

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

**Bethsada Junior School, Airapuram, P.O. – Kilikulam,
Ernakulam District, Kerala**

V/s.

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

Case No. 100 of 2019

12.08.2021

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.

Order dictated separately and pronounced, which reads as
under:

“In view of the facts and observations, it is an admitted fact that the petitioner institution had applied to competent authority of the State of Kerala for grant of NOC under Section 10 of the NCMEI Act, 2004 and the said applications was not decided in accordance with the provisions of NCMEI Act, 2004 and verdict of the Hon’ble Apex Court by the State competent authority and passed the impugned order dated 13.03.2019. So in the interest of justice, we are of the considered opinion, without going on the merits of the case, it is just, proper and fit case to send the matter back to the state competent authority to decide the application of the petitioner institution for grant of NOC under Section 10 of the NCMEI Act, 2004 on merits after considering all the documents produced by the petitioner institutions at the earliest, expeditiously.”

Office is directed to send copy of this order to the State Competent Authority and in the interest of justice, in addition the petitioner institution is also directed to produce certified copy of this order before the State Competent Authority immediately for compliance of this order.

In view of above, the present petition is disposed of in accordance with this order.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Jain Mission Vidhyalaya Nursery and Primary School, No. 133.
Anna Pillai, Street, Chennai, Tamil Nadu.**

V/s.

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

Case No. 107 of 2019

12.08.2021

Present: None.

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

Office is directed to issue notice by email id to the petitioner for next date of hearing.

In the interest of justice, list on 12.10.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Elite Public School, Puliyankulam P.O., Silaiman (Via), Madurai
Rameswaram by Pass Road, Madurai, Tamil Nadu – 625201.**

V/s.

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

Case No. 179 of 2019

12.08.2021

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

Order dictated separately and pronounced, which reads as
under:

“Relying on the said unrebutted evidence produced on behalf of the petitioner, we find and hold that Elite Public School, Puliyankulam P.O., Silaiman (Via), Madurai Rameswaram By Pass Road, Madurai, Tamil Nadu-625201 run by Triluminous Educational Trust is eligible for grant of minority status on religious basis. The evidence also proves that the said educational institution was established with the main objective of sub-serving the interests of the muslim minority community.

Consequently, Elite Public School, Puliyankulam P.O., Silaiman (Via), Madurai Rameswaram By Pass Road, Madurai, Tamil Nadu-625201 is declared as a minority educational institution covered under Article 30 of the Constitution of India within the meaning of Section 2(g) of the National Commission for Minority Educational Institutions Act, 2004 subject to the condition that the petitioner would file an affidavit or undertaking to the fact that the petitioner institution shall not deny admission of eligible candidate of the muslim minority community subject to the eligibility of the students and availability of the accommodation in the petitioner institution and also file Governing Body resolution to authorize Shri S.Kaja Mydeen, Managing Trustee of the Trust for obtaining MSC from this Commission.”

After compliance of the above order, a minority status certificate be issued accordingly.

In view of the above, the present petition is disposed of in accordance with this order.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

GOVERNMENT OF INDIA

**NATIONAL COMMISSION FOR MINORITY
EDUCATIONAL INSTITUTIONS**

**Modi Secondary School, Ambika Township, Opp. Police Head
Qtr. Near Marbela apartment, Rajkot (Gujarati Medium)**

V/s.

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

Case No. 480 of 2019

12.08.2021

Present: None.

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

On last occasions dated 24.11.2020 and 11.12.2019 none was present on behalf of the petitioner.

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.

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**

SR

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

**Modi Primary School Ambika Township, Opp. Police Head Qtr.
Near Marbela Apartment, Rajkot (Gujarati Medium)**

V/s.

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

Case No. 481 of 2019

12.08.2021

Present: None.

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

On last occasions dated 24.11.2020 and 11.12.2019 none was present on behalf of the petitioner.

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.

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**

SR

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

**Modi Higher Secondary School Ambika Township, opp. Police
Head Qtr. Near Marbela Aptment, Rajkot (Gujarati Medium)**

V/s.

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

Case No. 482 of 2019

12.08.2021

Present: None.

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

On last occasions dated 24.11.2020 and 11.12.2019 none was present on behalf of the petitioner.

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.

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**

SR

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

**Modi Higher Secondary School, Ambika Township, Opp. Police
Head Qtr. Near Marbela Apartment, Rajkot (Gujarati Medium)**

V/s.

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

Case No. 483 of 2019

12.08.2021

Present: None.

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

On last occasions dated 24.11.2020 and 11.12.2019 none was present on behalf of the petitioner.

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.

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**

SR

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

**St. Patrick's Academy, Lane No. 9, P.O. Clement Town,
Dehradun, Uttarakhand.**

Vs.

**The Deputy Chief Secretary, (Upper Mukhya Sachiv), Higher
Education Uttarakhand Govt., Room No. 305, 3rd Floor, Dr.
A.P.J. Abdul Kalam Building (CM Building), Subhash Road,
Uttarakhand Secretariat, Dehradun, Uttarakhand.**

Case No. 694 of 2019

12.08.2021

Present: Mr. Bro. Saji V.J. for the petitioner.

Petitioner has filed by hand, original Affidavit before the Commission office on dated 24.11.2020 after the court time, which is taken on record.

Mr. Bro. Saji V.J present on behalf of the petitioner and prayed for time to comply with the Commission's earlier Order dated 13.11.2019.

It transpires from the records that out of 1688 total students only 19 students are from Christian community are studying in the school.

Petitioner has also applied for NOC before the wrong Competent Authority.

Petitioner is not submitted envelope and postal charge for sending notice to the respondent.

List on 20.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

St. Peter's Teachers Training Institute, Kerala.

Vs.

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

Case No. 704 of 2019

12.08.2021

Present: Mr. Koshi Jacob, Advocate for the petitioner.
None for the respondent

Heard, learned counsel for the petitioner.

Reserved for Orders.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Nirmala College, Prem Nagar, Chnadessary, Dewas Road,
Ujjain, Madhya Pradesh.**

Vs.

**Secretary/Commissioner, Backward Classes and Minority
Welfare Department, Satpuda Bhawan, Govt. of MP, Bhopal,
Madhya Pradesh.**

Case No. 705 of 2019

12.08.2021

Present: Mr. Ankur Jaitely, Advocate for the petitioner.

Learned counsel for the petitioner has prayed for time to file certified copies of the relevant documents as well as to comply with the Commission's earlier Order dated 14.11.2019. In the interest of justice, time prayed for is allowed.

List on 20.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

St. Mary Champion Higher Secondary School, 310/A, Surya Dev Nagar, Annapurana Road, Indore, Madhya Pradesh.

Vs.

Secretary/Commissioner, Backward Classes and Minority Welfare Department, Satpuda Bhawan, Govt. of MP, Bhopal, Madhya Pradesh.

Case No. 706 of 2019

12.08.2021

Present: Mr. Ankur Jaitely, 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 has prayed for time to file certified copies of the relevant documents as well as to comply with the Commission's earlier Order dated 14.11.2019. In the interest of justice, time prayed for is allowed.

It transpires from the records that out of 583 total students only 1 student is from Muslim community is studying in the school.

The court of the Commission has ordered to the Office that after compliance of the earlier Order dated 25.11.2020, issue regd. notice to the respondent, but without compliance of the said order Office has issued notice to the respondent.

Office is directed that in future, without compliance of the court order notice should not be issued to the respondent.

List on 20.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**St. Peter's Vocational & Higher Secondary School, Kolenchery,
Kerala.**

Vs.

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

Case No. 708 of 2019

12.08.2021

Present: Mr. Koshi Jacob, Advocate for the petitioner.
None for the respondent

Heard, learned counsel for the petitioner.

Reserved for Orders.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Nirmala College of Education, Prem Nagar, Chnadessary,
Dewas Road, Ujjain, Madhya Pradesh.**

Vs.

