

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

**Don Bosco Higher Secondary School, Pannur, Thiruvallur District,
T.N.**

V/s.

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

Case No. 364 of 2019

08.09.2022

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

Learned counsel for the petitioner filed an application under Order VIII Rule 9 and Section 151 C.P.C. read with Section 12 of the NCMEI Act, 2004, to accept the Rejoinder Affidavit. He has also submitted a copy of the same along with an envelope and postal stamp, before the Commission's Office on dated 01.09.2022, which are taken on record.

Learned counsel for the petitioner submitted that on last occasion dated 02.08.2022, last and final opportunity was granted to file certified copies of all the relevant documents and he was ready to file the documents on that day before the Commission's Office.

Now, learned counsel for the petitioner again submitted that he is ready to file certified copies of all the relevant documents today itself.

Learned counsel for the petitioner is directed to file certified copies of all the documents before the Commission's Office today itself.

In the interest of justice, Office is directed to issue notice of the above application to the respondent.

List on 20.10.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Justin Arts and Science College for Women, Cholapuram,
Sivagangai Dr., Tamil Nadu.**

V/s.

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

Case No. 431 of 2019

08.09.2022

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

Learned counsel for the petitioner filed Affiliation Order from Alagappa University and Affidavit of Mother Santhana Mary Augustina by hand, before the Commission's Office on dated 01.09.2022, which are taken on record.

Learned counsel for the petitioner filed an application under Order 06 Rule 17 CPC read with Section 12(2) of the NCMEI Act, 2004, seeking permission to amend the Original Minority Status Certificate application along with Amended MSC Petition by hand, before the Commission's Office on dated 01.09.2022, which is taken on record.

It also transpires from the record that Principal of the institution has appointed Advocate Mr. Jose Abraham in this case instead of President of the petitioner Society.

Learned counsel for the petitioner prayed for time to file proper Vakalatnama.

Learned counsel for the petitioner is directed to submit copy of amended petition and one envelope and postal charges for sending regd. notice to the respondent.

After compliance of the above order by the learned counsel for the petitioner, Office is directed to issue notice along with the application under Order 06 Rule 17 CPC to the respondent by regd. A.d/email.

In the interest of justice, list on 25.10.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Mary's R.C. Primary School, Chinnadharapuram, Aravankurichi
Taluk, Kurur Dt., Tamil Nadu.**

V/s.

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

Case No. 432 of 2019

08.09.2022

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

Learned counsel for the petitioner filed Affidavit of Mother Santhana Mary Augustina and an application under Order 06 Rule 17 CPC read with Section 12(2) of the NCMEI Act, 2004, seeking permission to amend the Original Minority Status Certificate application along with Amended MSC Petition by hand, before the Commission's Office on dated 01.09.2022, which is taken on record.

Learned counsel for the petitioner is directed to submit copy of amended petition and one envelope and postal charges for sending regd. notice to the respondent.

After compliance of the above order by the learned counsel for the petitioner, Office is directed to issue notice along with the application under Order 06 Rule 17 CPC to the respondent by regd. A.d/email.

In the interest of justice, list on 25.10.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Joseph's Academy, Sipcot, Housing Colony, Dharga, Hosur,
Krishnagiri Dt., Tamil Nadu.**

V/s.

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

Case No. 433 of 2019

08.09.2022

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

Learned counsel for the petitioner filed Affidavit of Mother Santhana Mary Augustina and an application under Order 06 Rule 17 CPC read with Section 12(2) of the NCMEI Act, 2004, seeking permission to amend the Original Minority Status Certificate application along with Amended MSC Petition by hand, before the Commission's Office on dated 01.09.2022, which is taken on record.

Learned counsel for the petitioner is directed to submit copy of amended petition and one envelope and postal charges for sending regd. notice to the respondent.

After compliance of the above order by the learned counsel for the petitioner, Office is directed to issue notice along with the application under Order 06 Rule 17 CPC to the respondent by regd. A.d/email.

In the interest of justice, list on 25.10.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

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

Vs.

**Secretary to Government, Minorities Welfare Department,
Government of A.P.**

Case No. 650 of 2019

08.09.2022

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

It transpires from the record that petitioner has filed on dated 28.04.2022, an application for certified copy of inspection report sent by the inspection committee.

