

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

**Dr. A.P.J. Abdul Kalam College of Education, Plot No. 1140/10  
KA, Village – Panti, Tehsil – Gurh, District – Rewa, Madhya  
Pradesh.**

**V/s.**

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

**Case No. 158 of 2019**

**13.04.2022**

Present: Mr. Iftexhar Ahmed, Advocate for the petitioner.  
None for the respondent.

In compliance of the Commission's earlier Order dated 08.02.2022, the learned counsel for the petitioner has sent by post, an affidavit of Mr. Muzammil Hasan, President of Aasrariya Alpsankhyak Education Chikitsa Avam Welfare Society which is received in the Commission's Office on dated 23.03.2022 and is taken on record.

In the interest of justice, learned counsel for the petitioner is directed to submit three copies of application alongwith affidavit and three envelopes and postage charges for sending notices to the members of the Physical inspection Committee for filing their comments on application and affidavit of Mr. Muzammil Hasan.

List on 02.08.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**St. Norbert School, Marianahalli, Dooda Gubbi, Bangalore,  
Karnataka.**

**V/s.**

**The Principal Secretary to Government, Education Department  
(Higher Education), Government of Karnataka.**

**Case No. 185 of 2019**

**13.04.2022**

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

None for the respondent.

Learned Counsel for the petitioner has filed on dated 11.04.2022, six documents before the Commission's Office which are taken on record.

We have perused the document no.6 i.e. General Body Resolution of the Society filed by learned Counsel for the petitioner and it is observed that the said document is not original. He has filed the coloured photocopy of the General Body Resolution.

Learned Counsel for the petitioner is directed to file the original General Body Resolution of the Society.

Learned Counsel for the petitioner again prayed for time to file clarification in compliance of Commission's earlier Order dated 23.11.2021.

In the interest of justice, list on 26.05.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**Sir Syed National School, Village - Jaula, Tehsil - Budhana, District  
- Muzaffar Nagar, Uttar Pradesh.**

**V/s.**

- 1. The Additional Chief Secretary, Department of Higher Education, Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh.**
- 2. The Director/Deputy Director, Minorities Welfare Department, Govt. of Uttar Pradesh, 6th Floor, Indira Bhawan, Ashok Marg, Lucknow, Uttar Pradesh.**
- 3. The Principal Secretary, Department of School Education, Govt. of Uttar Pradesh.**

**Case No. 251 of 2019**

**13.04.2022.**

Present: Mr. Salman Jafri for the petitioner.

None for the respondent.

Mr. Salman Jafri is personally present on behalf of the petitioner.

We have perused the records and it transpires from the records that the petitioner has applied for grant of NOC before the wrong State Competent Authority i.e. The Director/Deputy Director, Minorities Welfare Department, Govt. of Uttar Pradesh, 6<sup>th</sup> Floor, Indira Bhawan, Ashok Marg, Lucknow, Uttar Pradesh on dated 11.01.2019 which is received by the unknown person and the seal of receiving is not legible.

At the time of filing application for grant of NOC, The Additional Chief Secretary, Department of Higher Education, Government of Uttar Pradesh, was the State Competent Authority in the State of Uttar Pradesh.

At present the State Competent Authority for grant of NOC in the State of Uttar Pradesh is the Principal Secretary, Deptt. Of School Education, Govt. of Uttar Pradesh.

So, Office is directed to make Principal Secretary, School Education Department, Govt. of Uttar Pradesh as respondent No. 3.

Petitioner has filed photocopy of letter dated 11.01.2019. He is directed to file Original copy of the said letter in which receiving stamp was affixed.

Petitioner is directed to file updated recognition/ affiliation issued by the State Board/CBSE and also to submit envelope and postage charges for sending notice to respondent No. 3.

After compliance of the above order by the petitioner, Office is directed to send notice to respondent No. 3 by registered AD/ e-mail.

List on 01.06.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**Musthafa Matriculation School, No. 402, Mustafa Nagar,  
Boothakeni, Pallipadai, chidambaram, Cuddalore 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. 382 of 2019**

**13.04.2022.**

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

None for the respondent.

Learned Counsel for the petitioner has filed on dated 06.04.2022, General Body Resolution of the petitioner Trust, before the Commission's Office, which is taken on record.

Learned counsel for the petitioner is directed to submit the updated recognition/affiliation issued by the State Board/ CBSE.

Learned counsel for the petitioner has submitted that he has filed all the relevant documents.

In the interest of justice, list on 26.05.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**Fusco's Matriculation Higher Secondary School, 17-1-543,  
Main Road, T. Vadipatti, Madurai District, Tamil Nadu**

**V/s.**

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

**Case No. 384 of 2019**

**13.04.2022.**

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.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**Dagshai Public School, Dagshai Cantt, District - Solan, Shimla  
Hills, Himachal Pradesh**

**V/s.**

**Director, Directorate of Higher Education, Shimla - 1, Himachal  
Pradesh**

**Case No. 406 of 2019**

**13.04.2022.**

Present: Mr. Junais P., Advocate alongwith Mr. Bawa Preet  
Ranjam Singh for the petitioner.

None for the respondent.

Mr. Bawa Preet Ranjam Singh is personally present on behalf  
of the petitioner.

Learned counsel for the petitioner again prayed for time to file  
certified copies of the relevant documents and also to comply with  
the Commission's earlier order dated 21.10.2021. In the interest of  
justice, time prayed for is allowed.

List on 26.05.2022.

**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 International School for Excellence, Tarasevania,  
Near Pravalia Sadak, Bhopal, Madhya Pradesh.**

**V/s.**

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

**Case No. 439 of 2019**

**13.04.2022**

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

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

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

Learned counsel for the petitioner has submitted that all other documents are on record.

List on 02.06.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**The Sana Nursery and Primary School, Old No. 17, New No. 4,  
Varadarajulu Street, Egmore, Chennai, T.N.**

**V/s.**

- 1. Principal Secretary, Health and Family Welfare  
Department, Government of T.N.**
- 2. The Principal Secretary, School Education Department,  
Government of Tamil Nadu, Fort St. George, Secretariat,  
Chennai, Tamil Nadu – 600009**

**Case No. 623 of 2019**

**13.04.2022.**

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

Learned Counsel for the petitioner has on dated 15.03.2022, filed General Body Resolution of the Trust, before the Commission's Office, which is taken on record.

It transpires from the records that on dated 29.04.2019, the petitioner has applied for grant of NOC u/s 10 of NCMEI Act, 2004 before, The Principal Secretary, School Education Department, Government of Tamil Nadu, Fort St. George, Secretariat, Chennai, Tamil Nadu – 600009 but we have made Principal Secretary, Health and Family Welfare Department, Government of T.N. as the party respondent.

After giving notice to the respondent, the respondent has invited our attention by letter dated 29.10.2019 and informed that The Principal Secretary, School Education Department, Government of Tamil Nadu, is the concerned department and further correspondence should be made from the said authority.

So, office is directed to make, The Principal Secretary, School Education Department, Government of Tamil Nadu, Fort St. George, Secretariat, Chennai, Tamil Nadu – 600009 as respondent No.2 in the Cause title.

Learned counsel for the petitioner is directed to submit envelope and postage charges for sending notice to respondent No.2.

After compliance of the above order by the learned counsel for the petitioner, Office is directed to send notice to respondent No.2 by registered AD/ e-mail.

List on 14.07.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS



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

**St. Xavier's School, P.B. No. 03, P.N. Marg, Jam Nagar,  
Gujarat.**

**Vs.**

**Commissioner of Schools, Block No. 9-1, Dr. Jivraj Mehta  
Bhawan, Gandhinagar, Gujarat-382010.**

**Case No. 691 of 2019**

**13.04.2022.**

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 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**

**Nahar Convent School, Mahalwada, Jain Colony, District & Tehsil - Ratlam, Madhya Pradesh.**

**V/s.**

**The Secretary, Backward Classes & Minority Welfare Department, Government of Madhya Pradesh, Mantralaya, Bhopal, Madhya Pradesh.**

**Case No. 702 of 2019**

**13.04.2022.**

Present: Mr. Iftexhar Ahmed, Advocate for the petitioner.

None for the respondent

In compliance of Commission's earlier order dated 30.11.2021., the Asst. Director, Collector Office, Backward Classes & Minority Welfare Department, Government of Madhya Pradesh has sent by post the physical inspection report alongwith the covering letter dated 30.03.2022, which is received in the Commission's Office on dated 05.04.2022, and is taken on record.

Learned counsel for the petitioner has submitted that he has filed all the relevant documents.

At the request of the learned counsel for the petitioner, list the case for final arguments on 02.08.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**Shree Nahar Convent School, Bibdod Road, Infront of Jayant  
Sen Dham, District & Tehsil - Ratlam, Madhya Pradesh.**

**V/s.**

**The Secretary, Backward Classes & Minority Welfare  
Department, Government of Madhya Pradesh, Mantralaya,  
Bhopal, Madhya Pradesh.**

**Case No. 703 of 2019**

**13.04.2022.**

Present: Mr. Iftexhar Ahmed, Advocate for the petitioner.

None for the respondent

In compliance of Commission's earlier order dated 30.11.2021., the Asst. Director, Collector Office, Backward Classes & Minority Welfare Department, Government of Madhya Pradesh has sent by post the physical inspection report alongwith the covering letter dated 30.03.2022, which is received in the Commission's Office on dated 06.04.2022, and is taken on record.

Learned counsel for the petitioner has sent by post , the notarized copy of affiliation which is received in the Commission's Office on dated 23.03.2022 and is taken on record.

Learned counsel for the petitioner has submitted that he has filed all the relevant documents.

In the interest of justice, list the case for final arguments on 19.07.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**Pakiza Public School, Villge - Jaitpura, Patwari Halkka No. 4,  
New No. 24, Tehsil - Sanwer, District - Indore, Madhya Pradesh  
V/s.**

**Secretary, Backward Classes and Minority Welfare  
Department, Bhopal, Madhya Pradesh**

**Case No. 747 of 2019**

**13.04.2022**

Present: Mr. Junais P., Advocate for the petitioner.  
None for the respondent

Learned Counsel for the petitioner again prayed for time to comply with the Commission's earlier Order dated 21.09.2021.

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 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 19.07.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**Jamiatul Iqra Arabic Institute, Gandhi Nagar, Zaidpur Dehat,  
Nawabganj, District- Barabanki, Uttar Pradesh - 225414**

**V/s.**

- 4. Additional Chief Secretary, Department of School Education,  
Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh.**
- 5. Additional Chief Secretary, Department of Higher Education,  
Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh.**
- 6. Principal Secretary, Department of School Education, Govt.  
of Uttar Pradesh.**

**Case No. 749 of 2019**

**13.04.2022**

Present: Mr. Junais P., Advocate for the petitioner.  
None for the respondent.

In compliance of Commission's earlier Order dated 16.02.2022, Office has sent registered notice to the respondent which is received un-served in the Commission's Office on dated 28.03.2022 as Additional Chief Secretary, Department of School Education has refused to take the notice, and is taken on record.

It transpires from the records that the petitioner has applied for grant of NOC on dated 04.06.2019 to the then State Competent Authority i.e. Department of Higher Education, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh but we have made Additional Chief Secretary, Department of School Education, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh as the party respondent.

At present the State Competent Authority for grant of NOC in the State of Uttar Pradesh is the Principal Secretary, Deptt. Of School Education, Govt. of Uttar Pradesh.

So, Office is directed to make Additional Chief Secretary, Higher Education Department, Bahu khandi Secretariat, Lucknow, U.P. and Principal Secretary, School Education Department, Govt. of Uttar Pradesh as respondent No.2 and 3 respectively.

Learned counsel for the petitioner is directed to submit two envelopes and postage charges for sending notice to respondent No.2 and 3.

After compliance of the above order by the learned counsel for the petitioner, Office is directed to send notice to respondent No.2 and 3 by registered AD/ e-mail.

List on 19.07.2022

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER**

**MEMBER**

RS

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

**Madarsa Ishrat Public School, Gauriya, Laharpur, District-  
Sitapur, Uttar Pradesh.**

**Vs.**

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

**Case No. 86 of 2020**

**13.04.2022.**

Present: None.

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

In the interest of justice, list on 26.07.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**St. Jude English School, Balaji Road, Boodha, Jhansi, Uttar Pradesh.**

**Vs.**

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

**Case No. 107 of 2020**

**13.04.2022**

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

None for the respondent.

Learned counsel for the petitioner filed on dated 06.04.2022 two documents by hand, which are taken on record.

Learned Counsel for the petitioner also filed on dated 06.04.2022 an application under Order VI Rule 17 CPC read with Section 12(2) of the NCMEI Act, 2004, to seeking permission to amend the Original application for Minority Status He has also filed a copy of the above application along with an envelopes and postal stamps, which are taken on record.

In compliance of the Commission's earlier Order dated 02.12.2021, regd. notice was issued to the Respondent No. 01 but Special Secretary, Govt. of Uttar Pradesh has returned the original notice of this Commission along with covering letter dated 25.01.2022 with the request to send notice to Secondary Education Deptt. of Uttar Pradesh which is received in the Commission's Office on dated 02.02.2022 and is taken on record.

Special Secretary, Govt. of Uttar Pradesh has invited our attention that petitioner institution is up to class 1<sup>st</sup> to 8<sup>th</sup> and it comes under the purview of Secondary Education Department.

Learned Counsel for the petitioner submitted that petitioner institution is up to Secondary level.

Petitioner has applied for grant of NOC on dated 03.09.2019 to the Respondent No. 01. Thereafter, Commission has issued notice to respondent no.01. and in the interest of justice also respondent no. 02.

On dated 03.09.2019 Additional Chief Secretary, Govt. of U.P. Higher Education & Secondary Education, Bahukhandi Secretariat, Lucknow, UP was the State Competent Authority.

Contd...2/-

**Case No. 107 of 2020**

**13.04.2022**

At this time Principal Secretary, Secondary Education, Lucknow-226001, Uttar Pradesh is the State competent Authority.

Office is directed to make party Principal Secretary, Secondary Education, Lucknow-226001, Uttar Pradesh as respondent No.03

Learned Counsel for the petitioner is directed to submit one more copy of the above said application and one more envelope and postal charges for sending regd. notice to the respondent no.03.

After compliance of the above order by the learned counsel for the petitioner, Office is directed to issue notice of the above application to the respondents by regd. A.D. and email.

List on 26.07.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR



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

**Guru Tegh Bahadur Public School, 227, West End Road, Meerut  
Cantt, Uttar Pradesh.**

**Vs.**

- 1. Deputy Director, Minorities Welfare Deptt., 6th Floor, Indira Bhawan, Lucknow, Uttar Pradesh.**
- 2. Additional Chief Secretary, Govt. of U.P. Higher Education & Secondary Education, Bahukhandi Secretariat, Lucknow, UP.**

**Case No. 108 of 2020**

**13.04.2022**

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.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**Scholars Public School, Aakayabeni, Bahaadurpur Road,  
Jaora, Ratlam , Madhya Pradesh - 457226.**

**Vs.**

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

**Case No. 390 of 2020**

**13.04.2022**

Present: None.

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

On last occasion dated 08.02.2022, none was present on behalf of the petitioner, even in the second round.

As per the information supplied by the petitioner in col. No. 03 of the MSC application that petitioner has also applied before the State Competent Authority for grant of Minority Status Certificate and that the application is still pending.

As per law and settled procedure, petitioner cannot apply before this Commission unless and until the Minority Status Certificate application is disposed by the State Competent Authority. Hence this application is not maintainable at this stage.

It transpires from the record that application for grant of MSC was filed by Mr. Sunil Kothari and application for grant of NOC dated 21.11.2019 submitted before the State Competent Authority by the Principal of the petitioner school instead of Chairman/President/Secretary and any authorized Society member.

In order to streamline the process of filing application for grant of MSC, it has been decided that same person should sign the Declaration, Affidavit, Vakalatnama and application for grant of NOC before the State Competent Authority

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

Hence, the petition is dismissed in default.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**Scholars School of Business, 226/2, Baba Ramdev Chourha  
Aakyabeni Bahadurpur Road, Tehsil - Jawara Ratlam, Jaora,  
Ratlam, Madhya Pradesh - 457226.**

**Vs.**

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

**Case No. 391 of 2020**

**13.04.2022**

Present: None.

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

On last occasion dated 08.02.2022, none was present on behalf of the petitioner, even in the second round.

As per the information supplied by the petitioner in col. No. 03 of the MSC application that petitioner has also applied before the State Competent Authority for grant of Minority Status Certificate and that the application is still pending.

As per law and settled procedure, petitioner cannot apply before this Commission unless and until the Minority Status Certificate application is disposed by the State Competent Authority. Hence this application is not maintainable at this stage.

It transpires from the record that application for grant of MSC was filed by Mr. Sunil Kothari and application for grant of NOC dated 21.11.2019 submitted before the State Competent Authority by the Principal of the petitioner school instead of Chairman/President/Secretary and any authorized Society member.

In order to streamline the process of filing application for grant of MSC, it has been decided that same person should sign the Declaration, Affidavit, Vakalatnama and application for grant of NOC before the State Competent Authority

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

Hence, the petition is dismissed in default.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**Infant Jesus School, Vidyanagar, Raichur District, Karnataka -  
584103.**

**Vs.**

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

**Case No.214 of 2021**

**13.04.2022**

Present: Mr. Tariq Adeeb, 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.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**Holy Cross School, Dt. Raichur, Tq. Manvi, Post - Sirwar,  
Karnataka - 584129.**

**Vs.**

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

**Case No. 215 of 2021**

**13.04.2022**

Present: Mr. Tariq Adeeb, 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.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**Holy Family School, R.G. Road, Sindhanur, Karnataka -  
584103.**

**Vs.**

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

**Case No. 216 of 2021**

**13.04.2022**

Present: Mr. Tariq Adeeb, 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.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**Vianney Vidyalaya School, Cantonment, Bellari, Karnataka -  
583104.**

**Vs.**

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

**Case No. 217 of 2021**

**13.04.2022**

Present: Mr. Tariq Adeeb, 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.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**Blessed Alphonsa School, Deosugur, Shakthinagar, Karnataka  
- 584170.**

**Vs.**

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

**Case No. 220 of 2021**

**13.04.2022**

Present: Mr. Tariq Adeeb, 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.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR



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

**Stella Marys Inter College, Sushant Taj City, Ansal Api,  
Jaupura, Sikandra, Agra, Uttar Pradesh - 282007.**

**Vs.**

- 1. Additional Chief Secretary, Department of Higher Education and Secondary Education, Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. - 226001.**
- 2. Principal Secretary, Secondary Education Department Bapu Bhawan, 7th Floor, Lucknow- 226001.**

**Case No. 241 of 2021**

**13.04.2022**

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

Learned counsel for the petitioner filed on dated 07.04.2022 nine documents by hand, which are taken on record.

Learned counsel for the petitioner prayed for time to file General Body Resolution of the Society.

Learned counsel for the petitioner submitted that petitioner institution is from Class 1<sup>st</sup> of 8<sup>th</sup>, they have wrongly ticked mark in Col. No. 06 of the MSC application that the institution is up to Higher Education.

Petitioner has applied for grant of NOC under Section 10 of NCMEI Act, 2004 on dated 28.11.2020 to the then State Competent Authority i.e. Additional Chief Secretary, Govt. of U.P. Higher Education & Secondary Education, Bahukhandi Secretariat, Lucknow, UP. But at this time Principal Secretary, Secondary Education, Lucknow-226001, Uttar Pradesh is the State competent Authority.

Office is directed to make party Principal Secretary, Secondary Education, Lucknow-226001, Uttar Pradesh as respondent No.02.

Learned Counsel for the petitioner is directed to submit one more envelope and postal charges for sending regd. notice to the respondents.

After compliance of the above order by the learned counsel for the petitioner, Office is directed to issue notice to the respondents by regd. A.D. and email.

List on 27.07.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**St. Mary's Convent School, Mithapur, Gulaothi P.O.,  
Bulandshar District, Uttar Pradesh - 203408.**

**Vs.**

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

**Case No. 242 of 2021**

**13.04.2022**

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

None for the respondent.

Learned counsel for the petitioner filed on dated 07.04.2022 nine documents by hand, which are taken on record.

It transpires from the petition that out of total 342 students, only 02 students are from Christian Minority Community, even 07 teachers are from the Christian Minority Community, which is more than the strength in the year 2021-22.

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**

**Dr. Ashwani Kumar Kala, Plot No. 31/1, Flat No. S-2, Sector -2A,  
Vaishali, Ghaziabad, Uttar Pradesh – 201 010**

**- Complaint**

**Vs.**

**Hira Lal Jain Senior Secondary School, Sadar Bazar, Delhi – 110  
006.**

**- Respondent No. 1**

**Assistant Director of Education (ACT) Directorate of Education,  
Government of NCT of Delhi, R. No. 214-A, Old Secretariat, Delhi –  
110 054**

**-Respondent No. 2**

**(u/s 12-C of the NCMEI Act. 2004 (Cancellation of Minority  
Certificate)**

**Misc. Case No. 11 of 2021**

**13.04.2022**

Present: Ms. Meenakshi Midha, Advocate for the respondent no.01.  
Dr. Ashwani Kumar Kala for the Complainant.

Learned counsel for the respondent No.01 submitted that the complainant has filed some documents before the Commission's Office on dated 21.09.2021 and the same was taken on record on dated 25.11.2021 but complainant has not supplied the copy of said documents to the respondent No. 1 till date, whereas Dr. Ashwani Kumar Kala was directed to supply a copy of said reply along with annexure.

Dr. Ashwani Kumar Kala submitted that the said reply is bulky and containing 53 pages.

Dr. Ashwani Kumar Kala is again directed to supply the copy of the above reply along with annexure to the learned counsel for the respondent no.01 otherwise these documents cannot be consider at the time of final arguments.

Learned counsel for the respondent no.01 submitted that after receiving documents from the complainant she will file detailed reply.

Complainant Dr. Ashwani Kumar Kala has filed some documents which all are photocopies after hearing the case before this Commission's Office on dated 25.11.2021, and are taken on record.

Complainant Dr. Ashwani Kumar Kala is directed to supply copy of the said documents also to the learned counsel for the respondent no.01.

Complainant Dr. Ashwani Kumar Kala has again sent a letter which is received in the Commission's Office on dated 08.03.2022 is also taken on record.

Complainant is directed to supply a copy of the said letter to the learned counsel for the respondent no.01.

List on 02.08.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**Sh. Radhey Pratap Singh, R/o. Village and Post – Akbarpur Farsi,  
District – Amethi, Uttar Pradesh.**

**- Complainant/petitioner**

**V/s.**

- 1. Wasi Naqvi National Inter College, Raebareli, U.P. & Anr.**
- 2. Additional Chief Secretary, Bahukhandi Secretariat, Lucknow,  
UP**
- 3. Directorate of Secondary Education, 18th Park Road, Lucknow,  
UP**

**-Respondents**

**Misc. Case No. 18 of 2021  
Old case No. 27 of 2018**

**13.04.2022**

Present: Ms. Savita Singh, Advocate for the complaint/ petitioner.  
None for the respondents

Mr. Mujtaba Azhar Naqvi sent by post an undated application, which is received in the Commission's Office on dated 13.04.2022 along with photocopy of letter dated 10.02.2022 and copy of Order dated 25.01.2022 passed in Writ C. no. 425 of 2022 by the Hon'ble High Court, Lucknow with a request that of Misc. Case 18 of 2021 (old case no. 27 of 2018) be stayed because Hon'ble High Court, Lucknow has passed the Order that said case is pending before the Commission shall remain stayed and are taken on record.

We have perused the Order of Hon'ble High Court, Lucknow dated 25.01.2022

Looking to the facts and circumstances of the case and Order of Hon'ble High Court, Lucknow, list the case on 03.08.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**Shri Jagmohan Singh, District Minority Welfare Officer,  
Badayun, Uttar Pradesh.**

**V/s.**

**Raafiah College of Education, Bisholi Road, Saheswan, Near  
Dak Bangle, Badayun, Uttar Pradesh.**

**Misc. Case No. 01 of 2022**

**13.04.2022**

Present: Mr. Junais P., Advocate for the respondent.  
None for the Complainant .

Despite giving notice again and again to the complainant the then District Minority Welfare Office, Badayun, UP, none appeared on behalf of the petitioner, even in the second round.

On last occasion dated 03.03.2022, none appeared on behalf of the complainant.

In the facts and circumstances and looking to the controversy and heard learned counsel for the respondent Raafiah College of Education and Order of merit we deem it is just and proper to dismiss the complaint in default.

The Commission has been forced to dismiss the complaint.  
Hence, the case is dismissed in default.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**13.04.2022**

**St. Mary's School DoomDooma, District - Tinsukia, Rupaisiding,  
Assam - 786153.**

**Vs.**

**Joint Secretary, Education Department (Higher), Assam  
Secretariat, Block C, Secretariat Complex, Dispur, Guwahati,  
Assam – 781006.**

Present: None.

An application has been received by post on 04.04.2022, from St. Mary's School DoomDooma, District - Tinsukia, Rupaisiding, Assam - 786153, for grant of minority status certificate. It be registered.

It transpires from the petition that on 31.01.2022, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Joint Secretary, Education Department (Higher), Assam Secretariat, Block C, Secretariat Complex, Dispur, Guwahati, Assam – 781006, which is received by the respondent on 03.02.2022. 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.

It transpires from the petition that Sr. Laisa Varghese is the signatory of the MSC application and has also furnished an affidavit in support of the petition. Her name is not available in the list of Governing Body, certified by the Registrar of Societies and there is no beneficiary clause available in the MoA filed by the petitioner Institute.

It also transpires from the petition that the petitioner school is upto Secondary level and petitioner has not filed Recognition / Affiliation Certificate issued by the Central / State Examination Board.

Office has also reported that petitioner has filed 10 envelopes with postage of Rs. 100 each with petition.

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

In the interest of justice, list on 03.08.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

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

A.K.

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

**13.04.2022**

**Mount Zion Silver Jubilee School, Thenkarai Village, Athikaram  
P.O. Nachiapuram (via), Thirupathur Taluk, Sivagangai District,  
Tamil Nadu - 630207.**

**Vs.**

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

Present: None.

An application has been received by post on 05.04.2022, from Mount Zion Silver Jubilee School, Thenkarai Village, Athikaram P.O. Nachiapuram (via), Thirupathur Taluk, Sivagangai District, Tamil Nadu - 630207, for grant of minority status certificate. It be registered.

Perused the office report and 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.

It also transpires from the records, that the petitioner has also applied before the State Competent Authority for grant of Minority Status Certificate and that application is still pending.

As per law and settled procedure, petitioner cannot apply before this Commission unless and until the Minority Status Certificate application is disposed by the State Competent Authority. Hence this application is not maintainable at this stage.

It transpires from the petition that of the total 396 only 20 students are from the Christian Minority Community.

As per the Judgement of Hon'ble Apex Court in T.M.A. Pai Foundation Vs The State of Karnataka (2002) 8 SCC 481, a minority whether linguistic or religious is determinable only by reference to demography of the State and not by taking into consideration the population of the country as a whole. There should be reasonable strength of students of minority community in a minority institution. In our considered opinion the percentage could be determined based on the actual proportion of specific minority community in the State's population.

Contd...

**Mount Zion Silver Jubilee School, Tamil Nadu - 630207.**

**Vs.**

**Principal Secretary, Tamil Nadu.**

**Continue from pre-page**

In the present case, Christian minority community in the State of Tamil Nadu represents less than 7% of the State population, the minimum percentage governing admissions could be fixed as 7% and in this institution students are less than the 7%.

Consequently, the petition filed by the petitioner institution namely Mount Zion Silver Jubilee School, Thenkarai Village, Athikaram P.O. Nachiapuram (via), Thirupathur Taluk, Sivagangai District, Tamil Nadu - 630207 is hereby dismissed. However, petitioner institution is free to move fresh application for grant of MSC as per the law, following the procedure after having minimum percentage of students in their institution.

Office is directed to notify the order 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**

**13.04.2022**

**Madrasa Ahmadia Sareya Khaira Tola, PO - Sareya Bazar, Ps -  
Paharpur, East Champaran, Bihar - 845458.**

**Vs.**

**Director, Secondary & Senior Secondary Education, Ground  
Floor, Vikas Bhawan, New Secretariat, Daily Road, Patna, Bihar  
- 800015.**

Present: None.

An application has been received by hand on 06.04.2022, from Madrasa Ahmadia Sareya Khaira Tola, PO - Sareya Bazar, Ps - Paharpur, East Champaran, Bihar - 845458, for grant of minority status certificate. It be registered.

It transpires from the petition that on 21.06.2021, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Director, Secondary & Senior Secondary Education, Ground Floor, Vikas Bhawan, New Secretariat, Daily Road, Patna, Bihar – 800015. The NOC application has been received in the Office of the Respondent by hand and bears the seal of the Education Department, Patna, Bihar and signed by an unknown person.

The petitioner has filed the photocopy of letter dated 21.06.2021 as proof of service.

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

It transpires from the records, that the petitioner has also applied before the State Competent Authority for grant of Minority Status Certificate and that application is still pending.

As per law and settled procedure, petitioner cannot apply before this Commission unless and until the Minority Status Certificate application is disposed by the State Competent Authority. Hence this application is not maintainable at this stage.

In this case office has reported that petitioner has not filed the certified list of founding members of the society

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

In the interest of justice, list on 03.08.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

A.K.