**Secretary/ Commissioner, Backward Classes and Minority
Welfare Department, Satpuda Bhawan, Govt. of MP, Bhopal,
Madhya Pradesh.**

Case No. 710 of 2019

12.08.2021

Present: Mr. Ankur Jaitely, Advocate for the petitioner.

Petitioner has sent by post Affidavit, NOC application, Unique ID, Certified copies of Registration Certificate of the Society, MOA of the Society, founding members, PGBL of the society, Recognition certificate of school or Affiliation from CBSE/ISCE and other recognitions, which was received in the Commission Office on dated 23.11.2020, is taken on record.

We have peruse the letter dated 20.05.2019 filed by the petitioner with the application and also filed on 23.11.2020, Prima Facie both letters are looking different.

Learned counsel for the petitioner prayed for time to comply with the Commission's earlier Order dated 14.11.2019.

In the interest of justice last opportunity is granted to file original letter.

List on 20.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Saint Kuriakose Elias School, Gelakhedi Road, Jharda P.O.,
mahidpur (via) Dt. – Ujjain, Madhya Pradesh.**

Vs.

**Secretary/Commissioner, Backward Classes and Minority
Welfare Department, Satpuda Bhawan, Govt. of MP, Bhopal,
Madhya Pradesh.**

Case No. 713 of 2019

12.08.2021

Present: Mr. Ankur Jaitely, Advocate for the petitioner.

Learned counsel for the petitioner has prayed for time to file certified copies of the relevant documents as well as to comply with the Commission's earlier Order dated 14.11.2019. In the interest of justice, time prayed for is allowed.

It transpires from the records that out of 391 total students only 09 students are from Christian community are studying in the school.

Learned counsel for the petitioner is directed to submit census report of that state and particular area.

List on 20.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**A.S.M. Higher Secondary School, Velliyanchery, Malappuram
District, Kerala - 679326**

V/s.

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

Case No. 793 of 2019

12.08.2021

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

Heard, learned counsel for the petitioner.

Reserved for Orders.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**M S Future High School, D. No. 11-1-1056, (CIB 635/111),
Roazampura, mallepally, Hyderabad, Telangana - 500001.**

Vs.

**Secretary, Minorities Welfare Department, Government of
Telangana, "D" Block, Ground Floor, Telangana Secretariat,
Hyderabad - 500022.**

Case No. 291 of 2020

12.08.2021

Present: Ms. Anju Joseph, Advocate for the petitioner.

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

Learned Counsel for the petitioner submitted that petitioner
institution is running up to high school not up to primary school and
prayed for time to file Recognition/Affiliation Certificate of the
State/Central Board of Secondary Education (CBSE).

Learned counsel for the petitioner has prayed for time to file
certified copies of the relevant documents.

It transpires from the records that out of 1065 total students
only 1064 students are from Muslim community are studying in the
school.

In the interest of justice, list on 25.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

12.08.2021.

The Scholar School, E - 11, Abul Fazal Enclave, Jamia Nagar, New Delhi - 110025.

Vs.

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

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

An application for grant of minority status certificate to The Scholar School, E - 11, Abul Fazal Enclave, Jamia Nagar, New Delhi - 110025, has been received by hand on 26.07.2021. It be registered.

It transpires from the petition that on 29.05.2019, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Assistant Director of Education (Act), Directorate of Education, Govt. of NCT of Delhi, R.No. 214-A, Old Secretariat, Delhi – 110054, which was received by the respondent on 31.05.2019. The said petition is still pending. The petitioner has waited sufficiently for a period of 90 days, before filing this petition.

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

Petitioner institute has not submitted a copy of Resolution passed by the Governing Body of the Society to authorize the person to apply for obtaining Minority Status Certificate from this Commission.

In this case office has reported that name of signatory of the declaration part of application and affidavit as General Secretary is available in the list of current members but the same has not certified by the registrar of societies.

Further office has reported that petitioner has not filed recognition/affiliation certificate with this petition.

It transpires from the information furnished by the petitioner in Column No.6 (a) of the Application that total 704 students are presently studying in this school and all are from Muslim Community.

Learned counsel for the petitioner has prayed for time to file certain relevant documents. Time prayed for is allowed.

In the interest of justice, list on 25.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

A.K

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

12.08.2021.

**Dr. B.R. Ambedkar Degree College, Jalaluddinpur, Mailahan, Phulpur,
Prayagraj, Uttar Pradesh - 212402.**

Vs.

**Principal Secretary, Higher Education Department, Uttar Pradesh
Govt., Uttar Pradesh**

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

An application for grant of minority status certificate to Dr. B.R. Ambedkar Degree College, Jalaluddinpur, Mailahan, Phulpur, Prayagraj, Uttar Pradesh - 212402, has been received by hand on 26.07.2021. It be registered.

It transpires from the petition that on 23.03.2021, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Principal Secretary, Higher Education Department, Uttar Pradesh Govt., Uttar Pradesh, which was received by the respondent on 30.03.2021. The said petition is still pending. The petitioner has waited sufficiently for a period of 90 days, before filing this petition.

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

In this case office has reported that petitioner has filed two required envelopes but one envelope is without postage charges.

Petitioner institute has not submitted a copy of Resolution passed by the Governing Body of the Society to authorize the person to apply for obtaining Minority Status Certificate from this Commission.

Learned counsel for the petitioner is directed to file required postage charges for envelope filed without postage by petitioner.

After compliance of the above order by the learned counsel for the petitioner, Office is directed to issue notice to the respondent by registered AD/e-mail.

In the interest of justice, list on 25.01.2022

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

A.K

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

12.08.2021.

Model Divine Mahila College, Plot No. 258, Street - Baghpat - Meerut Road, VPO - Pilana, Baghpat District, Uttar Pradesh - 250615.

Vs.

Principal Secretary, Higher Education Department, Uttar Pradesh Govt., Uttar Pradesh

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

An application for grant of minority status certificate to Model Divine Mahila College, Plot No. 258, Street - Baghpat - Meerut Road, VPO - Pilana, Baghpat District, Uttar Pradesh - 250615, has been received by hand on 26.07.2021. It be registered.

It transpires from the petition that on 24.03.2021, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Principal Secretary, Higher Education Department, Uttar Pradesh Govt., Uttar Pradesh, which was received by the respondent on 31.03.2021. The said petition is still pending. The petitioner has waited sufficiently for a period of 90 days, before filing this petition.

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

Petitioner institute has not submitted a copy of Resolution passed by the Governing Body of the Society to authorize the person to apply for obtaining Minority Status Certificate from this Commission.

In this case office has reported that the Institute is running in Uttar Pradesh and society belongs to is situated in Delhi.

Office is directed to issue notice to the respondent by registered Ad/e-mail.

In the interest of justice, list on 25.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

A.K

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

12.08.2021.

**Infant Jesus Nursery and Primary School, Melapudur, Trichy Dt.,
Tamil Nadu - 620001.**

Vs.

**Principal Secretary, School Education Deptt., Govt. of Tamil Nadu,
Rina Road, Fort St. George, Secretariat, Chennai, T.N. – 600009.**

Present: Ms. Anju Joseph, Advocate for the petitioner.

An application for grant of minority status certificate to Infant Jesus Nursery and Primary School, Melapudur, Trichy Dt., Tamil Nadu - 620001, has been received by hand on 28.07.2021. It be registered.

It transpires from the petition that on 05.07.2019, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Principal Secretary, School Education Deptt., Govt. of Tamil Nadu, Rina Road, Fort St. George, Secretariat, Chennai, T.N. – 600009, which was received by the respondent on 11.07.2019. The said petition is still pending. The petitioner has waited sufficiently for a period of 90 days, before filing this petition.

The petitioner has already filed the original AD received by the postal department as proof of delivery of the registered AD to the respondent.

Petitioner institute has not submitted a copy of Resolution passed by the Governing Body of the Society to authorize the person to apply for obtaining Minority Status Certificate from this Commission.

In this case office has reported that name of signatory of the declaration part of application and affidavit as President is available in the list of current members but the same has not certified by the registrar of societies.

It transpires from the information furnished by the petitioner in Column No.6 (a) of the Application that only 89 students are belong to Christian Community out of total 704 students in this school.

Learned counsel for the petitioner has prayed for time to file certain relevant documents. Time prayed for is allowed.

In the interest of justice, list on 25.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

A.K

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

12.08.2021

Hema Sawal, B-441/C, Phase - II, Ashok vihar, Delhi – 110052

- Applicant

Vs.

- 1. The Chairman, Mahavir Sr. Model School, Sangam Park Ext.,
G.T Karnal Road, Delhi - 110033.**
- Respondent No. – 1

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

Respondent No. - 2

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

Present: None.

An application has been received on 14.07.2021 by hand in the Commission filed by Saurab Chadda, Advocate on behalf of the above mentioned petitioners for cancellation of minority status certificate issued in favor of Mahavir Sr. Model School, Sangam Park Ext., G.T Karnal Road, Delhi - 110033, vide case no. 330 of 2011. It be registered as miscellaneous case under section 12-C of the NCMEI Act 2004.

We have perused the application and find that applicant has not filed the copies of application and envelope with postage charges for sending notice to the respondents.

Applicant is directed to file copies of application, name of the present Chairman of the school with correct address as well as envelope with postage charges for sending notice to the parties

Office is directed to tag the file no. 330 of 2011 with this case.

Office is directed to issue letter to the applicant by e-mail for compliance of the above order.

In the interest of justice, list on 25.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

A.K.

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

12.08.2021.

Our Lady of the Snows School, Dhalpur, Kullu, Himachal Pradesh - 175101.

Vs.

Director, Directorate of Higher Education, Shimla - 1, Himachal Pradesh - 171001.

Present: None

An application for grant of minority status certificate to Our Lady of the Snows School, Dhalpur, Kullu, Himachal Pradesh - 175101, has been received by post on 28.07.2021. It be registered.

Peruse the officer report; it transpires from the records that the petitioner has not applied before the State Competent Authority for grant of No Objection Certificate.

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

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

Office has reported that in the petition, petitioner has mentioned education level as Primary, Secondary and Higher Secondary.

Further office has also reported that petitioner has filed two recognition certificates with this petition, one from the State Government that is upto class VIII with validity upto 31.03.2022 and second is from ICSC Education Board but level of education is not mentioned therein.

It also transpires from the petition that petitioner has filed only one envelope with un-sufficient postage charges instead of required two envelopes with postage charges and this application filed by the Principal of the school.

Petitioner institute has not submitted a copy of Resolution passed by the Governing Body of the Society to authorize the person to apply for obtaining Minority Status Certificate from this Commission.

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

In the interest of justice, list on 25.01.2022

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

A.K.

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

12.08.2021

**Pankaj Kumar, R/o. Village Ouldepur, Distt. - Sonipat, Haryana –
131001.**

- Applicant

Vs.

**1. The Chairman, Sant Sujan Singh Ji International School, Kushak
No. II, Behind Swaroop Nagar, Delhi - 110036.**

- Respondent No. – 1

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

Respondent No. - 2

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

Present: None

An application has been received on 26.07.2021 by hand in the Commission filed by Saurab Chadda, Advocate on behalf of the above mentioned petitioner for cancellation of minority status certificate issued in favor of Sant Sujan Singh Ji International School, Kushak No. II, Behind Swaroop Nagar, Delhi - 110036, vide case no. 2503 of 2013 dated 29.10.2014. It be registered as miscellaneous case under section 12-C of the NCMEI Act 2004.

We have perused the application and find that applicant has not filed the copies of application and envelope with postage charges for sending notice to the parties.

Applicant is directed to file copies of application, name of the present Chairman of the school with correct address as well as envelope with postage charges for sending notice to the parties.

Office is directed to tag the file no. 2503 of 2013 with this case.

Office is directed to issue letter to the applicant by e-mail to comply with the above order.

In the interest of justice, list on 25.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

A.K.