We have perused the inspection report along with undated and unsigned covering letter. Inspection Report was sent by Administrative Officer, District Minority Welfare Office, Euluru, West, Godavari District. Inspection report is the scanned copy and till now, we have not received original inspection report but Office has wrongly issued certified copy of that scanned copy of inspection report to the learned counsel for the petitioner.

Office is directed to call back the certified copy wrongly given to the learned counsel for the petitioner.

Secretary, Deputy Secretary/ Under Secretary of the Commission is directed that in future no certified copy of scanned copy and photocopy should be given to any party.

Copy of this Order be provided to the concerned Officers.

Office is also directed to call original Physical Inspection Report from the concerned authority because till now we have not received the original Physical Inspection Report.

Learned counsel for the petitioner submitted that petitioner is ready to file proper Recognition /Affiliation from State/ CBSE.

So RTI papers, controversy is ended now.

In the interest of justice, list the case for final arguments on 26.10.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

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

International Access School, At-Barhan, Post & Dt., - Siwan, Bihar.

Vs.

**Secretary, Human Resource Development Department, Government
of Bihar, Secretariat, Patna, Bihar.**

Case No. 836 of 2019

08.09.2022

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

Learned counsel for the petitioner submitted that an application U/O VI Rule 17 CPC read with Section 12(2) of NCMEI Act, 2004 with prayer that inadvertently petitioner has furnished the information against the column no. 04 of the MSC application, that the application for grant of MSC is pending before the State Competent Authority.

Despite service of registered notice, none appeared on behalf of the respondent and state is keep mum on all the points raised in the petition.

Office is directed to send regd. letter to the State Competent Authority with the specific question that whether, petitioner has applied for grant of MSC before the State of Bihar or not.

Learned counsel for the petitioner is directed to submit one envelope and postal charges for sending regd. letter to the respondent.

After compliance of the above order by the learned counsel for the petitioner, Office is directed to send regd. letter to the respondent.

In the interest of justice, list on 09.11.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Islamiah Matriculation Higher Secondary School, South Street,
Kilakarai, Ramanathapuram District, Tamil Nadu - 623517**

V/s.

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

Case No. 44 of 2020

08.09.2022

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

Respondent has again sent by post, Counter Affidavit along with covering letter dated July,2022 before the Commission's Office on dated 18.07.2022, which is taken on record.

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

Learned counsel for the petitioner prayed for time to file certified copies of all the relevant documents within two weeks.

In the interest of justice, list on 02.11.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

San Thome H.S., Kanamala P.O., Kottayam, Kerala - 686510

V/s.

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

Case No. 46 of 2020

08.09.2022

Present: None.

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

On last occasion dated 13.07.2022, none was present on behalf of the petitioner.

Since nobody has appeared to make any submission. The Commission has waited sufficiently. The Commission has been forced to dismiss the petition.

Hence, the petition is dismissed 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**

**Zeenat Public School, 33/34, Jakariya Colony, Behind Noori Madrasa,
Khajrana, Indore, Madhya Pradesh - 452016**

V/s.

**Secretary, Room No. 339, Backward Classes and Minority Welfare
Department, Govt. of MP, Mantralaya, Bhopal, Madhya Pradesh**

Case No. 54 of 2020

08.09.2022

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

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

Office has sent reminder letter to District Education Officer, Indore, which is received un-served and returned back to this Commission on dated 07.09.2022, which is taken on record.

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

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

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

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

List on 02.11.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**M S Creative School, C-4/88 A, Yamuna Vihar, (East), Delhi - 110053.
V/s.**

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

Case No. 273 of 2020

08.09.2022

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

Learned counsel for the petitioner filed an application under Order VIII Rule 9, Section 151 of C.P.C. read with Section 12 of the NCMEI Act, 2004, to accept the Rejoinder Affidavit. He has also filed rejoinder affidavit, a copy of the rejoinder along with an envelope and postal stamp, submitted by hand before the Commission's Office on dated 01.09.2022, which are taken on record.

Office is directed to issue notice of the above application to the respondent by registered post/e-mail.

Learned counsel for the petitioner submitted that a Writ petition regarding the controversy about the petitioner institution is pending before the Hon'ble High Court of Judicature at Delhi.

In the interest of justice, list on 03.11.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**M S Future School, Khasra No. 14-15, Biharipur Village, Shahdara
Delhi.**

V/s.

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

Case No. 274 of 2020

08.09.2022

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

Learned counsel for the petitioner submitted that a Writ petition regarding the controversy about the petitioner institution is pending before the Hon'ble High Court of Judicature at Delhi.

In the interest of justice, list on 03.11.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

M S Creative School, 2183, Kucha Aqil Khan, Bazar Sita Ram, Old Delhi - 110006.

V/s.

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

Case No. 275 of 2020

08.09.2022

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

Learned counsel for the petitioner submitted that Writ petition regarding the controversy about the petitioner institution is pending before the Hon'ble High Court of Judicature at Delhi.

In the interest of justice, list on 03.11.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**M S Creative School, Khasra No. 346/136, Plot No. 114, 115 & 127,
D11, West End, Zakir Nagar, South District, Delhi - 110025.**

V/s.

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

Case No. 276 of 2020

08.09.2022

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

Learned counsel for the petitioner submitted that a Writ petition regarding the controversy about the petitioner institution is pending before the Hon'ble High Court of Judicature at Delhi.

Learned counsel for the petitioner has filed General Body Resolution of the Trust on dated 05.04.2022, before the Commission's Office, which is taken on record.

Copy of an e-mail is received on dated 17.08.2022 by Under Secretary, Govt. of India, which is also taken on record.

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

Office is directed to again issue reminder letter by post and e-mail to the members of the Physical Inspection Committee for sending the report positively before the next date of hearing and also to provide a copy of the reminder letter to the learned counsel for the petitioner for perusal.

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

In the interest of justice, list on 03.11.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. John's Academy, 25/2 Police Chawki, Prem Nagar, Nagra, Jhansi
District, Uttar Pradesh - 284003**

V/s.

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

Case No. 327 of 2020

08.09.2022

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

Despite service of notice by registered post and e-mail, none appeared on behalf of respondent No.2, even in the second round.

Despite registered notice and e-mail to the respondent, we have not received any response/reply from the State Competent Authority. In the facts and circumstances of the case we deem it just and proper that physical inspection report alongwith the recommendations may be obtained from the Committee constituting of the following members for issuance of the minority status certificate to the petitioner institution:-

1. Representative of the concerned District Collector(Chairperson)
2. Concerned District Education Officer (Member)
3. Concerned District Minority Welfare Officer/ Concerned District Social Welfare Officer (Member Secretary).

Office is directed to issue letter to the above authorities and also to provide a copy of the letter to the learned counsel for the petitioner.

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

List on 09.11.2022.

JUSTICE NARENDRA KUMAR JAIN

CHAIRMAN

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Peter's School, Basha, Bhagaiya PO, District Sahebganj,
Jharkhand-813208**

Vs.

**Director, Primary Education, Under School Education and Literacy
Department, 3rd Floor, MDI Building, SE & I Department, Behind
Project Bhawan, Post-Dhurwa, Dist-Ranchi, Jharkhand**

Case No. 66 of 2021

08.09.2022.

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

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

Leave and liberty is granted.

The petition is disposed of as withdrawn.

Office is directed to return envelope and postage charges to the
learned counsel for the petitioner.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Joseph's School, Goradih Jirli, Kumoldauri P.O., District Godda,
Jharkhand-814165**

Vs.

**Director, Primary Education, Under School Education and Literacy
Department, 3rd Floor, MDI Building, SE & I Department, Behind
Project Bhawan, Post-Dhurwa, Dist-Ranchi, Jharkhand**

Case No. 67 of 2021

08.09.2022.

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

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

Leave and liberty is granted.

The petition is disposed of as withdrawn.

Office is directed to return envelope and postage charges to the
learned counsel for the petitioner.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

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

Vs.

- 1) Director, Primary Education, Under School Education and Literacy Department, 3rd Floor, MDI Building, SE & I Department, Behind Project Bhawan, Post-Dhurwa, Dist-Ranchi, Jharkhand**
- 2) Director, Secondary Education, Under School Education and Literacy Department, 3rd Floor, MDI Building, SE & I Department, Behind Project Bhawan, Post-Dhurwa, Dist-Ranchi, Jharkhand**

Case No. 68 of 2021

08.09.2022

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

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

Leave and liberty is granted.

The petition is disposed of as withdrawn.

Office is directed to return envelope and postage charges to the learned counsel for the petitioner.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Metropolitan School, Medical College Road, Gulhariya Bazar,
Gorakhpur, Uttar Pradesh - 273013.**

Vs.

**Additional Chief Secretary, Department of School Education,
Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. –
226001.**

Case No. 68 of 2022

08.09.2022

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

Learned counsel for the petitioner again prayed for last and final opportunity to comply with the Commission's earlier Order dated 05.07.2022. In the interest of justice, last and final opportunity is granted.

In the interest of justice, list on 02.11.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Metropolitan School, D-26 Avas Vikas Colony, Surajkund, Gorakhpur,
Uttar Pradesh - 273013.**

Vs.

**Additional Chief Secretary, Department of School Education,
Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. –
226001.**

Case No. 69 of 2022

08.09.2022

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

Learned counsel for the petitioner again prayed for last and final opportunity to comply with the Commission's earlier Order dated 05.07.2022. In the interest of justice, last and final opportunity is granted.

In the interest of justice, list on 02.11.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Sanskriti Nursery School, Maya Bazar, Gorakhpur, Uttar Pradesh -
273013.**

Vs.

**Additional Chief Secretary, Department of School Education,
Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. –
226001.**

Case No. 70 of 2022

08.09.2022

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

Learned counsel for the petitioner again prayed for last and final opportunity to comply with the Commission's earlier Order dated 05.07.2022. In the interest of justice, last and final opportunity is granted.

In the interest of justice, list on 02.11.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

08.09.2022

**Maktab/Madarsa Furquaniah Trust, 545, Mid Colony, Khalil Nagar,
Fatehpur, Uttar Pradesh - 212601.**

Vs.

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

Present: None.

An application has been received by post on 29.08.2022 from Maktab/Madarsa Furquaniah Trust, 545, Mid Colony, Khalil Nagar, Fatehpur, Uttar Pradesh - 212601 for grant of minority status certificate. It be registered.

Perused the office report and it transpires from record that the petitioner has not applied for grant of No Objection Certificate before the State Competent Authority.

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.

In this case, office has reported that the petitioner has not filed General Body Resolution to obtain MSC from this Commission, envelope with postage charges for sending notice to the State Competent Authority and Beneficiary clause for concerned Minority is also not available in the Trust Deed filed by the petitioner.

It transpires from the petition that against the column no. 11 petitioner furnished the information that this Institute is having both status i.e. Aided and Un-Aided and in this Institute total 413 students are presently studying and out of them 327 are from the Muslim Minority Community.

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

In the interest of justice, list the case with other similar matters on 15.09.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K.

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

08.09.2022

Metas Adventist School, P.O. Box No. 24, Athwalines, Surat, Gujarat - 395001.

Vs.

Deputy Director, Directors of Schools, Old Sachivalaya, Block 9/1, Gandhinagar, Gujarat - 382010.

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

An application for grant of minority status certificate to Metas Adventist School, P.O. Box No. 24, Athwalines, Surat, Gujarat - 395001 has been received by hand on 30.08.2022 from the petitioner mentioned above. It be registered.

It transpires from the petition that on 08.04.2022, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Deputy Director, Directors of Schools, Old Sachivalaya, Block 9/1, Gandhinagar, Gujarat - 382010, which was received by the respondent on 20.04.2022, 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 has mentioned against the column no. 1 that this Institute is being run by the company, license No. 3082 of 1940-41 incorporated under the Indian Companies Act VII of 1913.

In this case, office has reported that the petitioner has filed General Body Resolution to obtain MSC from this Commission, envelope with postage charges for sending notice to the State Competent Authority.

It also transpires from the petition that in this Un-aided School during the academic year 2019-20 total 7365 students were studying and out of them 158 students were from Christian Minority Community, during the academic year 2020-21 total 7836 students were studying and out of them 174 students were from the Christian Minority Community and during the academic year 2021-22 total 8307 students are studying and out of them 189 students belongs to the Christian Minority Community.

Learned counsel for the petitioner submitted that the petitioner Institute runs by the Company which is a charitable company and in support of this petitioner wants to submit some more documents.

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

In the interest of justice, list on 03.11.2022.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K.