community, during the academic year 2021-22 total 345 students were studying and out of them 04 were from Christian Minority Community and during the academic year 2022-23 total 548 students were studying and out of them 06 students belongs to the Christian Minority Community.

In this case office has reported that designation of signatory of this MSC application is different in original and amended MoA.

On perusal of the MoA and Amended MoA it is found that designation of signatory of this MSC application changed with the proper approval of the society and the same is duly certified by the Registrar of the Societies also. So office report in respect of the designation of signatory is ignored.

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

In the interest of justice, list on 18.05.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

A.K.