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 25.04.2023.

Present: Mr. Junais 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

RS

Madrasa Aazad Model School, Village & Post - Banethu, Santkabir Nagar District, Uttar Pradesh - 272152.

Vs.

- 1. Principal Secretary, School Education. Department of Education, Government of Uttar Pradesh.
- 2. Additional Chief Secretary, Department of School Education, Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow, Uttrar Pradesh- 226001.

Case No. 170 of 2020

25.04.2023.

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

Learned counsel for the petitioner has filed certified copy of renewed Society Registration Certificate before the Commission's Office on dated 19.04.2023, which is taken on record.

We have heard, learned counsel for the petitioner at some length.

On perusal of amended MoA of the Society it is found that there is a contradictory beneficiary clause in the amended Memorandum of Association which was registered on dated 28.03.2018 and petitioner has obtained its certified copy on dated 07.11.2018.

Learned counsel for the petitioner prayed for time to take instructions from his client.

In the interest of justice, list on 11.07.2023.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

Maria Uchha Vidyalaya, Khorimahua, Gandey P.O., & P.S., Giridih District, Jharkhand - 815312.

Vs.

Director Secondary Education Under school education & literacy department 3 rd floor, MDI Building, S.E & L. Department Behind project bhawan, Post-Dhurwa, Dist-Ranchi-834004.

Case No. 128 of 2021

25.04.2023.

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

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

Learned counsel for the petitioner has submitted that the members of the Physical Inspection Committee have already inspected the petitioner institution.

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.

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

In the interest of justice, list on 12.07.2023.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

Modern School, Plot No. HS-08, Block-A, Sector - Delta 1, Greater Noida, Uttar Pradesh - 201308.

Vs.

- 1. Additional Chief Secretary, Department of School Education, Govt. of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. 226001.
- 2. Additional Chief Secretary, Secondary Education Department, Govt. of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. 226001.

Case No. 141 Of 2021

25.04.2023.

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

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

Learned counsel for the petitioner has submitted that the members of the Physical Inspection Committee have already inspected the petitioner institution.

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.

In the interest of justice, list on 12.07.2023.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

Jai Shri Shyam College of Management, Bajhera, Gwalior District, Madhya Pradesh - 475005.

Vs.

Secretary, Backward Classes and Minority Welfare Department, Room No. 339, Government of Madhya Pradesh, Mantralaya, Bhopal, Madhya Pradesh – 462004

Case No. 225 of 2021

25.04.2023.

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

Learned Counsel for the petitioner again prayed for time to comply with the Commission's earlier Order dated 16.02.2023. In the interest of justice, last and final opportunity is granted to comply with the said Order.

List on 19.07.2023.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

St. Claret School, Barakala Kothi P.O., Satna, Madhya Pradesh - 485666.

Vs.

Secretary, Backward Classes and Minority Welfare Department, Government of Madhya Pradesh, Room No. 339, Mantralaya, Bhopal, Madhya Pradesh - 462004.

Case No. 252 of 2021

25.04.2023.

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

Learned Counsel for the petitioner has filed certified copy of CISCE affiliation certificate of the petitioner institution before the Commission's Office on dated 20.04.2023, which is taken on record.

We have heard, learned Counsel for the petitioner at some length. Learned Counsel for the petitioner has filed amended MoA alongwith certified list of members of the petitioner Society which is registered by Assistant Registrar, Firms and Societies on 26.11.2021. Mr. George N V is the President of the petitioner Society from 15.07.2021 to 14.07.2024 but learned Counsel for the petitioner again filed amended MoA alongwith certified list of members of the petitioner Society which is registered by Assistant Registrar, Firms and Societies on 14.07.2022 wherein Fr. Thomas Varakukalayil is the President of the petitioner Society. So, there is a contradiction in the name of the President of the Society.

Learned counsel for the petitioner prayed for time to take instructions from his client.

In the interest of justice, list on 19.07.2023.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

Holy Angels School, Shalimar Garden Ext. 2, B-1120, Sahibabad P.O., Ghaziabad District, Uttar Pradesh - 201005.

Vs.

Additional Chief Secretary, Secondary Education Department, Bapu Bhawan, 7th Floor, Lucknow - 226001.

CASE NO. 38 of 2022

25.04.2023.

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

In compliance of the Commission's earlier Order dated 19.10.2022, the Physical Inspection Committee has sent its inspection report along with the covering letter dated 03.02.2023 by post which is received in the Commission's Office on dated 07.02.2023 and is taken on record.

Same report is also received through e-mail in the Commission's Office on dated 01.03.2023 and is also taken on record.

Photo copy of same inspection report was sent by the District Minority Welfare Officer by post along with the covering letter dated 24.02.2023 which is received in the Commission's Office on dated 07.03.2023 and is also taken on record.

