

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

**Dr. Raju Davis Grace International School, Grace Knowledge
Village, Plavinmuri P.O., Mala, District Thrissur, Kerala.**

Vs

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

Case No. 07 of 2019

22.09.2021

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

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

Heard, learned counsel for the petitioner.

Reserved for Orders.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Philip Neri Convent School, Parambil, P.O. Cheruvatta,
District Kozhikode, Kerala.**

Vs

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

Case No. 08 of 2019

22.09.2021

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

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

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

Leave and liberty is granted.

The petition is disposed of as withdrawn.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Antony's Girls Hr. Sec. School, Pavithiram Village & Post,
Thiruvannamalai District, Tamil Nadu**

V/s.

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

Case No. 120 of 2019

22.09.2021

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

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

It also transpires from the record that application for grant of MSC and application dated 12.12.2018 submitted before the State Competent authority for grant of NOC was filed by Rev. Sr. Belinda, Correspondent, of the petitioner institution.

Learned Counsel for the petitioner is directed to file general body resolution of Trust to obtain Minority Status Certificate from this Commission.

Learned Counsel for the petitioner prayed for time to file Recognition/Affiliation Certificate of the State/Central Board of Secondary Education (CBSE). In the interest of justice, time prayed for is allowed.

Now, fix the case for final arguments on 24.11.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Excel Nursery and Primary School, 3/234 A, B.G. Pudur
(Village), Kallukuriki P.O., Krishnagiri District, Tamil Nadu.**

V/s.

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

Case No. 131 of 2019

22.09.2021

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

Learned Counsel for the petitioner prayed for time to file an application as well as some documents. In the interest of justice, time prayed for is allowed.

It transpires from the record that Mr. A. Hafizullah, Correspondent has filed application for grant of MSC and application dated 10.12.2018 submitted before the State Competent authority for grant of NOC under Section 10 of NCMEI Act, 2004 was filed by Chairman/Secretary of the petitioner institution.

It also transpires from the record that Affidavit filed by Mr. A. Hafizullah and affixed the stamp of Chairman of the petitioner institution. But signatures are different in MSC application, affidavit and application for grant of NOC dated 10.12.2018.

Learned Counsel for the petitioner is directed to file general body resolution of Trust to obtain Minority Status Certificate from this Commission.

List on 24.11.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Divya Jyothi Pre Primary School, Udbur, Mysore Taluk, Mysore
District, Karnataka**

V/s.

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

Case No. 419 of 2019

22.09.2021

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

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

It transpires from the petition that out of total 209 students only 01
student is from Christian Minority Community.

Learned Counsel for the petitioner is directed to file general body
resolution of Society to obtain Minority Status Certificate from this
Commission.

Learned Counsel for the petitioner prayed for time to argue the
matter. In the interest of justice, time prayed for is allowed.

List on 07.12.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Infant Jesus Matriculation Higher Secondary School,
Kannabiran Koil Street, Pallikaranai, Chennai, Tamil Nadu**

V/s.

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

Case No. 420 of 2019

22.09.2021

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.

Respondent has sent by post Counter Affidavit along with covering letter dated 25.02.2021 before the Commission's Office on dated 04.03.2021, which is taken on record.

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

It transpires from the petition that out of total 1360 students, 296 students are from Christian Minority Community.

Learned Counsel for the petitioner is directed to file general body resolution of Society to obtain Minority Status Certificate from this Commission.

Learned Counsel for the petitioner prayed for time to file Recognition/Affiliation Certificate of the State/Central Board of Secondary Education (CBSE). In the interest of justice, time prayed for is allowed.

Now, fix the case for final arguments on 07.12.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Sacred Heart Matriculation Higher Secondary School,
Kamarajapuram, Tirunermalai Road, Chennai, Tamil Nadu**

V/s.

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

Case No. 421 of 2019

22.09.2021

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

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

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

Respondent has sent by post Counter Affidavit along with covering letter dated 25.02.2021 before the Commission's Office on dated 04.03.2021, which is taken on record.

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

It transpires from the petition that out of total 987 students, 480 students are from Christian Minority Community.

Learned Counsel for the petitioner is directed to file general body resolution of Society to obtain Minority Status Certificate from this Commission.

Learned Counsel for the petitioner prayed for time to file certified copies of the relevant documents. In the interest of justice, time prayed for is allowed.

List of 07.12.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

John Bosco Matric Higher Secondary School, 144, Bunglow Street, Kadaliayur Road, Kovilpatti, Thoothukudi District, Tamil Nadu

V/s.

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

Case No. 422 of 2019

22.09.2021

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

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

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

Respondent has sent by post Counter Affidavit along with covering letter dated 25.03.2021 before the Commission's Office on dated 31.03.2021, which is taken on record.

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

It transpires from the petition that out of total 1260 students only 212 students are from Christian Minority Community.

Learned Counsel for the petitioner is directed to file general body resolution of Society to obtain Minority Status Certificate from this Commission.

List on 07.12.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Kuriakose Public School, Monippally P.O., Kottayam District,
Kerala**

V/s.

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

Case No. 423 of 2019

22.09.2021

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

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

Heard, learned counsel for the petitioner.

Reserved for Orders.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Sara Educational Welfare Society, Mohalla – Khatkan, Rampur,
Uttar Pradesh.**

Vs.

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

Case No. 712 of 2019

22.09.2021

Present: None.

Despite sending notice by post and also by email address given by the petitioner, none appeared on behalf of the petitioner, even in the second round.

It transpires from the record that petitioner Sara Education Welfare Society has filed this application for grant of MSC to the Society instead of petitioner institution.

This Commission is granted MSC to the Minority Educational Institutions and not to the Society.

It is also transpires from the record that petitioner has filed the application for grant of NOC on dated 10.05.2019 before the wrong State Competent Authority of Uttar Pradesh.

It transpires from the petition that out of total 263 students, 251 students are from Christian Minority Community.

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**

**Carmalgiri Central School, 11th Mile, Bhartheepuram P.O., Anchal,
Kollam District, Kerala - 691312**

V/s.

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

Case No. 756 of 2019

22.09.2021

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

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

Heard, learned counsel for the petitioner.

Reserved for Orders.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Don Bosco Nursery and Primary School, Itchiputhur, Arakkonam
(T.K.), MRF Road, Vellore District, Tamil Nadu - 631003**

V/s.

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

Case No. 757 of 2019

22.09.2021

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

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

Learned Counsel for the petitioner prayed for time to file an
application as well as some documents. In the interest of justice, time
prayed for is allowed.

Learned Counsel for the petitioner is directed to file general body
resolution of Society to obtain Minority Status Certificate from this
Commission.

List on 17.02.2022.

**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 High School, Merubaug, Ghogha Road, Bhavnagar,
Gujarat - 364001**

V/s.

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

Case No. 340 of 2020

22.09.2021

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

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

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

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

It transpires from the petition that out of total 826 students only 20 students are from Christian Minority Community.

It also transpire from the record that Sr. Tresa John Kainickal, Secretary, Sisters of Charity Society, Bhavnagar, Gujarat has filed application for grant of MSC and application dated 02.07.2019 submitted before the State Competent authority for grant of NOC was filed by Sr. Bini Joseph, Principal of the petitioner institution.

Learned Counsel for the petitioner is directed to file general body resolution of Society to obtain Minority Status Certificate from this Commission.

List on 17.02.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**M.A. Convent Public School, Village - Sujru, District - Muzaffar Nagar,
Uttar Pradesh - 251003.**

Vs.

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

Case No. 438 of 2020

22.09.2021

Present: None.

Despite sending notice by post and also by email address given by the petitioner, 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.

It also transpire from the record that petitioner has not filed Society Registration certificate, list of founding members of the society and recognition/affiliation certificate of the petitioner institution.

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 Syed Ghausul Uloom, Gram Darehta, Post - Saray Jagna,
Tehsil - Kaisarganj, District- Bahraich, Uttar Pradesh - 271902.**

Vs.

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

Case No. 442 of 2020

22.09.2021

Present: None.

Despite sending notice by post and also by email address given by the petitioner, 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.

It also transpire from the record that all the total 227 students are from Muslim Minority Community.

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**

**Indian Institute of Islamic Studies & Research, D-320, Abul Fazl
Enclave, Jamia Nagar, Okhla - 110025.**

Vs.

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

Case No. 05 of 2021

22.09.2021

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 has prayed for time to file
certified copies of the relevant documents as well as to comply with
the Commission's earlier Order dated 06.01.2021.

It transpires from the petition that all the total 80 students are from
Muslim Minority Community.

Learned Counsel for the petitioner is directed to file general body
resolution of Trust to obtain Minority Status Certificate from this
Commission.

List on 17.02.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Alphonsa English Medium School, Chiluvuru, Duggirala (M),
Guntur District, Andhra Pradesh - 522330.**

Vs.

**Secretary to Government, Government of Andhra Pradesh, Minorities
Welfare Department, 3rd Floor, Andhra Pradesh Secretariat,
Velagapudi, Amaravati, Andhra Pradesh - 522503.**

Case No. 06 of 2021

22.09.2021

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

Learned counsel for the petitioner filed by hand, certified copy of the list of present members of the Society, before the Commission's Office on dated 14.09.2021, which is taken on record.

It also transpire from the record that Sr. Anjali, Secretary, Nirmala Society of Franciscan Clarist Sisters has filed application for grant of MSC and application dated 06.08.2019 for grant of NOC filed before the State Competent Authority by Headmistress of the petitioner institution.

Learned Counsel for the petitioner is directed to file general body resolution of Society to obtain Minority Status Certificate from this Commission.

Issue notice to the respondent by regd. AD/email.

List on 17.02.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR