

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

**Dashmesh Public School, Shalimar Garden Extension – 1,
Sahibabad, Ghaziabad, Uttar Pradesh.**

V/s.

**The Principal Secretary, Secondary Education, Department of
Education, Government of Uttar Pradesh, Lucknow, Uttar Pradesh.**

CASE NO. 707 of 2019

07.09.2022

Present: None.

None appeared on behalf of both the parties even in the second round.

On the last occasions dated 17.05.2022 and 19.07.2022, none was present on behalf of the petitioner.

Since nobody has appeared to make any submission and 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**

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

07.09.2022

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

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

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

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

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

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

List on 18.10.2022.

**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.

- 1. Additional Chief Secretary, Department of School Education, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh.**
- 2. Additional Chief Secretary, Department of Higher Education, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh.**
- 3. Principal Secretary, Department of School Education, Govt. of Uttar Pradesh.**
- 4. Additional Chief Secretary, Minority Welfare and Waqf Department, Bahu Khandi, Secretariat, Lucknow, UP- 226001.**

Case No. 749 of 2019

07.09.2022

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

None for the respondent.

Respondent No.2 has returned the original notice of the Commission along with covering letter dated 18.07.2022 wherein it is mentioned that petitioner institution is a Madarsa from Tehtania to Aaliya (class 1st to 10th) and Minority Welfare and Waqf Department, Uttar Pradesh is the Competent Authority for the matter related to the petitioner institution.

So, Office is directed to make Minority Welfare and Waqf Department, Uttar Pradesh as party, respondent No.4.

Learned counsel for the petitioner is directed to submit one more envelope and postage charges for sending notice to respondent No.4.

After compliance of the above said order by the learned counsel for the petitioner, Office is directed to send notice to the respondent No.4 by reg. Ad/e-mail.

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

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

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

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

Learned counsel for the petitioner submitted that the Physical inspection Committee have already inspected the petitioner institution.

List on 19.10.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Good Shepherd Matriculation Higher Secondary School, No. 38,
Rajagopal Street, Old Pallavaram, Chennai, Tamil Nadu - 600117.**

Vs.

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

Case No. 818 of 2019

07.09.2022

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

It transpires from the records that as per the information furnished by the petitioner in application for grant of MSC, the MSC application filed by the petitioner is pending before the State Competent Authority and the petitioner institution is an un-aided institution.

In the interest of justice, Office is directed to send a letter to the respondent regarding as to whether the petitioner has filed any application for grant of MSC before them and what is the status of the said application. Further, the State Competent Authority may be asked to apprise the Commission that whether the petitioner institution is aided or un-aided.

List on 20.10.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Lourdes Matriculation Higher Secondary School, No. 30, Bunder
Garden Street, Perambur, Chennai, Tamil Nadu - 600011.**

Vs.

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

Case No. 819 of 2019

07.09.2022

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

It transpires from the records that as per the information furnished by the petitioner in application for grant of MSC, the MSC application filed by the petitioner is pending before the State Competent Authority and the petitioner institution is an un-aided institution.

In the interest of justice, Office is directed to send a letter to the respondent regarding as to whether the petitioner has filed any application for grant of MSC before them and what is the status of the said application. Further, the State Competent Authority may be asked to apprise the Commission that whether the petitioner institution is aided or un-aided.

List on 20.10.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Anne's Matriculation School, No. 152, GNT Road,
Ponnammenmedu, Madhavaram, Chennai, Tamil Nadu - 600110.**

Vs.

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

Case No. 820 of 2019

07.09.2022

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

None for the respondent.

It transpires from the records that as per the information furnished by the petitioner in application for grant of MSC, the MSC application filed by the petitioner is pending before the State Competent Authority and the petitioner institution is an un-aided institution.

In the interest of justice, Office is directed to send a letter to the respondent regarding as to whether the petitioner has filed any application for grant of MSC before them and what is the status of the said application. Further, the State Competent Authority may be asked to apprise the Commission that whether the petitioner institution is aided or un-aided.

List on 20.10.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. John's Matriculation Higher Secondary School, Sathya Nagar,
Katpadi Road, Gudiyattam, Vellore District, Tamil Nadu - 632602.**

Vs.

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

Case No. 823 of 2019

07.09.2022

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

It transpires from the records that as per the information furnished by the petitioner in application for grant of MSC, the MSC application filed by the petitioner is pending before the State Competent Authority and the petitioner institution is an un-aided institution.

In the interest of justice, Office is directed to send a letter to the respondent regarding as to whether the petitioner has filed any application for grant of MSC before them and what is the status of the said application. Further, the State Competent Authority may be asked to apprise the Commission that whether the petitioner institution is aided or un-aided.

List on 20.10.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Anne's Matriculation School, Choodapuram, Belathur P.O., Hosur
T.K., Bagalur, Krishnagiri District, Tamil Nadu - 635124.**

Vs.

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

Case No. 824 of 2019

07.09.2022

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

It transpires from the records that as per the information furnished by the petitioner in application for grant of MSC, the MSC application filed by the petitioner is pending before the State Competent Authority and the petitioner institution is an un-aided institution.

In the interest of justice, Office is directed to send a letter to the respondent regarding as to whether the petitioner has filed any application for grant of MSC before them and what is the status of the said application. Further, the State Competent Authority may be asked to apprise the Commission that whether the petitioner institution is aided or un-aided.

List on 20.10.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Anne's Arts and Science College, G.N.T. Road,
Ponnammanmedu, Madhavaram, Chennai, Tamil Nadu - 600011.**

Vs.

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

Case No. 825 of 2019

07.09.2022

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 filed rejoinder affidavit, a copy of the rejoinder along with an envelope and postal stamp, submitted by hand before the Commission's Office on dated 31.08.2022, which are taken on record.

Office is directed to issue notice of the above application to the respondent.

It transpires from the records that as per the information furnished by the petitioner in application for grant of MSC, the MSC application filed by the petitioner is pending before the State Competent Authority and the petitioner institution is an un-aided institution.

In the interest of justice, Office is directed to send a letter to the respondent regarding as to whether the petitioner has filed any application for grant of MSC before them and what is the status of the said application. Further, the State Competent Authority may be asked to apprise the Commission that whether the petitioner institution is aided or un-aided.

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

List on 20.10.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Anne's Matriculation Higher Secondary School, J.N. Road,
Behind R.C. Church, Thiruvallur, Thiruvallur District, Tamil Nadu -
602001.**

Vs.

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

Case No. 826 of 2019

07.09.2022

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

It transpires from the records that as per the information furnished by the petitioner in application for grant of MSC, the MSC application filed by the petitioner is pending before the State Competent Authority and the petitioner institution is an un-aided institution.

In the interest of justice, Office is directed to send a letter to the respondent regarding as to whether the petitioner has filed any application for grant of MSC before them and what is the status of the said application. Further, the State Competent Authority may be asked to apprise the Commission that whether the petitioner institution is aided or un-aided.

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

List on 20.10.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

St. Anne's Matriculation Higher Secondary School, No. 495, T.H. Road, Ramana Nagar, B.D. Office, Minjur, Ponneri T.K., Thiruvallur District, Tamil Nadu - 601203.

Vs.

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

Case No. 827 of 2019

07.09.2022

Pre

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

It transpires from the records that as per the information furnished by the petitioner in application for grant of MSC, the MSC application filed by the petitioner is pending before the State Competent Authority and the petitioner institution is an un-aided institution.

In the interest of justice, Office is directed to send a letter to the respondent regarding as to whether the petitioner has filed any application for grant of MSC before them and what is the status of the said application. Further, the State Competent Authority may be asked to apprise the Commission that whether the petitioner institution is aided or un-aided.

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

List on 20.10.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Shaheed Udham Singh Inter College, Rampur Kalan, Khutar,
Shahjahnpur, Uttar Pradesh**

Vs.

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

Case No. 76 of 2020

07.09.2022

Present: Mr. Junais P., 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 the envelope 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**

**Dheeraj International School, Plot No. 1, Sector 10, 1 Atal Bihari
Vajpayee Marg, PCNDTA, Bhosari, Pune, Maharashtra**

Vs.

**Joint Secretary, Minorities Development Deptt, Mantralaya
(Annexe), Mumbai, Maharashtra**

Case No. 77 of 2020

07.09.2022

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

Despite sending reminders 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 again send reminder by post and also by email to the members of Physical Inspection Committee, for sending the inspection report positively before next date of hearing and also direct the members of physical inspection committee that in this case if they fail to file their inspection report, then this Commission is free to decide this case on merits.

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

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

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

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

In the interest of justice, list on 25.10.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Sahrdaya Institute of Management Studies, Kodakara, Thrissur,
Kerala - 680684.**

Vs.

**Secretary, Higher Education Department, 4th floor Annex II,
Secretariat Building, Government of Kerala, Thiruvananthapuram,
Kerala.**

Case No. 91 of 2020

07.09.2022

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

Mr. Junais P., Advocate appeared on behalf of the arguing
counsel Mr. Zulfiker Ali.

Learned counsel for the petitioner filed four documents, before the
Commission's Office on dated 31.08.2022, which are taken on record.

In compliance of the Commission's earlier Order dated
01.12.2021, physical inspection committee has sent their report along with
covering letter dated 20.08.2022, which is received in the Commission's
Office on dated 25.08.2022 and taken on record.

Collectorate, Thrissur has sent an email, which is received in the
Commission's Office on dated 16.08.2022 and is taken on record.

District Educational Office has sent an email, which is received in
the Commission's Office on dated 23.08.2022 and is taken on record.

Learned counsel for the petitioner submitted that he has filed
certified copies of all the relevant documents except Affiliation from
University of Calicut approved by AICTE.

Learned counsel for the petitioner prayed for time to file latest
Affiliation.

List on 26.10.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Fatima Convent School, 111/84, Ashok Nagar, Kanpur, Uttar Pradesh - 208012.

Vs.

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

Case No. 102 of 2020

07.09.2022

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

Despite notice by regd. post and email, none appeared on behalf of the respondents even in the second round.

Office has not attached any acknowledgement and tracking report till now.

Office is directed to attach the both acknowledgement and tracking report, if received.

We have heard the learned counsel for the petitioner on application under Order VI Rule17 for the reasons mentioned in the application.

In the interest of justice, application for grant of amendment in the main petition is allowed. Amended petition is taken on record.

Now as per Order dated No. 989/52-3-2022- रि ट (30)/2014 dated 14.06.2022, Lucknow, Additional Chief Secretary, Secondary Education Department is the State Competent Authority in State Uttar Pradesh.

Office is directed to make party Additional Chief Secretary, Secondary Education Department as respondent no.02 in the cause title.

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

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

In the interest of justice, list on 26.10.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

St. 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., Secondary Education, Bahukhandi Secretariat, Lucknow, UP.**
- 3. Principal Secretary, Secondary Education Department Bapu Bhawan, 7th Floor, Lucknow- 226001.**

Case No. 107 of 2020

07.09.2022

Present: Mr. Jose Abraham, Advocate for the petitioner.
Mr. A. P. Prajapati for the respondent no.02.

In compliance of the Commission's earlier Order dated 26.07.2022, Mr. A. P. Prajapati, Principal appeared on behalf of the respondent no.02 and submitted that Inspection was carried by Mr. Ram Cheth, Deputy Director Education, Prayagraj and covering letter dated 05.09.2022 was given by Mr. Om Prakash Singh, District Inspector of School, Jhansi and copy of covering letter along with photocopy of the inspection report is with him which he is ready to file before the Commission's Office. He is directed to file the said documents before the Commission's Office.

In the interest of justice, Office is again directed to issue reminder letter to the members of Physical Inspection Committee to send the original inspection report duly signed by all the members of the Committee to the Commission before the next date of hearing.

In the interest of justice, list on 01.11.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Shree Bafna Public School, Thandla Road, Meghnagar P.O., Jhabua District, Madhya Pradesh - 457779.

Vs.

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

Case No. 199 of 2020

07.09.2022

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

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

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

Learned counsel for the petitioner submitted that Physical Inspection Committee has already inspected petitioner institution in the month of August, 2022.

Learned counsel for the petitioner again prayed for time to file updated Recognition/ Affiliation.

List on 01.11.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Bafna College, Thandla Road, Meghnagar P.O., Jhabua District,
Madhya Pradesh - 457779.**

Vs.

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

Case No. 200 of 2020

07.09.2022

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

In compliance of Commission's earlier Order dated 27.01.2022, Physical Inspection Committee has sent by post Physical Inspection Report along with covering letter dated 25.07.2022, which is received in the Commission's Office on dated 01.08.2022 and is taken on record.

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

Learned counsel for the petitioner also submitted that there is a variance in the list of students. So, he will take instruction from his client.

In the interest of justice, fix the case for final arguments on 01.11.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

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

Vs.

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

Case No. 70 of 2021

07.09.2022

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

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 the envelopes 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**

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

Vs.

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

Case No. 71 of 2021

07.09.2022

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

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 the envelopes 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**

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

Vs.

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

Case No. 72 of 2021

07.09.2022

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

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 the envelopes 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**

1. Dr. Govind Babu, S/o Sh. Bachchan Lal, R/o. 5, Nehru Road, Baraut District, Baghpat, Uttar Pradesh

- Applicant No. 1

2. Dr. Deepak Chandra Maurya, S/o, Poshaki Lal Maurya, D.J. College Quarters, Nehru Road, C- Field, Baraut District, Baghpat, Uttar Pradesh.

- Applicant No. 2

3. Dr. Krishna Govind Pandeya, S/o, Suraj Prasad Pandeya, D.J. College Quarters, Nehru Road, C- Field, Baraut District, Baghpat, Uttar Pradesh. - Applicant No. 3

Vs.

1. Digambar Jain College, Baraut, District - Bagpat, Uttar Pradesh - 250609, run by (Digambar Jain High School Association, Baraut, Distt.- Bhagpat).

- Respondent No. – 1

2. Principal Secretary, Higher Education, Department of Education Government of UP.

-Respondent No. - 2

Misc. Case No. 12 of 2021

07.09.2022

Present: Mr. Satya Prakash, Advocate for the applicants.

Mr. Junais P., Advocate for the Respondent no. 01.

None for the respondent no.02.

Despite notice by regd. post and email none appeared on behalf of the respondent no.02, even in the second round.

Mr. Satya Prakash, Advocate appeared on behalf of the arguing counsel of the Mr. Susheel Tomar, Advocate for the applicants

Mr. Junais P., Advocate appeared on behalf of the respondent no.01

In compliance of the Commission's earlier Order dated 05.07.2022, learned counsel for the applicants filed envelope and postal stamps. Office has issued regd. notice on dated 30.08.2022 to the respondent no.02. Office has not attached any acknowledgement and tracking report till now.

Learned counsel for the respondent no.01 submitted that learned counsel for the applicants has filed an amended application on dated 01.09.2021 and some papers on dated 02.03.2022 but applicants has not supplied the copy of amended application and papers to him till now.

Learned counsel for the applicants is directed to supply the above mentioned amended application and papers to the learned counsel for the respondent no.01.

In the interest of justice, list on 15.11.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**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.**

Case No. 44 of 2022

07.09.2022

Present: Mr. Shubham Singh, Advocate for the petitioner.

It transpires from the record that as per the information furnished by the petitioner against the column no. 03 of the MSC application that the application for grant of MSC is pending before the State Competent Authority.

We have heard, learned counsel for the petitioner.

Learned counsel for the petitioner submitted that he has not ticked mark against the Column No. 3, Clause (a) where it is mentioned that whether Minority Status Certificate is pending before the State Authority. After perusal of entire record and information furnished by the petitioner in the MSC application, we reached on the conclusion that petitioner has himself ticked marked the Column no. 3.

Learned counsel for the petitioner also submitted that there is no tick mark against the column no. 3 in other copies of the petition filed by the petitioner before this Commission.

We have perused the entire record.

Learned counsel for the petitioner has not filed any application or Affidavit to support the contention of the learned counsel for the petitioner that any person has intentionally ticked mark against the Column no. 3 after filing the application before this Commission.

We are unable to understand that why petitioner has left Col. No. 03 of the petition as blank instead of clearly mentioning that no application is pending for grant MSC before the State Competent Authority.

We are also of the considered opinion that ticked mark by any person from the Commission is not possible because there is no ground to consider any enmity with the petitioner.

Hence, we are of the considered opinion that MSC application is pending before the State Competent Authority and this petition is not maintainable at this stage.

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 petition deserves to be dismissed.

Contd...2/-

Case No. 44 of 2022

07.09.2022

However, petitioner is free to move fresh application as per the settled procedure of this Commission.

Accordingly, the present petition is disposed of as dismissed.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

07.09.2022

Falah-E-Milat Multipurpose Educational & Welfare Society, Shegaon, Tq. Shegaon, Distt. – Buldhana.

Vs.

State of Maharashtra, through its department of Minority Development, through its Secretary, Mantralaya, Mumbai

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

Mr. Junais P. Advocate appeared on behalf of the arguing counsel Mr. A.P. Barahate.

This appeal filed by the appellant Mr. Shahzad Khan, President, Falah-E-Milat Multipurpose Educational & Welfare Society, Shegaon, Tq. Shegaon, Distt. – Buldhana u/s 12B of NCMEI Act. 2004 on dated 29.08.2022 by hand against the impugned order No. 2018/ प्र. क्र. 104/ का -5 dated 01.11.2018, which is in Marathi language.

In para no. 2 and 3 of the appeal, appellant has mentioned that this Institution is a Linguistic Minority Institution.

By this appeal, the appellant seeks Minority Status Certificate on the ground that the Institution has been established and administered by the members of the linguistic minority community (Urdu).

Minority Educational Institution has been defined u/s 2(g) of the NCMEI Act. 2004 "*Minority educational institutions means a college or an educational institution established and administered by a minority or minorities*".

As per provision of 2(f) "*Minority*", *for the purpose of this Act, means a community notified as such by the Central Government.*

Central Government has notified six religious communities as Minority viz. Muslim, Christian, Sikh, Buddhist, Parsi and Jain. No linguistic Minority has been notified by the Central Government till now.

As such only six religious communities covered under the NCMEI Act. 2004. It is crystal clear that the linguistic minority is outside the purview of this Commission. As such the Commission did not entertain any petition / appeal from any linguistic minority and the appeal filed by the appellant is not maintainable before this Commission.

We have also perused the order of Hon'ble High Court of Judicature at Bombay, Nagpur Bench at Nagpur passed in Writ Petition No. 8660 of 2018 wherein the challenge raised in this writ petition is to the order dated 01.11.2018 passed by the Minority Development Department of the Maharashtra State thereby withdrawing the Minority Status of the Society. The same order is also under challenge in the present appeal.

Contd..

Falah-E-Milat Multipurpose Educational & Welfare Society, Buldhana.

Vs.

State of Maharashtra, Mumbai

From pre – page.

Hon'ble High Court of Bombay has also contended that respondent No. 2 to 7 has raised a preliminary objection to the maintainability of the writ petition on the ground that under section 12B(2) of the NCMEI Act. 2004, remedy of the appeal has been provided before this Commission.

We have perused the provision of the 12B, which is Power of the Commission to decide on the Minority Status Certificate of an Education Institution. By the said provision, where an authority established by the Central Government or any State Government, as the case may be, for grant of Minority Status to any educational institution rejects the application for grant of such status, the aggrieved person may appeal against such order of the authority to the Commission.

As per the provisions of 12B (2) under sub-section (1) shall be preferred within thirty days from the date of the order communicated to the appellant. Hon'ble High Court has already passed the order and grant liberty to the petitioner to file appeal before this Commission within three weeks time for filing the appeal and this Commission shall entertain the appeal without going into the question of delay.

By the Impugned order appellant challenged the withdrawal of the MSC given by the State and not application for grant of MSC rejected by the State, from both the corners this Commission expressly has no jurisdiction to entertain the appeal.

Learned counsel for the appellant submitted that arguing counsel Mr. A.P. Barahate wants to argue the appeal on admission and prayed for adjournment.

At the request of the learned counsel for the appellant adjournment is granted. Put on 15.11.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN
DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K.