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

In the interest of justice, list the case for final arguments on 26.07.2023.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

St. Patrick's Acadaemy, Post Office Road, Clement Town, P.O. Dehradun, Uttarakhand .

Vs.

Incharge Secretary, Higher Education, Uttarakhand Govt., Room No. 7, Ground Floor, Late Soban Singh Jeena Bhawan (SBI Bank Building), Uttarakhand Secretariat.

CASE NO. 57 of 2022

25.04.2023.

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

Despite sending 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.

Learned counsel for the petitioner has submitted that the members of the Physical Inspection Committee have already inspected the petitioner institution.

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.

In the interest of justice, list on 20.07.2023.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

Christ Jyoti School, Padra, Panmar Sengram, Sidhi District, Madhya Pradesh - 486661.

Vs.

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

Case No. 76 of 2022

25.04.2023.

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

We have perused the physical inspection report received in this case and it is found that there is no student from the Christian Minority Community in the petitioner institution.

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

St. Lioba Academy, Hosa Palays, Byrohalli Road, Beemankppai, Kumbalagodu P.O., Mysore Road, Bangalore, Karnataka - 560074.

Vs.

Additional Chief Secretary, Education Department (Higher Education), Govt. of Karnataka, 6th Floor, Multi-Storeyed Building, Bengaluru, Karnataka - 560001.

Case No. 126 of 2022

25.04.2023.

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

District Education Officer, Suggappa Layout, East Colony, Yelahanka, Bengaluru sent a letter dated 28.12.2022 to the Commission which is received by post in the Commission's Office on dated 17.01.2023 and is taken on record.

In compliance of the Commission's earlier Order, Office has sent a letter dated 20.01.2023 to the District Education Officer, Suggappa Layout, East Colony, Yelahanka, Bengaluru which was returned by the Deptt. of Post and is received back in the Commission's office on dated 06.02.2023 and is taken on record.

The original letter of the Commission sent to the District Education Officer/ Block Education Officer, 55/55, 9th Main Road, KEB Colony, New Gurappana Palya, Bengaluru is returned by the Officer of Govt. of Karnataka alongwith covering letter dated 10.02.2023 which is in Kannada language and is received by post in the Commission's Office on dated 16.03.2023 and is taken on record.

Learned counsel for the petitioner has submitted that the members of the Physical Inspection Committee have already inspected the petitioner institution.

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

In the interest of justice, list on 25.07.2023.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

St. Mary's English Medium School, Bhatera, Ward No. 2, Balaghat, Madhya Pradesh - 481001.

Vs.

Secretary, Backward Classes and Minority Welfare Department, Government of M.P., Room No. 339, Mantralaya, Bhopal, M.P. - 462004.

Case No. 127 of 2022

25.04.2023.

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

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

Learned counsel for the petitioner has submitted that the members of the Physical Inspection Committee have already inspected the petitioner institution.

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.

In the interest of justice, list on 25.07.2023.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

RS

St. Francis of Assisi School, Lugharwada, Jabalpur Road, Seoni, Madhya Pradesh - 480661.

Vs.

Secretary, Backward Classes and Minority Welfare Department, Government of M.P., Room No. 339, Mantralaya, Bhopal, M.P. - 462004.

Case No. 128 of 2022

25.04.2023.

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

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

Learned counsel for the petitioner has submitted that the members of the Physical Inspection Committee have already inspected the petitioner institution.

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.

In the interest of justice, list on 25.07.2023.

JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

RS

St. Jude's Academy, Holy Child School Road, Narender Nagar, Sector 1A, Sonipat, Haryana - 131001.

Vs.

Principal Secretary, School Education Department, Room No. 37, 7th Floor Haryana Civil Secretariat, Sector1, Chandigarh-160001

Case No. 144 of 2022

25.04.2023

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

Respondent has filed their short reply by hand, before the Commission's Office on dated 24.01.2023, which is taken on record.

Copy of the said reply already supplied to the learned counsel for the petitioner by 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 (2) of the NCMEI Act, 2004, to accept the Rejoinder Affidavit. He has also submitted a copy of the same application along with an envelope and postal stamp, before the Commission's Office on dated 20.04.2023, which are taken on record.

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

In the interest of justice, list on 26.07.2023.

DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

:

DR. JASPAL SINGH MEMBER

Jothi Nilayam School for Intellectual Disabled, D.No. 10/139A, Reetahpuram Town Panchayat, Chevilai, Palappallm Post, Kalkulam Taluk, Manniyakumari District, Tamil Nadu - 629159.

Vs.

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

Case No. 149 of 2022

25.04.2023

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

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

Office is directed to 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 time to comply with the Commission's earlier Order dated 09.02.2023.

In the interest of justice, list on 26.07.2023.

DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

Mar Ivanios CBSE School, Bridge Ward, Kuzhithurai P.O., