

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

Krupanilaya Pre Primary School, PO & TK, Bellary, Karnataka.

V/s.

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

Case No. 43 o 2019

09.11.2021

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

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

It transpires from the petition that of the total 233 students, only 05
students are from the Christian Minority Community.

Now, fix the case for final arguments on 10.11.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Francis Convent School, Jambu Savari Dinne, B.G. Road,
Gottigere Post, Bangalore, Karnataka.**

V/s.

**Principal Secretary, Education Department, Government of
Karnataka.**

Case No. 44 of 2019

09.11.2021

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

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

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

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**

**Islahiya Public School, Puthur, P.O., Kottakkal, Tirurangadi,
District Malappuram Kerala.**

V/s.

**Secretary, General Education Department, Government of
Kerala.**

Case No. 99 of 2019

09.11.2021

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

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

Learned counsel for the petitioner submitted that petitioner has applied to the State Competent Authority for grant of NOC on dated 14.11.2018, but till now institution has not received any response from the State Competent Authority

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**

**Hira Nursery and Primary School, 170, West Pandy Road, Nallarasan
Pettai, Valavanur Post, Villupuram, Tamil Nadu – 605108.**

V/s.

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

Case No. 178 of 2019

09.11.2021

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

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

Learned Counsel for the petitioner submitted that this institution is
up to 5th standard.

Learned Counsel for the petitioner again prayed for time to file
certified copies of all the relevant documents.

It transpires from the petition that out of total 157 students, 19
students are from the Muslim Minority Community.

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

List on 04.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Shebha Nursery and Primary School, No. 199, Solaippan Street, Old
Washermenpet, Chennai, Tamil Nadu- 600 021.**

Vs

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

Case No. 186 of 2019

09.11.2021

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

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

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

Respondent has sent by post, Counter Affidavit along with covering
letter dated 15.07.2021 before the Commission's Office on dated
28.07.2021, which is taken on record.

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

Learned counsel for the petitioner filed two documents by hand,
before the Commission's Office on dated 02.11.2021, which are taken on
record.

It transpires from the petition that out of the total 786 students, 38
students are from the Christian Minority Community.

It also transpires from the record that the petitioner has not filed
rejoinder before the Commission.

Learned Counsel for the petitioner prayed for time to file rejoinder.

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

In the interest of justice, list on 04.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

St. Marys Convent School, Agwanpur, Moradabad, U.P.

V/s.

Deputy Director, Minorities Welfare Department, Government of U.P.

Case No. 217 of 2019

09.11.2021

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

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

Learned counsel for the petitioner filed four documents by hand, before the Commission's Office on dated 02.11.2021, which are taken on record.

Now, fix the case for final arguments on 11.11.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Carmel English Medium School, Ochanthuruth, Dist.
Ernakulam, Kerala.**

V/s.

**Secretary, General Education Department, Government of
Kerala.**

Case No. 224 of 2019

09.11.2021

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

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

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**

**Carmel School, Madapally, Changanacherry, Dist. Kottayam,
Kerala.**

V/s.

**Secretary, General Education Department, Government of
Kerala.**

Case No. 226 of 2019

09.11.2021

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

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

Learned counsel for the petitioner filed two documents by hand,
before the Commission's Office on dated 02.11.2021, which are taken on
record.

Heard, learned counsel for the petitioner.

Reserved for Orders.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**New Madhukar Rajgarh Public Higher Secondary School, Mela
Maidan, Rajgarh, Dist. Dhar, M.P.**

V/s.

**Secretary, Room No. 339, Backward Classes and Minority
Welfare Department, Government of M.P.**

Case No. 229 of 2019

09.11.2021

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

Despite reminder to the Physical Inspection Committee, we have not received any response from the Committee.

Office is directed to again send reminder by email and also by post to the member of Physical Inspection Committee for sending the inspection report positively.

It transpires from the petition that out of the total 597 students, 210 students are from the Jain Minority Community.

Learned Counsel for the petitioner prayed for time to file an updated Recognition/Affiliation Certificate of the State/Central Board of Secondary Education (CBSE).

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

List on 20.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**National Academy Montessori Matric Higher Secondary School,
Pattinamkathan, Ramanathapuram, Tamil Nadu - 623503**

V/s

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

Case No. 297 of 2019

09.11.2021

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

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

Learned Counsel for the petitioner again prayed for time to file certified copies of all the relevant documents.

It transpires from the petition that out of the total 1998 students, 529 students are from the Muslim Minority Community.

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

List on 20.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**A.M.L.P. School, Kallarattikkal, P.O. Urangattiri, Areacode,
Malappuram District, Kerala**

V/s

**Secretary, General Education Department, Thiruvananthapuram,
Kerala**

Case No. 301 of 2019

09.11.2021

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

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

Office is directed to again send reminder by email and also by post to Physical Inspection Committee for sending the inspection report positively.

District Educational Officer, Malappuram, Kerala has sent a letter dated 31.08.2021 and requested that petitioner school is under the jurisdiction of A E O Areacode and District Educational Office Wandoor. Deputy Directorate of Education, Malappuram is the Competent Authority for carrying out inspection for grant of minority status to schools and also requested that in future any communication with respect to Physical Inspection report may be made with the District Educational Officer, Wandoor.

Office is directed to send letter to District Educational Office, Wandoor for inspection report.

Learned Counsel for the petitioner again prayed for time to file certified copies of all the relevant documents.

Learned Counsel for the petitioner submitted that this MSC application is filed by Shri Mammathutty M. who is the Manager as well as the owner of the petitioner institution,

It transpires from the petition that of the total 153 students, 134 students are from the Muslim Minority Community.

List on 02.03.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Ann's School, Khanpur, Sagar Road, Manchal Mandal,
Ranga Reddy District, Telangana**

V/s.

**The Secretary, Minorities Welfare Department, D-Block, Ground
Floor, Telangana Secretariat, Hyderabad – 500022**

Case No. 373 of 2019

09.11.2021

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

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

In compliance of the Commission's Order, District Educational
Officer, Rangareddy District, Telangana has sent the physical inspection
report by post, which was received in the Commission's Office on dated
13.09.2021 and is taken on record.

Office is directed to supply a copy of the physical inspection report
to the learned counsel for the petitioner.

As per the information supplied by the petitioner out of the total
1081 students 537 students are from the Christian Minority Community but
the figure does not tally with the inspection report.

Learned Counsel for the petitioner submitted that they have filed
certified copies of all the relevant documents.

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

Now, fix the case for final arguments on 02.03.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Ann's (EM) School, B Camp Post, Joharapuram, Kurnool District,
Andhra Pradesh**

V/s.

**The Secretary to Government, Minorities Welfare Department, 3rd
Floor, A.P. Secretariat, Velagapudi, Amaravati, Andhra Pradesh**

Case No. 374 of 2019

09.11.2021

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

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

Learned Counsel for the petitioner prayed for time to file Resolution
passed by the General Body of the Society as well as reply of the Counter
Affidavit of Principal Secretary to Government, Minorities Welfare
Department, 3rd Floor, A P Secretariat, Velagapudi, Guntur District,
Andhra

It transpires from the petition that out of the total 225 students, 78
students are from the Christian Minority Community.

Learned Counsel for the petitioner prayed for time to file
Recognition/Affiliation Certificate of the State/Central Board of Secondary
Education (CBSE).

List on 02.03.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Ann's High School, Rangampali (M), Peddapalli, Karimnagar
District, Telangana**

V/s.

**The Secretary, Minorities Welfare Department, D-Block, Ground
Floor, Telangana Secretariat, Hyderabad – 500022**

Case No. 375 of 2019

09.11.2021

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

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

Learned Counsel for the petitioner submitted that petitioner do not
want to file any reply of the letter dated 11.08.2021.

Learned Counsel for the petitioner prayed for time to file
Recognition/Affiliation Certificate of the State/Central Board of Secondary
Education (CBSE).

It transpires from the petition that the total 1060 students, 373
students are from the Christian Minority Community.

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

List on 02.03.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Ann's College of Nursing, Fatimanagar, Hanamkonda,
Warangal District, Telangana**

V/s.

**The Secretary, Minorities Welfare Department, D-Block, Ground
Floor, Telangana Secretariat, Hyderabad – 500022**

Case No. 376 of 2019

09.11.2021

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

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

Learned Counsel for the petitioner submitted that petitioner do not
want to file any reply of the letter dated 11.08.2021.

Learned Counsel for the petitioner prayed for time to file
Recognition/Affiliation Certificate of the State/Central Board of Secondary
Education (CBSE).

It transpires from the petition that of the total 100 students, 30
students are from the Christian Minority Community.

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

List on 02.03.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Ann's High School (EM), Kazipet, Warangal District,
Telangana**

V/s.

**The Secretary, Minorities Welfare Department, D-Block, Ground
Floor, Telangana Secretariat, Hyderabad – 500022**

Case No. 377 of 2019

09.11.2021

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

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

Learned Counsel for the petitioner submitted that petitioner do not
want to file any reply of the letter dated 11.08.2021.

Learned Counsel for the petitioner prayed for time to file
Recognition/Affiliation Certificate of the State/Central Board of Secondary
Education (CBSE).

It transpires from the petition that of the total 510 students, 237
students are from the Christian Minority Community.

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

List on 02.03.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Ann's School of Nursing, Fatimanagar, Warangal District,
Telangana**

V/s.

**The Secretary, Minorities Welfare Department, D-Block, Ground
Floor, Telangana Secretariat, Hyderabad – 500022**

Case No. 378 of 2019

09.11.2021

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

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

Learned Counsel for the petitioner submitted that petitioner do not
want to file any reply of the letter dated 11.08.2021.

Learned Counsel for the petitioner prayed for time to file
Recognition/Affiliation Certificate of the State/Central Board of Secondary
Education (CBSE).

It transpires from the petition that of the total 50 students, 30 students
are from the Christian Minority Community.

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

List on 02.03.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Ann's School, Tadvai, Mungala Mandal, Nalgonda District,
Telangana**

V/s.

**The Secretary, Minorities Welfare Department, D-Block, Ground
Floor, Telangana Secretariat, Hyderabad**

Case No. 379 of 2019

09.11.2021

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

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

Learned Counsel for the petitioner submitted that petitioner do not
want to file any reply of the letter dated 11.08.2021.

Learned Counsel for the petitioner prayed for time to file
Recognition/Affiliation Certificate of the State/Central Board of Secondary
Education (CBSE).

It transpires from the petition that of the total 962 students, 475
students are from the Christian Minority Community.

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

List on 02.03.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Ann's Primary School, Savadal Road, Mehmedabad, Kheda Dt.,
Gujarat.**

Vs.

- 1. Commissioner of Schools, Commissionarate of Mid Day Meals
and Schools, Government of Gujarat, Sector – 10,
Gandhinagar, Gujarat.**
- 2. Commissioner of Schools, Block No. 9-1, Dr. Jivraj Mehta
Bhawan, Gandhinagar, Gujarat-382010.**

Case No. 832 of 2019

09.11.2021

Present: Ms. Anju Joseph, Advocate for petitioner.

None for the Respondent.

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

Despite service of regd. notice, none appeared on behalf of both
the respondents.

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

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**

**International Access School, At-Barhan, Post & Dt., - Siwan,
Bihar.**

Vs.

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

Case No. 836 of 2019

09.11.2021

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

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

On behalf of the respondent, Deputy Director (Secondary Education deptt.) has sent by post a copy of letter dated 06.09.2021, which is received in the Commission's Office on dated 13.09.2021 and is taken on record.

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

Learned Counsel for the petitioner has filed certified copies of five documents before the Commission's office on dated 09.03.2021 which are taken on record.

Learned Counsel for the petitioner has also filed certified copy of CBSE affiliation order before the Commission's office on dated 02.11.2021 which is taken on record.

It transpires from the record that out of 821 total students, 730 students are from the Muslim Minority Community.

It also transpires from the records that the MSC application of the petitioner institution is pending before the State Competent Authority as per the information furnished by the petitioner against Column No. 4 of this application for grant of MSC.

Learned Counsel for the petitioner is directed to submit the copy of resolution passed by the General Body of the Trust to obtain Minority Status Certificate from this Commission.

List on 03.03.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

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

**Santa Maria Academy International School, Kothanur Village,
Thally, Denkanikottai Taluk, Krishnagiri Dt., Tamil Nadu.**

Vs.

**Principal Secretary, School Education Department, Government
of Tamil Nadu, Fort St. George, Secretariat, Chennai, Tamil
Nadu – 9.**

Case No. 838 of 2019

09.11.2021

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

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

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

Learned Counsel for the petitioner seeks leave to withdraw the
petition with liberty to file a fresh petition for the same relief.

Leave and liberty is granted.

Office is directed to return the envelopes and postage stamps
back to the learned Counsel for the petitioner.

The petition is disposed of as withdrawn.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

Nabajyoti High School, Kerjenga, Pallahara, Angul Dt., Orissa.

Vs.

**1. Principal Secretary, School & Mass Education Department,
Government of Orissa, Secretariat, Bhubaneswar, Orissa – 751
001.**

**2. Director, Secondary Education, 6th Floor, HOD
Building, Unit-V, Bhubaneswar, Khordha, Odisha**

Case No. 839 of 2019

09.11.2021

Present: Ms. Anju Joseph, Advocate for petitioner.

None for the Respondent.

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

Despite service of regd. notice, none appeared on behalf of both
the respondents.

Learned Counsel for the petitioner has filed certified copies of three
documents before the Commission's office on dated 04.02.2021 which are
taken on record.

It transpires from the records that this application for grant of MSC
is filed by Cyril Antony Agera, the Headmaster of Nabajyoti High School,
Kerjenga, Pallahara, Angul Dt., Orissa.

This Commission has placed a public notice on the Notice board
that in order to streamline the process of filing application for grant of MSC,
it has been decided that the same person should sign the declaration,
affidavit and Vakalatnama who can be the following:

1. Individual- Owner
2. Society- Chairman/ President/ Secretary
3. Trust- Trustee/ Authorised signatory as per the resolution.

So, the Chairman/ President/ Secretary/Trustee by passing the
general body resolution can file application for grant of MSC. In this case,
application for grant of MSC is filed by, the Headmaster of the institution
who is not authorized by the law and the Petitioner Society.

It also transpires from the records that the application for grant of NOC
dated 23.07.2019 was filed by the President of the Divine World
Educational Society which is also against the said general notice.

In the facts and circumstances of the case this application is not
maintainable as such however, the petitioner is free to file fresh application
for grant of MSC in the Commission.

Accordingly, as per the discussions above, the said petition is
disposed of.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

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

St. Joseph Convent School, Tuet, Kollam Dt., Kerala.

Vs.

**Secretary, General Education Deptt., Government of Kerala,
Thiruvananthapuram, Kerala – 695 001.**

Case No. 840 of 2019

09.11.2021

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

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

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

Learned Counsel for the petitioner seeks leave to withdraw the
petition with liberty to file a fresh petition for the same relief.

Leave and liberty is granted.

Office is directed to return the envelopes and postage stamps
back to the learned Counsel for the petitioner.

The petition is disposed of as withdrawn.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

M.D.P School, Village - Raniyala Khurd, Tehsil - Hathin, District - Palwal, Haryana - 121103.

Vs.

Finance Commissioner & Principal Secretary, Education Department, Government of Haryana, Civil Secretariat, Chandigarh, Haryana – 160 001.

Case No. 143 of 2020

09.11.2021

Present: None.

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

It transpires from the petition that the petitioner has applied for grant of NOC on dated 02.08.2019 to the wrong State Competent Authority i.e. Finance Commissioner & Principal Secretary, Education Department, Government of Haryana, Civil secretariat, Chandigarh, Haryana instead of Principal Secretary, School Education Department for Schools/ Primary Schools Room No. 37, 7th Floor Haryana Civil Secretariat, Sector-1, Chandigarh. In this case the petitioner has also stated in Column No.6 of the application filed by the petitioner for grant of MSC that all the students are from the Muslim Minority Community.

In column No.3 of the application for grant of MSC it is mentioned by the petitioner that application for grant of MSC is pending before the State Competent Authority.

We are not granting MSC in cases where the application for grant of MSC is already pending before the State Competent Authority.

Thus, this application is not maintainable as such however the petitioner is free to file fresh application before the Commission for grant of MSC .

Accordingly, this petition is disposed of .

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
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**GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR MINORITY
EDUCATIONAL INSTITUTIONS**

**Brahmi College of Education, Plot No. 832, Village – Pathriya Jat,
Pathriya Jat P.O., Tehsil – Sagar, Sagar District, Madhya Pradesh –
470228.**

Vs.

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

Case No. 144 of 2020

09.11.2021

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 18.02.2020. In the
interest of justice, time prayed for is allowed.

Learned Counsel for the petitioner is directed to submit the
copy of resolution passed by the General Body of the Trust to obtain
Minority Status Certificate from this Commission.

List on 03.03.2022

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

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

**Radha Bhuneshwari (Minority) High School, A&PO - Amari,
District - Begusari, Bihar - 848202.**

Vs.

**Secretary, Human Resource Development Department,
Government of Bihar, Secretariat, Patna, Bihar - 800015.**

Case No. 145 of 2020

09.11.2021

Present: None for the petitioner.

In compliance of earlier order of this Commission dated 18.02.2020, the petitioner has filed by hand 03 documents before the Commission's office on dated 06.04.2021 which are taken on record.

The petitioner has filed copy off letter dated 11.06.2019 for grant of MSC along with the post office receipt but petitioner has not filed any acknowledgement or receipt of said letter by the State Competent Authority.

The petitioner has not filed proper Unique ID given by NITI Aayog.

The petitioner has filed original copy of application for grant of MSC which is taken on record.

It transpires from the petition for grant of MSC that their application for grant of MSC is also pending before the State Competent Authority as per the information marked by the petitioner against Column No.3 of the application for grant of MSC filed in the Commission.

We are not granting MSC in cases where the application for grant of MSC is already pending before the State Competent Authority.

Office is directed to send a letter to the petitioner as to why this petition be not rejected at this stage on the ground that their application for grant of MSC is pending before the State Competent Authority.

List on 03.03.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

Mohd. Afsar Ali Public School, Village - Sirsa Inayatpur Alias Daur Bagh, Block - Mundapandey, Tehsil & District - Moradabad, Uttar Pradesh.

Vs.

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

Case No. 146 of 2020

09.11.2021

Present: None.

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

It is also transpires from the record that the petitioner has not applied to the Competent Authority of the State Government for grant of NOC.

The Hon'ble Supreme Court in Civil Appeal No. 3945 of 2018 in case of Sisters of St. Joseph of Cluny vs. The State of West Bengal and Ors. vide order dated 18.04.2018, has held that any person who desires to establish a minority educational institution after the amendment Act of 2006 came into force, must apply only to the competent authority for grant of No Objection Certificate for the said purpose.

All applications for the establishment of a minority educational institution after the amendment Act of 2006 must go to the competent authority set up under the statute.

As per the earlier order of this Commission dated 18.02.2020, the petitioner has not filed original affidavit, Niti Aayog Unique ID, MoA of the Society, list of founding members of the society, envelope and postage charges for sending notice to the respondent.

After giving show cause notices, 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**

RS

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

**St. Anne's Primary School, Kapadvanj Road, Nadiad, Kheda District,
Gujarat.**

V/s.

- 1. Commissioner of Schools, Commissionerate of Mid Day Meals and Schools, Govt. of Gujarat Sector-10, Gandhinagar, Gujarat.**
- 2. Deputy Director, Directorate of Schools, Old Sachivalaya, Block 9/1, Gandhinagar, Gujarat- 382010.**

Case No. 51 of 2021

09.11.2021

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

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

Learned Counsel for the petitioner seeks leave to withdraw the
petition with liberty to file a fresh petition for the same relief.

Leave and liberty is granted.

Office is directed to return the envelopes and postage stamps
back to the learned Counsel for the petitioner.

The petition is disposed of as withdrawn.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Saint Mary's English School, Near Garibsha Pir, Valavad, P.B. No. 85,
Sihor, Bhavnagar District, Gujarat-364240.**

V/s.

- 1. Commissioner of Schools, Commissionerate of Mid Day Meals and Schools, Govt. of Gujarat Sector-10, Gandhinagar, Gujarat.**
- 2. Deputy Director, Directorate of Schools, Old Sachivalaya, Block 9/1, Gandhinagar, Gujarat- 382010.**

Case No. 52 of 2021

09.11.2021

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

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

Learned Counsel for the petitioner seeks leave to withdraw the
petition with liberty to file a fresh petition for the same relief.

Leave and liberty is granted.

Office is directed to return the envelopes and postage stamps
back to the learned Counsel for the petitioner.

The petition is disposed of as withdrawn.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Madarsa Fatima Zohra, Village Naseerpur Shaikh, Block Jalilpur,
District Bijnor, Uttar Pradesh.**

V/s.

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

Case No. 53 of 2021

09.11.2021

Present: Uzma Praveen for the petitioner.

The petitioner seeks leave to withdraw the petition with liberty to file a fresh petition for the same relief.

Leave and liberty is granted.

Office is directed to return the envelopes and postage stamps back to the petitioner.

The petition is disposed of as withdrawn.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS