

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

St. Michael School, Raksa, Jhansi, Uttar Pradesh - 284419.

Vs.

- 1. Additional Chief Secretary, Secondary Education, Bahukhandi Secretariat, Lucknow, UP.**
- 2. Deputy Director, Minority Welfare Department, 6th Floor, Indira Bhawan, Lucknow, Uttar Pradesh**

Case No. 105 of 2020

13.07.2022

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

None for the respondent.

Despite regd. letter to the respondents, none appeared on behalf of both the respondents, even in the second round.

Office has sent regd. notice to both the respondents, which were received un-served and returned back with the observations "refused and return to sender" to this Commission on dated 10.05.2022, which are taken on record.

Learned counsel for the petitioner submitted that petitioner institution is high school (1st to 8th standard).

As per the Government of Uttar Pradesh Additional Chief Secretary, Secondary Education is the Competent Authority for grant of NOC and for grant of MSC Deputy Director, Minority Welfare Department is the Competent Authority.

Office is directed to delete the Respondent NO. 01 and 02 and now insert respondent no. 01 Additional Chief Secretary, Secondary Education Department, Bahukhandi Secretariat, Lucknow, UP and respondent no. 02 Deputy Director, Minority Welfare Department, 6th Floor, Indira Bhawan, Lucknow, Uttar Pradesh.

Learned counsel for the petitioner is directed to submit two more envelopes and postal charges for sending regd. notice to new added respondents.

After compliance of the above order by the learned counsel for the petitioner, Office is directed to issue notice to both the respondents.

List on 22.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

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

Indore Management Institute and Research Centre, Gram Datoda Khandwa Road, Indore, Madhya Pradesh - 452020.

Vs.

Secretary, Backward Classes and Minority Welfare Department, Government of Madhya Pradesh, Room No. 339, Mantralaya, Bhopal, Madhya Pradesh - 462004.

Case No. 468 of 2020

13.07.2022

Present: Mr. B. Mathew, Advocate for the petitioner.
None for the respondent.

Mr. B. Mathew, 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/reply 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.

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

Learned counsel for the petitioner prayed for a copy of the reminder letter issued to the members of Physical Inspection Committee in order to pursue the matter with the Physical Inspection Committee, for inspection of the petitioner institution.

Learned counsel for the petitioner is directed to provide all the relevant documents to the members of Physical Inspection Committee.

In the interest of justice, list on 22.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Sapient Institute of Management Studies, Village - Bardari, Behind Chokhi Dhani, Khandwa Road, Indore, Madhya Pradesh - 452020.

Vs.

Secretary, Backward Classes and Minority Welfare Department, Government of Madhya Pradesh, Room No. 339, Mantralaya, Bhopal, Madhya Pradesh - 462004.

Case No. 469 of 2020

13.07.2022

Present: Mr. B. Mathew, Advocate for the petitioner.
None for the respondent.

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

Respondent has sent by post a letter dated 29.03.2022, which was received in the Commission's Office on dated 04.04.2022 and is taken on record.

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

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

Learned counsel for the petitioner prayed for a copy of the reminder letter issued to the members of Physical Inspection Committee in order to pursue the matter with the Physical Inspection Committee, for inspection of the petitioner institution.

Learned counsel for the petitioner is directed to provide all the relevant documents to the members of Physical Inspection Committee.

In the interest of justice, list on 22.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

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

**St. Joseph's High School, Leela, Mandro P.O., Sahebganj District,
Jharkhand - 813208.**

Vs.

- 1. Director, Primary Education, Under School Education & Literacy Dept.,
3rd Floor, MDI Building, S.E. & L. Dept., Behind Project Bhawan, Post -
Dhurwa, Dist., - Ranchi, Jharkhand - 834004.**
- 2. Director, Secondary Education Under School Education & Literacy
Dept., 3rd Floor, MDI Building, S.E & L. Dept., Behind Project Bhawan,
Post - Dhurwa, Dist. - Ranchi, Jharkhand - 834004.**

Case No. 70 of 2021

13.07.2022

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

Learned counsel for the petitioner has prayed for time to comply with the Commission's earlier Order dated 18.02.2021.

In the interest of justice, last and final opportunity is granted for filing the relevant documents.

List on 07.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. John Mary Vianney School, Dhanbasa, Mandro P.O., Sahebganj
District, Jharkhand - 813208.**

Vs.

**Director, Primary Education, Under School Education & Literacy Dept., 3rd
Floor, MDI Building, S.E. & L. Dept., Behind Project Bhawan, Post -
Dhurwa, Dist., - Ranchi, Jharkhand - 834004.**

Case No. 71 of 2021

13.07.2022

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

Learned counsel for the petitioner has prayed for time to comply with the Commission's earlier Order dated 18.02.2021.

In the interest of justice, last and final opportunity is granted for filing the relevant documents.

List on 07.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

St. Joseph's School,Devipur P.O., Deoghar District, Jharkhand.

Vs.

**Director, Primary Education, Under School Education & Literacy
Dept., 3rd Floor, MDI Building, S.E. & L. Dept., Behind Project
Bhawan, Post - Dhurwa, Dist., - Ranchi, Jharkhand - 834004.**

Case No. 72 of 2021

13.07.2022

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

Learned counsel for the petitioner has prayed for time to comply with the Commission's earlier Order dated 18.02.2021.

In the interest of justice, last and final opportunity is granted for filing the relevant documents.

List on 07.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Adarsh Mahavidyalaya, 235/1/2, Village - Khejadiya, Tehsil -
Jeerapur, District - Rajgarh, M.P.**

Vs.

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

Case No. 05 of 2022

13.07.2022

Present: Dr. Abhay Pandey for the petitioner.
None for the respondent.

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

Dr. Abhay Pandey appeared on behalf of the petitioner institution and submitted that he is the Managing Director of the petitioner college.

Respondent has sent by post a letter dated 08.06.2022, which was received in the Commission's Office on dated 22.06.2022 and is taken on record. By the said letter respondent has submitted that State has already granted NOC in favor of the petitioner institution.

Heard, Dr. Abhay Pandey for the petitioner institution.

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**

**Sardar Patel Mahavidyalaya, 271/3, 272, Village Bignodipura,
Tehsil Sarangpur, District - Rajgarh, M.P.**

Vs.

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

Case No. 06 of 2022

13.07.2022

Present : Mr. Shashank Nagar for the petitioner
None for the respondent.

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

Mr. Shashank Nagar appeared on behalf of the petitioner institution and submitted that he is the Secretary of the petitioner college.

Respondent has sent a letter dated 12.05.2022 by email, which was received in the Commission's Office on dated 24.05.2022 and is taken on record. By the said letter respondent has submitted that State has already granted NOC in favor of the petitioner institution.

We have heard Mr. Shashank Nagar and perused the file.

It transpires from the record that Dr. Dhurva Bhalla has filed this application for grant of MSC in favor of petitioner institution as President, Sarangpur Shiksha Prasarak Samiti and General Body Resolution has also passed by the Society members in favor of Dr. Dhurva Bhalla. But as per the list of present governing body Dr. Kuldeep Singh Bhatia is the President of the petitioner Society.

Mr. Shashank Nagar submitted that Dr. Kuldeep Singh Bhatia is the President of the petitioner Society from 24.10.2019 to 23.10.2022 so it is clear at the time of filing this application for grant of MSC Dr. Dhurva Bhalla was not the President of the petitioner Society.

Petitioner is directed to submit the clarification about the above mentioned discrepancy.

List on 22.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

St. George's Mixed L.P. School, Panangad P.O., Panangad, Thrissur District, Kerala.

Vs.

Director, Directorate of Minority Welfare, Government of Kerala, 4th Floor, Vikas Bhavan, Thiruvananthapuram, Kerala - 695033.

Case No. 34 of 2022

13.07.2022

Present: Ms. Lakshmi Sree P., Advocate for the petitioner.
None for the respondent.

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

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

In compliance of notice issued to Mr. Saju Louis, Manager, St. George's Mixed L.P. School, Ms. Lakshmi Sree P., Advocate appeared on behalf of the petitioner institution and prayed for time to comply with the Commission's earlier Order dated 31.03.2022.

Despite giving regd. notice to the respondent, no reply is received from the State Competent Authority so far.

In the facts and circumstances of the case, we deem just and proper that physical inspection report alongwith the recommendations for issuance of minority status certificate to the petitioner institution, may be obtained from the committee consisting of the following members: -

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

Office is directed to issue letter to the above Committee members for submitting the report.

Learned counsel for the petitioner prayed for a copy of the letter issued to the members of Physical Inspection Committee in order to pursue the matter with the Physical Inspection Committee, for inspection of the petitioner institution.

Learned counsel for the petitioner is directed to provide all the relevant documents to the members of Physical Inspection Committee.

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

List on 27.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

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

Aided Mappila Upper Primary (A.M.U.P.) School, Koolimuttam, Thrissur District - 680691.

Vs.

Director, Directorate of Minority Welfare, Government of Kerala, 4th Floor, Vikas Bhavan, Thiruvananthapuram, Kerala - 695033.

Case No. 35 of 2022

13.07.2022

Present: Ms. Lakshmi Sree P., Advocate for the petitioner.
None for the respondent.

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

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

In compliance of notice issued to Mr. P. M. Abdul Majeed, Manager, Aided Mappila Upper Primary (A.M.U.P.) School, Ms. Lakshmi Sree P., Advocate appeared on behalf of the petitioner institution and prayed for time to comply with the Commission's earlier Order dated 31.03.2022.

Despite giving regd. notice to the respondent, no reply is received from the State Competent Authority so far.

In the facts and circumstances of the case, we deem just and proper that physical inspection report alongwith the recommendations for issuance of minority status certificate to the petitioner institution, may be obtained from the committee consisting of the following members: -

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

Office is directed to issue letter to the above Committee members for submitting the report.

Learned counsel for the petitioner prayed for a copy of the letter issued to the members of Physical Inspection Committee in order to pursue the matter with the Physical Inspection Committee, for inspection of the petitioner institution.

Learned counsel for the petitioner is directed to provide all the relevant documents to the members of Physical Inspection Committee.

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

List on 27.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

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

**Geetanjali B.Ed College, Deshwali Mohalla, Borawar, District- Nagpur,
Rajasthan- 341502.**

Vs.

- 1. Deputy Secretary, Rajasthan Government, School & Sanskrit Education Deptt., Elementary Education(Planning), Jaipur, Rajasthan**
- 2. The Registrar, Education Department of Examination, Bikaner, Rajasthan.**
- 3. The Principal Secretary, Education Group-I, Sachivalaya, Jaipur, Rajasthan.**

Misc. Case No. 02 of 2022

13.07.2022

Present: Mr. B. Mathew, Advocate for the petitioner.

Mr. Ramswaroop Jangid, DEO for the respondent no.02

None for the respondent no. 01 and 03.

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

Despite service of regd. notice, none appeared on behalf the respondent no.01 and 03

Mr. Junais P, Advocate and Mr. Prasanth Kulambil, Advocate filed Vakalatnam on behalf of the petitioner institution by hand, before the Commission's Office on dated 04.05.2022, which is taken on record.

Mr. Ramswaroop Jangid, DEO appeared on behalf of the respondent no. 2 and ready to file his reply.

Mr. Ramswaroop Jangid, DEO is directed to file his reply before the Commission's Office and also supply copy of said reply to learned counsel for the petitioner.

List on 27.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

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

V/s.

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

Case No. 330 of 2019

13.07.2022

Present: Mr. B. Mathew., Advocate for the petitioner.
None for the respondent.

Mr. B. Mathew., Advocate appeared on behalf of the arguing counsel Mr. Junais P and again prayed for time to comply with the Commission's earlier Orders dated 14.07.2021 and 26.10.2021. In the interest of justice, last and final opportunity is granted for filing the documents.

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 24.08.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

Don Bosco Nursery & Primary School, 67, Silluvar Road, Lourdes Shrine, Perambur, Chennai, Tamil Nadu.

V/s.

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

Case No. 335 of 2019

13.07.2022.

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 envelope to the learned counsel for the petitioner.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Tanzimul Quraish Girls Inter College, Quraish Nagar, Niyawan,
Faizabad, District – Ayodhya, Uttar Pradesh.**

V/s.

**Principal Secretary, Higher Education, Department of Education,
Government of Uttar Pradesh.**

Case No. 673 Of 2019

13.07.2022

Present: Mr. B. Mathew., Advocate for the petitioner.
None for the respondent.

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

In compliance of the Commission's earlier Order dated 15.12.2021, the District Minority Welfare Officer, Ayodhya, Uttar Pradesh has sent by e-mail, a letter dated 25.05.2022 which is received by the Commission's Office on dated 26.05.2022 and is taken on record.

Mr. Dastgeer Ahmad, Secretary of Tanzimul Quraish Girls Inter College, Quraish nagar, Niyawan, Faizabad, Ayodhya has also sent by post a letter dated 25.06.2022 which is received in the Commission's Office on dated 12.07.2022 and is taken on record. In the said letter, Mr. Dastgeer Ahmad has stated that he don't want to continue the present case.

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 envelope to the learned counsel for the petitioner.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Rose Mary Matriculation Higher Secondary School, 1A,
Punithavathiyar Street, Palayamkottai, Tirunelveli 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. 743 of 2019

13.07.2022

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

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**

**Sunniyya Arabic College, Chennamangallur, Mukkam, Kozhikode,
Kerala - 673602**

V/s.
**Principal Secretary, Higher Education Department,
Thiruvananthapuram, Kerala**

Case No. 748 of 2019

13.07.2022.

Present: Mr. B. Mathew., Advocate for the petitioner.
None for the respondent.

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

In compliance of the Commission's earlier Order dated 08.12.2021, the District Collector has sent by post the physical inspection report along with the covering letter dated 28.03.2022, which is received in the Commission's Office on dated 12.04.2022 and is taken on record.

District Collector has again sent by post the physical inspection report along with the covering letter dated 08.06.2022, which is received in the Commission's Office on dated 13.06.2022 and is also taken on record and the same report is also received by e-mail in the Commission on 09.06.2022 and is also taken on record.

It is pointed out by the Physical Inspection Committee that in the year 2021-22, all the total 318 students are from the Muslim Minority Community in this aided institution.

Learned Counsel for the petitioner seeks leave to withdraw the petition.

Leave is granted.

The petition is disposed of as withdrawn.

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

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Islamiah Matriculation Higher Secondary School, South Street,
Kilakarai, Ramanathapuram District, Tamil Nadu - 623517**

V/s.

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

Case No. 44 of 2020

13.07.2022.

Present: Mr. B. Mathew., Advocate for the petitioner.
None for the respondent.

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

Despite service of notice by registered post as well as e-
mail, none appeared on behalf of the respondent even in the second
round.

Learned counsel for the petitioner again prayed for time to file
certified copies of the relevant documents. In the interest of justice, last
and final opportunity is granted for filing the documents.

List on 08.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

San Thome H.S., Kanamala P.O., Kottayam, Kerala - 686510

V/s.

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

Case No. 46 of 2020

13.07.2022.

Present: None

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

In the interest of justice, list on 08.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Oxford English School, Mutlur Bypass, Thillainayagapuram, Near
Vandigate, Chdambaram Taluk, District - Cuddalore, Tamil Nadu -
608001**

V/s.

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

Case No. 50 of 2020

13.07.2022.

Present: Mr. B. Mathew., Advocate for the petitioner.
None for the respondent.

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

Despite service of notice by registered post as well as e-mail, none
appeared on behalf of the respondent even in the second round.

Learned counsel for the petitioner again prayed for time to file certified
copies of the relevant documents and to comply with the Commission's earlier
Order dated 16.01.2020. In the interest of justice, last and final opportunity is
granted for filing the documents.

Despite registered notice and e-mail to the respondent, we have not
received any response/reply from the State Competent Authority. In the facts and
circumstances of the case we deem it just and proper that physical inspection
report alongwith the recommendations may be obtained from the Committee
constituting of the following members 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 and also to
provide a copy of the letter to the learned counsel for the petitioner.

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 14.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

National Institute of Fire & Safety Engineering & Technology, No. 4&26/2, College, Road, Subramaniyapuram, Karaikudi, Sivaganga District, Tamil Nadu - 630002

V/s.

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

Case No. 51 of 2020

13.07.2022

Present: Mr. B. Mathew., Advocate for the petitioner.
None for the respondent.

Mr. B. Mathew., Advocate appeared on behalf of the arguing counsel Mr. Junais P and again prayed for time to file an application and to comply with the Commission's earlier order dated 16.01.2020. In the interest of justice, time prayed for is allowed.

List on 14.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

S.H. Sevasram School, Lalakpur, Chiibramau, Kannauj, Uttar Pradesh – 209721

V/s.

- 1. Secretary, Room No.- 19, 3rd Floor, Sachiv Bhawan, Uttar Pradesh Secretariat, Lucknow, Uttar Pradesh**
- 2. Additional Chief Secretary, Govt. of Uttar Pradesh, Higher Education & Secondary Education, Bahukhandi Secretariat, Lucknow, U.P.**
- 3. Principal Secretary, Secondary Education Department Bapu Bhawan, 7th Floor, Lucknow- 226001.**

Case No. 81 of 2020

13.07.2022.

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

Dr. R. K. Gupta, Regional Higher Education Officer for the respondent No.2.

Mr. Ajay Kumar Yadav, appeared on behalf the Dt. Inspector of Schools.

In compliance of the Commission's earlier Order dated 06.04.2022, we have issued registered notice to respondent No.2 i.e. Additional Chief Secretary, Govt. of Uttar Pradesh, Higher Education & Secondary Education, Bahukhandi Secretariat, Lucknow, U.P and Respondent No. 3 i.e. Principal Secretary, Secondary Education Department Bapu Bhawan, 7th Floor, Lucknow- 226001 by registered post.

Dr. R. K. Gupta, Regional Higher Education Officer appeared on behalf of the respondent No.2.

Despite service of registered notice, none appeared on behalf of Respondent No. 3.

Respondent No.2 has returned the original notice and documents sent by this Commission alongwith the covering letter dated 22.06.2022, wherein it is stated that respondent no. 2 deals with the cases pertaining to Higher Education under State University Act of Uttar Pradesh, 1973 and petitioner Institution falls under the Secondary Education department, is taken on record.

Learned Counsel for the petitioner has filed on dated 07.07.2022, General Body Resolution of the Petitioner Society before the Commission's Office, which is also taken on record.

Mr. Ajay Kumar Yadav, has filed Physical inspection report in Case No.81 of 2020 and 82 of 2020 alongwith the covering letter dated 12.07.2022 by hand in the Commission's office on 13.07.2022. The photocopy of the report is taken on record.

Contd...

**S.H. Sevasram School, Uttar Pradesh – 209721
V/s.**

- 1. Secretary, Uttar Pradesh**
- 2. Additional Chief Secretary, Lucknow, U.P.**
- 3. Principal Secretary, Lucknow- 226001.**

Case No. 81 of 2020

13.07.2022.

Continued from pre-page.

District Elementary Education officer, Kannauj has also sent by post, the physical inspection report alongwith the covering letter dated 06.04.2022 which is received in the Commission's Office on dated 07.06.2022 and is also taken on record.

Learned counsel for the petitioner submitted that certified copies of all the relevant documents are on record.

Now, fix the case for final arguments on 15.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

St. Paul School, Chhibramau, Kannoj, Uttar Pradesh - 209721

V/s.

- 1. Secretary, Room No.- 19, 3rd Floor, Sachiv Bhawan, Uttar Pradesh Secretarat, Lucknow, Uttar Pradesh**
- 2. Additional Chief Secretary, Govt. of U.P. Higher Education & Secondary Eduction, Bahukhandi Secretariat, Lucknow, UP.**

Case No. 82 of 2020

13.07.2022.

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

None for the respondent No.2.

Mr. Ajay Kumar Yadav, on behalf of Distt. Inspector of Schools, Kannauj.

In compliance of Commission's earlier order dated 30.11.2021 Mr. Ajay Kumar Yadav, has filed Physical inspection report in Case No.81 of 2020 and 82 of 2020 alongwith the covering letter dated 12.07.2022 by hand in the Commission's office on 13.07.2022. The Physical Inspection Report is taken on record.

District Elementary Education officer, Kannauj has also sent by post, the physical inspection report alongwith the covering letter dated 06.04.2022 which is received in the Commission's Office on dated 07.06.2022 and is also taken on record.

Learned Counsel for the petitioner has filed on dated 07.07.2022, General Body Resolution of the Petitioner Society before the Commission's Office, which is also taken on record.

Learned counsel for the petitioner has filed on dated 07.07.2022, an application u/o VI rule 17 CPC read with Section 12(2) of the NCMEI Act 2004 seeking permission to amend the original application for Minority Status Certificate alongwith amended MSC petition and Envelope with postage stamp, which are taken on record.

Copy of the said application is given to the Mr. Ajay Kumar Yadav, representative of Additional Chief secretary, Secondary Education Department.

List on 15.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

13.07.2022

**Madarsa Darul Hadees, Village - Parsupura, Post and Block Saidnagar,
Tehsil - Tanda, District - Rampur, Uttar Pradesh - 244927.**

Vs.

- 1. Director, Minority Welfare Department, 6th Floor, Indira Bhawan,
Lucknow, Uttar Pradesh**
- 2. Additional Chief Secretary, Department of School Education Govt.
of UP Bahu Khandi,, Secretariat, Lucknow (UP).**

Present: None.

An application has been received by post on 06.06.2022 from Madarsa Darul Hadees, Village - Parsupura, Post and Block Saidnagar, Tehsil - Tanda, District - Rampur, Uttar Pradesh - 244927 for grant of minority status certificate. It be registered.

It transpires from the petition that the petitioner has applied for grant of No Objection Certificate to the wrong State Competent Authority i.e. Director, Minority Welfare Department, 6th Floor, Indira Bhawan, Lucknow, Uttar Pradesh instead of Additional Chief Secretary, Department of School Education Govt. of UP Bahu Khandi,, Secretariat, Lucknow (UP), but petitioner has not mentioned any date on the application.

The petitioner has not filed the proof of delivery of the above mentioned NOC application sent to the respondent.

In this case, office has reported that the petitioner has left blank column no. 2 and provide wrong information against the column no. 6(a) of MSC application and not filed General Body Resolution, Certified list of Founding Members & envelope with postage charges for sending notice to the State Competent Authority.

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

In the interest of justice, list on 22.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K

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

13.07.2022

Saint Arnold's School, HIG - 489, K-5, Kalinga Vihar, Khurda, Bhubaneswar District, Orissa - 751019.

Vs.

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

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

An application has been received by hand on 29.06.2022, from Saint Arnold's School, HIG - 489, K-5, Kalinga Vihar, Khurda, Bhubaneswar District, Orissa - 751019, for grant of minority status certificate. It be registered.

It transpires from the petition that on 08.02.2022, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Director, Elementary Education, 5th Floor, HOD Building, Unit - V, Bhubaneswar - 01, Khordha, Odisha, which was received by the respondent on 10.02.2022, The said petition is still pending. The petitioner has waited sufficiently for a period of 90 days, before filing this petition.

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

Petitioner has filed Resolution passed by the Governing Body to obtain Minority Status Certificate from this Commission.

In this un-aided school total 702 students are presently studying and out of them 120 students are from the Christian Minority Community.

Office has reported that petitioner has submitted affiliation certificate but its validity has already expired in November 2012 and petitioner has filed 02 envelopes with postage of Rs. 95 and Rs. 20.

Learned counsel for the petitioner admitted that there is not specific beneficiary clause available in the MoA and 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 envelope and postage charges to the petitioner.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K

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

13.07.2022

**Madarsa Jamia Nazar Ul Uloom Niswa, Village- Mundiya Rasoolpur,
Block Swar, Tehsil - Tanda, District - Rampur, Uttar Pradesh - 226001.**

Vs.

**Additional Chief Secretary, Department of School Education Govt. of
UP Bahu Khandi,, Secretariat, Lucknow (UP).**

Present: None.

An application has been received by post on 05.07.2022 from Madarsa Jamia Nazar Ul Uloom Niswa, Village- Mundiya Rasoolpur, Block Swar, Tehsil - Tanda, District - Rampur, Uttar Pradesh - 226001 for grant of minority status certificate. It be registered.

Perused the office report and it transpires from 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.

In this case, office has reported that the petitioner has not filed UID issued by Niti Ayog, envelope with postage charges for sending notice to the State Competent Authority and petitioner has left blank the column No. 2 and 6(a) of the MSC application.

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

In the interest of justice, list on 15.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K

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

13.07.2022

Madarsa Shane Falahe Millat, Village - Mundiya Rasoolpur, Block - Swar, Tehsil - Tanda, District - Rampur, Uttar Pradesh - 244925.

Vs.

Additional Chief Secretary, Department of School Education Govt. of UP Bahu Khandi,, Secretariat, Lucknow (UP).

Present: None.

An application has been received by post on 05.07.2022 from Madarsa Shane Falahe Millat, Village - Mundiya Rasoolpur, Block - Swar, Tehsil - Tanda, District - Rampur, Uttar Pradesh - 244925 for grant of minority status certificate. It be registered.

Perused the office report and it transpires from 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.

In this case, office has reported that the petitioner has not filed UID issued by Niti Ayog, envelope with postage charges for sending notice to the State Competent Authority and petitioner has left blank the column No. 2 and 6(a) of the MSC application.

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

In the interest of justice, list on 15.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K