

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

Shri Jagmohan Singh, District Minority Welfare Officer, Badayun, Uttar Pradesh.

V/s.

Raafiah College of Education, Bisholi Road, Saheswan, Near Dak Bangle, Badayun, Uttar Pradesh.

Case No. 600 of 2018

18.08.2021

Present:

Mr. Junais P., Advocate for the respondent.

None for the petitioner.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

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

Office is directed to issue notice for final hearing to the petitioner.

List the case for final arguments on 12.10.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Unity Nursery and Primary School, 824, Peria Arisikara Street,
Gandarakottai, I Pudukottai District, Tamil Nadu – 613301.**

V/s.

**Principal Secretary, School Education Department, Government of Tamil
Nadu, Chennai, Tamil Nadu.**

Case No. 238 of 2019

18.08.2021

Present:

Mr. Junais P., Advocate for the petitioner.

None for the respondent.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

Learned counsel for the petitioner has filed by hand notarized copy of the recognition order in Tamil language along with its true English translation, before the Commission's Office on dated 09.08.2021, which is taken on record.

Respondent has sent by post Counter Affidavit before the Commission's Office on dated 26.10.2020, which is taken on record.

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

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**

Rajah Senior Secondary School, Chavakkad P.O., Thrissur, Kerala.

V/s.

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

Case No. 240 of 2019

18.08.2021

Present:

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

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

District Educational Officer, Thrissur has sent by post a letter dated 30.10.2020, which was received in the Commission's Office on dated 09.11.2020, is taken on record.

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.M.E.S. Women's Arts and Science College, Hakeem Nagar, Melvisharam,
Walaja Taluk, Vellore District, Tamil Nadu – 632509.**

V/s.

**Principal Secretary, Higher Education Department, Government of Tamil Nadu,
Chennai, Tamil Nadu.**

Case No. 243 of 2019

18.08.2021

Present:

Mr. Junais P., Advocate for the petitioner.

None for the respondent.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

On earlier Order dated 13.10.2020, this case was fixed for final arguments, as the Learned counsel for the petitioner submitted that they have already filed all the relevant documents before this Commission.

But looking to the file, certified copies of the relevant documents were not filed by the petitioner and he has filed six documents by hand, before the Commission's Office on dated 09.08.2021, which are taken on record.

Now, fix the case for final arguments on 13.10.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

Sir Syed National School, Village - Jaula, Tehsil - Budhana, District - Muzaffar Nagar, Uttar Pradesh.

V/s.

The Additional Chief Secretary, Department of Higher Education, Government of Uttar Pradesh, Deputy Director Minorities Welfare Department.

Case No. 251 of 2019

18.08.2021

Present:

None.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

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

Petitioner has submitted by hand an application dated 20.10.2020 along with some annexure, before the Commission's Office on dated 26.10.2020, which are taken on record.

Petitioner is directed to file general body resolution in favor of Mr. Salman Jafri, Secretary, Sir Sayed Educational Foundation to obtain Minority Status Certificate from this Commission.

Petitioner has not submitted envelope and postal stamps for sending notice to the respondent.

It transpires from the record that the petitioner has applied to the wrong State Competent Authority for grant of NOC.

It also transpires from the record that out of 360 total students, 355 students are from Muslim community.

In the interest of justice, list on 13.10.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

St. Joseph's English Medium School, Marikunnu, Kozhikode District, Kerala – 673102.

V/s.

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

Case No. 253 of 2019

18.08.2021

Present:

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

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

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**

SR

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

St. Aloysius English Medium School, Karanthur, Kozhikode District, Kerala.

V/s.

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

Case No. 255 of 2019

18.08.2021

Present:

Mr. Jose Abraham, Advocate for the petitioner.

None for the respondent.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

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**

SR

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

**Ar-Rahman Nursery & Primary School, Ameenabad Khaderpet, Vaniyambadi,
Vellore District, Tamil Nadu.**

V/s.

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

Case No. 258 of 2019

18.08.2021

Present:

Mr. Junais P., Advocate for the petitioner.

None for the respondent.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

Respondent has sent by post Counter Affidavit before the Commission's Office on dated 26.10.2020, which is taken on record.

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

Learned Counsel for the petitioner is directed to file general body resolution in favor of Mr. Vellore Muneer Ahmed, Secretary & Correspondent, Ar- Rahman Health and Educational Trust to obtain Minority Status Certificate from this Commission.

It transpires from the petition that all the total 279 students are Muslim in this institution.

List on 14.10.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**St. John's Primary School, Tharangambadi P.O., Tharangambadi (T.K.),
Nagapattinam District, Tamil Nadu.**

V/s.

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

Case No. 259 of 2019

18.08.2021

Present:

Mr. Jose Abraham, Advocate for the petitioner.

None for the respondent.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

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

In compliance of the earlier Order dated 13.10.2020, Office has issued notice to the respondent for dated 04.05.2021, but on said date there is lockdown in the country due to Covid-19 pandemic.

Respondent has sent by post Counter Affidavit before the Commission's Office on dated 27.04.2021, which is taken on record.

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

Respondent has also send copy of letter dated 18.11.2020 by post, which was received in the Commission's Office on dated 01.12.2020, is taken on record.

Learned Counsel for the petitioner is directed to file General Body Resolution in favor of Sr. Maria, President, Society of Mary Immaculate to obtain Minority Status Certificate from this Commission.

List on 14.10.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

Guru Harkrishan Public School, Plot No. - 122-A, Nirankari Colony, Dhakka Dhirpur, Delhi.

V/s.

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

Case No. 264 of 2019

18.08.2021

Present:

Ms. Avneet Kaur, Advocate for the petitioner.

None for the respondent.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

Learned counsel for the petitioner has not complied with the Commission's earlier Order dated 13.10.2020, so Office has not issued notice to the respondent.

It transpires from the record that application for grant of MSC was filed by Mr. Davinderjeet Kaur Dhinhra, Honorary Secretary, Governing Body of Guru Harkrishan Public school but Affidavit filed by Bhupinder Jit Singh, Principal of the said school.

It also transpires from the record that NOC application was also filed by the Principal of the school to 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.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

Don Bosco School, Lal Pahar, Chouldari, DEO, South Andaman, Andaman & Nicobar Islands.

Vs.

1. Director (Education), Directorate of Education, VIP Road, P/B, South Andaman, Andaman & Nicobar Islands

2. Secretariat, Andaman and Nicobar Administration, Port Blair.

Case No. 809 of 2019

18.08.2021

Present:

Mr. Jose Abraham, Advocate for the petitioner.

None for the respondent.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

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**

SR

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

Shri Syadwad Mahavidyalaya, Prabhudas Jain Ghat, Bhadaini, Varanasi, Uttar Pradesh

V/s.

- 1. The Principal Secretary, Higher Education Department, Government of Uttar Pradesh.**
- 2. The deputy Inspector of Schools (Sanskrit), Pancham Mandal, Varanasi, Uttar Pradesh.**

Misc. Case No.16 of 2019

18.08.2021

Present:

None.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

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

In the interest of justice, list on 21.10.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

Shri Syadwad Mahavidyalaya, Prabhudas Jain Ghat, Bhadaini, Varanasi, Uttar Pradesh

V/s.

- 1. The Principal Secretary, Higher Education Department, Government of Uttar Pradesh.**
- 2. The deputy Inspector of Schools (Sanskrit), Pancham Mandal, Varanasi, Uttar Pradesh.**
- 3. Shri Arvind Tripathi, Assistant Teacher, Shri Syadwad Mahabvidyalaya B-3/80, Prabhudas Jain Ghat, Bhadaini, Varanasi, Uttar Pradesh.**

Misc. Case No.17 of 2019

18.08.2021

Present:

None.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

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

In the interest of justice, list on 21.10.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Madarsa Arabiya Faiz UI Uloom, Village - Maharatha, Post - Gotutti, Tehsil - Nanpara (Risla),
District - Bahraich, Uttar Pradesh - 271875.**

Vs.

**Principal Secretary, Department of School Education, Govt. of U.P., Bahu Khandi,
Secretariat, Lucknow, Uttar Pradesh - 226001.**

Case No. 201 of 2020

18.08.2021

Present: Mr.
Mohd. Ismail

Khan for the petitioner.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

Mr. Ismail Khan, Manager of the petitioner institution run by Madarsa Arabiya Faizul Uloom Bahraich present in person.

Heard, Mr. Ismail Khan, Manager of the petitioner institution. We have peruse the file and it transpire from the petition that on dated 06.02.2020, petitioner has applied for grant of NOC to the wrong State Competent Authority i.e. Principal Secretary, School Education Department, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh instead of Additional Chief Secretary, Department of School Education, Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh.

This application was filed by the Manager of the Society.

It is also clear from the record that petitioner has applied for NOC under Section 10 of NCMEI Act, 2004 before the wrong State Competent Authority on 06.02.2020. Petitioner has filed this application on dated 10.02.2020 for grant of MSC, in this Commission after four days of filing of NOC application before the Competent Authority of the State.

So, it is very much clear that statutory period of 90 days has not been completed.

Manager of the petitioner institution has not filed any authorization letter from general body of the society to file the application before this Commission for grant of MSC.

Petitioner has sent by post photocopy of notice of this Commission along with some documents including copy of application for grant of MSC, which were received in the Commission's Office on dated 09.11.2020, are taken on record.

It transpires from the petition that out of total 250 students, 245 students are from Muslim Minority Community.

It also transpires from the new format application that MSC application was pending before the State Competent Authority.

In the facts and circumstances of the case, this petition is not maintainable as such.

However, petitioner is free to move fresh application as per prevailing law and rules.

In view of above, the present petition is disposed of accordingly.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Buddhadev Trisharan Sishu Mandir, P.O. - Maniabandha, P.S. - Baramba,
District - Cuttack, Odisha.**

Vs.

- 1. Director, Elementary Education 5th Floor, HOD Building, Unit-V,
Bhubaneswar-01, Khordha, Odisha**
- 2. Principal Secretary, School & Mass Education department, Secretariat
Building, Bhunaneswa, District – Khurda, Odisha.**

Misc. Case No.04 of 2021

18.08.2021

Present:

None.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

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

In the interest of justice, list on 07.10.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**A.M.U.P. School, Vaniyannur (Aided), P.O., Iringavoor, Tirur, Malappuram,
Kerala**

V/s.

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

Case No. 343 of 2019

18.08.2021

Present:

None.

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 02.03.2019, 12.03.2019 and 27.03.2019. 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**

**VPLPS Karathur (Aided), Codackal P.O., Tirur, Malappuram, Kerala
V/s.**

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

Case No. 344 of 2019

18.08.2021

Present:

None.

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 02.03.2019, 12.03.2019 and 27.03.2019. 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**

**A.M.U.P. School, Parakkal (Aided), Kalpakanchery Kanmanam P.O.,
Malappuram District, Kerala**

V/s.

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

Case No. 345 of 2019

18.08.2021

Present:

None.

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 02.03.2019, 12.03.2019 and 27.03.2019. 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**

Cheruvannur West ALP School (Aided), Cheruvannur, Kolathara, Kozhikode District, Kerala

V/s.

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

Case No. 348 of 2019

18.08.2021

Present:

None.

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 02.03.2019, 12.03.2019 and 27.03.2019. 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**

**S.V.A.L.P. School Edayoor (Aided), Edayoor North P.O., Malapuram, Kerala
V/s.**

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

Case No. 349 of 2019

18.08.2021

Present:

None.

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 02.03.2019, 12.03.2019 and 27.03.2019. 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**

**C.H. Mohammed Koya Memorial U.P. School (Aided), Mundakkulam,
Muthuparamba P.O., Mallapuram District, Kerala**

V/s.

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

Case No. 350 of 2019

18.08.2021

Present:

None.

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 02.03.2019, 12.03.2019 and 27.03.2019. 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**

**Erathuvadakara U.P School (Aided), P.O. Erathu Vadakara Manimala,
Kottayam Dt., Kerala.**

Vs.

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

Case No. 353 of 2019

18.08.2021

Present:

None.

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 02.03.2019, 12.03.2019 and 27.03.2019. 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**

**St. John's Matric Higher Secondary School, No. 145, Melakkal Main
Road, Kochadai, Madurai, Tamil Nadu**

V/s.

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

CASE NO. 369 of 2019

18.08.2021

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

None for the respondent.

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

Respondent has sent by post Counter Affidavit which is received in the Commission's Office on dated 31.03.2021 and is taken on record.

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

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

Learned Counsel for the petitioner is directed to submit the copy of resolution from the Governing Body of the Society to authorize Fr. S. Stanislaus, Secretary to obtain Minority Status Certificate from this Commission.

Now, fix the case for final arguments.

List on 01.12.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**St. Claret's Nursery & Primary School, Karumathur P.O., Usilampatti
(T.K.), Madurai District, Tamil Nadu.**

V/s.

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

CASE NO. 370 of 2019

18.08.2021

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

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

Respondent has sent by post a letter Counter Affidavit, which is received in the Commission's Office on dated 27.04.2021 and is taken on record.

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

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

It transpires from the records that out of 453 total students only 04 students are from Christian Minority Community.

Learned Counsel for the petitioner is directed to submit the copy of resolution from the Governing Body of the Society to authorize Fr. S. Stanislaus, Secretary of the Society to obtain Minority Status Certificate from this Commission.

Now, fix the case for final arguments.

List on 01.12.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**St. Claret Matriculation Higher Secondary School, No. - 17,
Periyapalayam Road, Thiruninravur, Thiruvallur District, Tamil Nadu.
V/s.**

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

CASE NO. 371 of 2019

18.08.2021

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

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

Respondent has sent by post Counter Affidavit which is received in the Commission's Office on dated 30.03.2021 and is taken on record.

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

Learned Counsel for the petitioner is directed to submit the copy of resolution from the Governing Body of the Society to authorize Fr. S. Stanislaus, Secretary of the Society to obtain Minority Status Certificate from this Commission.

Learned counsel for the petitioner has not complied with the earlier order dated 04.07.2019 of this Commission.

Learned counsel for the petitioner is again directed to submit the updated recognition/ affiliation certificate of the State Board or CBSE.

List on.01.12.2021

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**St. Claret's Higher Secondary School, Marumathur P.O.,
Usilampatti (T.K.), Madurai District, Tamil Nadu.
V/s.**

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

**CASE NO. 372 of 2019
18.08.2021**

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

Learned counsel for the petitioner has prayed for time to file some application. In the interest of justice, time prayed for is allowed.

Learned Counsel for the petitioner is directed to submit the copy of resolution from the Governing Body of the Society to authorize Fr. S. Stanislaus, Secretary of the Society to obtain Minority Status Certificate from this Commission.

Learned counsel for the petitioner has not complied with the earlier order dated 04.07.2019 of this Commission.

Learned counsel for the petitioner is again directed to submit the updated recognition/affiliation certificate of the State Board or CBSE.

It transpires from the records that out of 1602 total students only 20 students are from Christian Minority Community.

List on 01.12.2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**St. Mary's Girls High School, Via - Naugada, Badapada
P.O., Gajapati District, Odisha - 761214.**

Vs.

**Director, Secondary Education, 6th Floor, HOD Building,
Unit - V, Bhubaneswar, Khordha, Odisha - 751001**

**CASE NO. 443 of 2020
18.08.2021**

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

None for the respondent.

Learned counsel for the petitioner again
prayed for time to comply with the earlier order of this
Commission dated 25.11.2020. In the interest of justice,
time prayed for is allowed.

Learned Counsel for the petitioner is directed to
submit the copy of resolution from the Governing Body of
the Society to authorize Sr. Martha Pradhan, President
of the Society to obtain Minority Status Certificate from
this Commission.

List on 27.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**St. Mary's Girls U.P School, Via - Naugada, Badapada
P.O., Gajapati District, Odisha - 761214.**

Vs

.

**Director, Secondary Education, 6th Floor, HOD Building,
Unit - V, Bhubaneswar, Khordha, Odisha - 751001.**

CASE NO. 444 of 2020

18.08.2021

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

None for the respondent.

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

Learned Counsel for the petitioner has filed five
documents before the Commission's office on dated
11.08.2021, which are taken on record.

Learned Counsel for the petitioner is directed to
submit the copy of resolution from the Governing Body of
the Society to authorize Sr. Martha Pradhan, President of
the Society to obtain Minority Status Certificate from this
Commission

List on 27.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**Acts Secondary School, 15 KM, Hosur Road, Electronic
City P.O., Bangalore, Karnataka - 560100.**

**V
s
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**Additional Chief Secretary to Government, Education
Department (Higher Education), Government of
Karnataka, Sixth Floor, Multi- Storeyed Building,
Bengaluru, Karnataka - 560001.**

**CASE NO. 445 of 2020
18.08.2021**

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

None for the respondent.

Learned counsel for the petitioner again prayed for
time to comply with the earlier order of the Commission
dated 25.11.2020. In the interest of justice, time prayed
for is allowed.

Learned Counsel for the petitioner is directed to
submit the copy of resolution from the Governing Body of
the Society to authorize Santosh Andrew Gnanakan,
President of the Society to obtain Minority Status
Certificate from this Commission.

List on 27.01.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**Don Bosco Higher Secondary School, Door No. 13, 10th
A, East Coast Road, Gandhi Nagar, Vellore District, Tamil
Nadu - 603211.**

V

s.

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

CASE NO. 446 of 2020

18.08.2021

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

None for the respondent.

Learned counsel for the petitioner again prayed for
time to comply with the earlier order of the Commission
dated 25.11.2020. In the interest of justice, time prayed
for is allowed.

Learned Counsel for the petitioner is directed to
submit the copy of resolution from the Governing Body of
the Society to authorize Rev.Fr.V. Michael (Michael
Viyakulam), Secretary of the Society to obtain Minority
Status Certificate from this Commission.

List on 01.02.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**Dominic Savio Hr. Sec. School, London Mission Road,
Tirupattur, Vellore District, Tamil Nadu.**

**V
s
.**

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

**CASE NO. 447 of 2020
18.08.2021**

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

None for the respondent.

Learned counsel for the petitioner again prayed for
time to comply with the earlier order of the Commission
dated 25.11.2020. In the interest of justice, time prayed
for is allowed.

Learned Counsel for the petitioner is directed to
submit the copy of resolution from the Governing Body of
the Society to authorize Fr. Francis. Xavier. D,
Secretary of the Society to obtain Minority Status
Certificate from this Commission.

List on 01.02.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**Dominic Savio Elementary School, London Mission
Road, Tirupattur, Vellore District, Tamil Nadu - 635601.**

Vs.

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

CASE NO. 448 of 2020

18.08.2021

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

None for the respondent.

Learned counsel for the petitioner again prayed for
time to comply with the earlier order of the Commission
dated 25.11.2020. In the interest of justice, time prayed
for is allowed.

It transpires from the records that out of 693 total
students only 34 students are from Christian Minority
Community

Learned Counsel for the petitioner is directed to
submit the copy of resolution from the Governing Body of
the Society to authorize Fr. Francis. Xavier. D,
Secretary of the Society to obtain Minority Status
Certificate from this Commission.

List on 01.02.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS