

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

**KSHM Art & Science College, Edathanattukara,
Vattamannapuram P.O., Palakkad Dist., Kerala.**

V/s.

**The Principal Secretary, Higher Education Dept., Govt. of
Kerala, Thiruvananthapuram, Kerala.**

CASE NO. 363 OF 2019

Date: 28.04.2022

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

Learned counsel for the petitioner filed certified copy of
Supplementary Trust Deed of the petitioner trust before the
Commission's office on dated 21.04.2022, which is 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**

Ks

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

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

V/s.

Secretary, Minorities Welfare Dept., Government of A.P.

CASE NO. 650 OF 2019

Date: 28.04.2022

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

Learned counsel for the petitioner filed General Body Resolution of the petitioner society before the Commission's office on dated 21.04.2022, which is taken on record.

Learned counsel for the petitioner again prayed time to comply with the order dated 17.08.2021 of the Commission. He has submitted certified copies of all other relevant documents, which are also taken on record.

Learned counsel for the petitioner draw our attention on the reply of RTI so in the facts and circumstances of the case, office is directed to send letter to the competent authority of the State Government of A.P. with the specific question that who is the exam conducting body for secondary and higher secondary schools and who is issuing affiliation/ recognition certificate for that exam in the State of A.P.

List on 26.07.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

Ks

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

**Ebenezer Matriculation School, No. 25, Jawaharial Street, New
Perungalathur, Chennai, T.N.**

V/s.

**Principal Secretary, School Education Dept., Secretariat,
Chennai, T.N.**

CASE NO. 782 OF 2019

Date: 28.04.2022

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

Learned counsel for the petitioner filed an application under Order VIII Rule 9 of Section 151 C.P.C. read with Section 12 of the NCMEI Act, 2004, to accept the Rejoinder Affidavit. He has also submitted a copy of the above application along with an envelope and postal stamp, before the Commission's Office on dated 12.04.2022, which are taken on record.

Office is directed to issue notice of the above application to the respondent by registered A.D. and e-mail.

List on 26.07.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

Ks

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

St. Anne's Nursery and Primary School, Thiruvalluvar Nagar,
Lalgudi, Trichy District, T.N.

V/s.

Principal Secretary, School Education Dept., Govt. of T.N.,
Secretariat, Chennai, T.N.

CASE NO. 784 OF 2019

Date: 28.04.2022

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

Learned Counsel for the petitioner also filed on dated 21.04.2022 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.

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**

Ks

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

**St. Anne's Matriculation Higher Secondary School, 23, Gandhi
Nagar, Kumbakonam, Thanjavur District, T.N.**

V/s.

**Principal Secretary, School Education Dept., Secretariat,
Chennai, T.N.**

CASE NO. 785 OF 2019

Date: 28.04.2022

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

Learned Counsel for the petitioner also filed on dated 21.04.2022 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.

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**

Ks

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

**Kodaikanal International School, Seven Roads Junction,
Kodaikanal, T.N.**

V/s.

**Principal Secretary, School Education Dept., Secretariat,
Chennai, T.N.**

CASE NO. 97 OF 2020

Date: 28.04.2022

Present: Mr. Romy Chacko, Advocate for the petitioner.
None for the respondent.

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

The District Educational Officer, District Education Office, Dindigul, has addressed a letter to District Educational Officer, Government of Higher Secondary School Campus, Batlagundu, Dindigul Dist., T.N., for sending report and endorsed a copy thereof to this Commission, which is received by hand on dated 07.03.2022. The same is taken on record.

Office is directed to issue reminder by post and also by e-mail to the members of the Physical Inspection Committee taking into consideration the letter dated 07.03.2022.

Learned counsel for the petitioner prayed time to file certified copy of all the relevant documents and also General Body Resolution of the petitioner company.

Learned counsel for the petitioner is directed to clarify the position of students as well as teachers of the petitioner institution.

List on 02.08.2022.

**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**

Little Flower School, Gandhi Nagar, Nai Basti, Nagar Kshetra,
Lalitpur, U.P.

V/s.

1. Secretary, Sachiv Bhawan, Lucknow, U.P.
2. Additional Chief Secretary, Government of U.P.

CASE NO. 112 OF 2020

Date: 28.04.2022

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

Learned counsel for the petitioner again prayed time to
comply with the Commission's earlier order dated 14.09.2021. Time
prayed for is allowed.

List on 04.08.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

Ks

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

**Holy Family English Medium High School, Santari Road, Joida,
Uttara Kannada District, Karnataka.**

V/s.

- 1. Principal Secretary, Education Dept. (Primary and Secondary Education), Govt. of Karnataka, Bengaluru.**
- 2. Additional Chief Secretary, Education Dept. (Higher Education), Government of Karnataka, Bengaluru.**

CASE NO. 284 OF 2020

Date: 28.04.2022

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

Learned counsel for the petitioner again prayed last and final opportunity to comply with the Commission's earlier order dated 01.09.2020.

At request, last and final opportunity is granted.

List the matter on 11.08.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

Ks

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

**M S Creative School, Municipal No. 1-4-758/7 to 10, 10A, 10B,
Bakaram, Musheerabad, Hyderabad, Telangana.**

V/s.

**Secretary, Minorities Welfare Dept., Telangana Secretariat,
Hyderabad.**

CASE NO. 285 OF 2020

Date: 28.04.2022

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

Learned counsel for the petitioner filed General Body Resolution of the petitioner trust before the Commission's office on dated 20.04.2022, which is taken on record.

Office is directed now issue notice to the respondent by registered A.D. and e-mail.

List on 11.08.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

Ks

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

**M S Creative School, Municipal No. 13-8-429, Plot No. 7,
Gudimalkapur, Mehdiapatnam, Hyderabad, Telangana.**

V/s.

**Secretary, Minorities Welfare Dept., Telangana Secretariat,
Hyderabad.**

CASE NO. 286 OF 2020

Date: 28.04.2022

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

Learned counsel for the petitioner filed three documents before the Commission's office on dated 22.04.2022, which are taken on record.

Now Office is directed to issue notice to the respondent by registered A.D. and e-mail.

Learned counsel for the petitioner again prayed time to comply with the Commission's order dated 01.09.2020. Time prayed for is allowed.

List on 11.08.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

Ks

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

**M S Future School, Plot No. 18, Heera Nagar, Upparpally,
Rajendra Nagar, Telangana.**

V/s.

**Secretary, Minorities Welfare Dept., Telangana Secretariat,
Hyderabad.**

CASE NO. 287 OF 2020

Date: 28.04.2022

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

Learned counsel for the petitioner filed three documents before the Commission's office on dated 20.04.2022, which are taken on record.

Office is directed to issue notice of the above application to the respondent by registered A.D. and e-mail.

Learned counsel for the petitioner again prayed time to comply with the Commission's order dated 01.09.2020. Time prayed for is allowed.

List on 11.08.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

Ks

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

St. Vincent English Medium School, Gunupur P.O., & P.S.,
Rayagada District, Odisha.

V/s.

Director, Elementary Education, Bhubaneswar, Khordha,
Odisha.

CASE NO. 452 OF 2020

Date: 28.04.2022

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

Learned counsel for the petitioner again prayed last and final opportunity to comply with the Commission's earlier orders dated 26.11.2020 and 25.08.2021.

At request, last and final opportunity is granted.

List the matter on 16.08.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

Ks

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

St. Vincent English Medium School, Hatabazar, Jatni P.O.,
Khurda Dist., Odisha.

V/s.

Director, Elementary Education, Bhubaneswar, Khordha,
Odisha.

CASE NO. 453 OF 2020

Date: 28.04.2022

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

Learned counsel for the petitioner again prayed last and final opportunity to comply with the Commission's earlier orders dated 26.11.2020 and 25.08.2021.

At request, last and final opportunity is granted.

List the matter on 16.08.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

Ks

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

**CORE School of Management, Vardhmanpuram, Roorkee, Dist.
Haridwar, Uttarakhand.**

V/s.

**Incharge Secretary, Higher Education Department, Secretariat,
Uttarakhand.**

APPEAL NO. 02 OF 2020

Date: 28.04.2022

Present: Mr. Rakesh Kumar Soni, Advocate for the Appellant.
None for the respondent.

Learned counsel for the appellant does not want to press this
appeal at this stage. Hence, appeal is dismissed and not pressed.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

Ks

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

Madrasa Hanfiya Himaytul Islam, N-20/63, Udham Sing Park, A-Block (Opp. A-100/6 Factory), Wazirpur Indl., Area, New Delhi - 110052.

Vs.

Assistant Director of Education (Act), Directorate of Education, Government of NCT of Delhi, R.No. - 214-A, Old Secretariat, Delhi - 110054.

Case No. 101 of 2021

28.04.2022

Pres

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

Learned Counsel for the petitioner prayed for last and final opportunity to comply with the Commission's earlier Order dated 17.03.2021.

List on 16.08.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Madarsa Gulshane-Siddike-e-Akbar, Village - Badepura, Block & Thesil - Nawabganj, Bareilly District, Uttar Pradesh - 262407.

Vs.

Additional Chief Secretary, Department of School Education, Govt., of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. - 226001.

Case No. 102 of 2021

28.04.2022

Pres

ent: Mr. Junais P., 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/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.

Learned counsel for the petitioner prayed for time to comply with the Commission's earlier Order dated 07.12.2021

List on 16.08.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Royal Public School, Village - Meoli, Tehsil - Nuh (Mewat), Haryana - 122107.

Vs.

Principal Secretary, School Education Department, Room No. 37, 7th Floor Haryana Civil Secretariat, Sector - 1, Chandigarh - 160001.

Case No. 103 of 2021

28.04.2022

Pres

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

Mr. Junais P., Advocate appeared on behalf of the petitioner 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 the envelope and postal stamps to the Learned Counsel for the petitioner.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Peniel Matriculation Higher Secondary School, No. 1, Selva Nagra,
Pallikaranai, Chennai, Tamil Nadu - 600100.**

Vs.

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

Case No. 104 of 2021

28.04.2022

Pres

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

Learned Counsel for the petitioner again prayed for time to comply with the Commission's earlier Order dated 07.12.2021.

Office is directed to issue notice to the respondent by regd. A.D. and email.

List on 16.08.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Bethel Matriculation Higher Secondary School, No. 15, Sarathy Nagar,
2nd Street, Velachery, Chennai, Tamil Nadu - 600042.**

Vs.

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

Case No. 105 of 2021

28.04.2022

Pres

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

Learned Counsel for the petitioner again prayed for time to comply with the Commission's earlier Order dated 07.12.2021.

Office is directed to issue notice to the respondent by regd. A.D. and email.

List on 16.08.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

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

Vs.

Lieutenant Governor, Raj Nivas, Puducherry - 605001.

Case No. 106 of 2021

28.04.2022

Pres

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

Learned Counsel for the petitioner filed on dated two documents and also five documents, which are taken on record.

Office is directed to issue notice to the respondent by regd. A.D. and email.

List on 16.08.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Francis D' Assisi School, P.O. Chaprakata Rail gate, District -
Bongaigaon, Assam - 783380.**

Vs.

**Joint Secretary, Education Dept. (Higher), Assam Secretariat, Block C,
Secretariat Complex, Dispur, Guwahati - 6, Assam.**

Case No. 122 of 2021

28.04.2022

Pres

ent: Mr. Tariq Adeb, Advocate for the petitioner.

Learned Counsel for the petitioner filed an application dated 30.03.2022 before the Commission's Office on dated 20.04.2022, which is taken on record.

By the said application petitioner has submitted that Mr. Innocent Tete is the authorized signatory of applications submitted for grant of NOC and MSC and he is the Principal of petitioner institution as well as the Chairman of the Vidyadeep Trust.

Signatures of Mr. Innocent Tete are quite different in the both documents i.e. the application for grant of MSC and application dated 13.10.2020 for grant of NOC.

We are also of the firmed opinion that both signatures are not of the one and same person.

Learned Counsel for the petitioner prayed for time to file certain document.

In the interest of justice, list on 17.08.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Francis D' Assisi School, P.O. Samelangso, District - Karbi,
Anglong, Assam - 782441.**

Vs.

**Joint Secretary, Education Dept. (Higher), Assam Secretariat, Block C,
Secretariat Complex, Dispur, Guwahati - 6, Assam.**

Case No. 124 of 2021

28.04.2022

Pres

ent: Mr. Tariq Adeb, Advocate for the petitioner.

Learned Counsel for the petitioner filed an application dated 30.03.2022 before the Commission's Office on dated 20.04.2022, which is taken on record.

By the said application petitioner has submitted that Mr. Innocent Tete is the authorized signatory of applications submitted for grant of NOC and MSC and he is the Principal of petitioner institution as well as the Chairman of the Vidyadeep Trust.

Signatures of Mr. Innocent Tete are quite different in the both documents i.e. the application for grant of MSC and application dated 13.10.2020 for grant of NOC.

We are also of the firmed opinion that both signatures are not of the one and same person.

Learned Counsel for the petitioner prayed for time to file certain document.

In the interest of justice, list on 17.08.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Savio Higher Secondary School, Devagiri, Medical College, P.O.,
Kozhikode District, Kerala - 673008.**

Vs.

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

Case No. 194 of 2021

28.04.2022

Pres

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

None for the respondent.

In compliance of earlier Order dated 19.08.2021, Office has sent regd. notice to the respondent and despite service of regd. notice, none appeared on behalf of the respondent on dated 01.02.2022 and also today, even in the second round.

Learned counsel for the petitioner filed on dated 20.04.2022 an Affidavit of himself on behalf of the petitioner institution and Fr. Biju Joseph, President, St. Joseph's Devagiri has also filed on dated 22.04.2022 an Affidavit and stated that the petitioner institution has applied for grant of NOC before the State Competent Authority in the year 2019. Subsequently, State Government of Kerala has passed an Order no. GEDN-F2/23/2019-G.EDN with the observation that at present the State Government has not granting NOC to the Educational institutions and the applicant is free to approach the NCMEI for getting Minority Status Certificate.

Later on State Government of Kerala has constituted Competent Authority to decide the application for grant of NOC under Section 10 of NCMEI Act, 2004 and therefore, the petitioner immediately applied again for grant of NOC as a fresh on dated 20.06.2020. Thereafter Sate Competent Authority has granted NOC to the petitioner institution vide its Order dated 25.11.2020. So, they have not suppressed any material facts deliberately or intentionally.

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**

**St. Thomas School, Khanpur Joth, Dhanghata, Sant Kabir Nagar Dt.,
Uttar Pradesh – 272 165.**

Vs.

- 1. Additional Chief Secretary, Department of School Education,
Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. -
226001.**
- 2. Principal Secretary, Secondary Education, Lucknow-226001, Uttar
Pradesh.**

Case No. 10 of 2022

28.04.2022

Pres

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

Learned counsel for the petitioner filed on dated 21.04.2022 eight documents by hand, which are taken on record.

In compliance of Commission's earlier Order dated 20.01.2022, Office has sent regd. notice to the respondent i.e. Additional Chief Secretary, Department of School Education, Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. - 226001. which is received un-served and returned back to this Commission on dated 21.02.2022, which is taken on record.

As per the record of this Commission at the time for filling NOC application Additional Chief Sec Additional Chief Secretary, Department of School Education, Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. – 226001 was the State Competent Authority but at present State Competent Authority of Uttar Pradesh is Principal Secretary, Secondary Education, Lucknow-226001, Uttar Pradesh.

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

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

Petitioner institution has applied to the NCMEI for grant of Minority Status Certificate. 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)

Contd...2/-

Case No. 10 of 2022

28.04.2022

After compliance of the above order by the Petitioner, Office is directed to issue notice to the respondents and issue letter to the above Committee members for submitting the report.

List on 18.08.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Thomas School of Nursing, Jyothi Hospital Campus, Kuruda P.O.,
Balasore Dt., Orissa– 756 056.**

Vs.

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

Case No. 11 of 2022

28.04.2022

Pres
ent:

Mr. Jose Abraham, Advocate 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.

Directorate of Secondary Education, Odisha, Bhubaneswar has sent by post a letter dated 16.03.2022 signed Additional Director (H&S), which was received in the Commission's Office on dated 21.03.2022 and is taken on record.

By the said letter respondent has stated that Commission should take up the matter with the Health Department authorities being as a Competent Authority and requested to exempt from appearance on the dated 28.04.2020, which is wrong. So we presume that the year is 2022 instead of 2020.

Learned counsel for the petitioner filed on dated 21.04.2022, six documents, which are taken on record.

Looking at the above the letter dated 16.03.2022 and as per our record Director, Secondary Education 6th Floor, HOD Building, Unit-V, Bhubaneswar, Khordha, Odisha, is the Competent Authority for grant of NOC to all the Minority Educational Institutions u/s 10 of NCMEI Act. 2004.

So the above mentioned authority is directed to appear in person or sent written submission, otherwise we proceed ex-parte against the Competent Authority and pass appropriate Order.

List on 18.08.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Madarsa Darul Uloom Jamia Rizvia, Kasba and Post Kemri, Tehsil
Bilaspur, District – Rampur, Uttar Pradesh.**

Vs.

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

Case No. 12 of 2022

28.04.2022

Pres

ent: None.

Despite service of email, none appeared on behalf of the petitioner, even in the second round.

It transpires from the record that the petitioner has not applied to the State Competent Authority 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 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.

Petitioner has not complied with the Commission's Earlier Order dated 01.02.2022

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**

Madarsa Jannatul Banat, Kasba Kemri Tehsil – Bilaspur, District – Rampur, Uttar Pradesh.

Vs.

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

Case No. 13 of 2022

28.04.2022

Pres

ent: None.

Despite service of email, none appeared on behalf of the petitioner, even in the second round.

It transpires from the record that the petitioner has not applied to the State Competent Authority 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 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.

Petitioner has not complied with the Commission's Earlier Order dated 01.02.2022

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**

Spring Dale School, Dhoom Manikpur, Dadri, Uttar Pradesh.

Vs.

**Principal Secretary Secondary Education Department Govt. of UP
Bahu Khandi, Secretariat, Lucknow (UP).**

Case No. 14 of 2022

28.04.2022

Pres

ent: Mr. Rakesh Jain and Ms. Renu Jain for the petitioner.

Mr. Rakesh Jain and Ms. Renu Jain both are present on behalf of the petitioner institution and prayed for time to comply with the Commission's earlier Order dated 02.02.2022.

Petitioner is directed to submit proper envelope and postal charges for sending notice to the respondent.

In the interest of justice, list on 06.07.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Doon World School, Raksha Vihar, Raipur Road, Dehradun - 248001

V/s.

**The Incharge Secretary, Higher Education, Uttarakhand Government,
Room No. 7, Ground Floor, Late Soban Singh Jeena Bhawan (SBI Bank
Building), Uttarakhand Secretariat – 248001**

Case No. 808 of 2019

28.04.2022

Pres

ent: None.

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

On earlier occasion dated 10.02.2022, none appeared on behalf of the petitioner.

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.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR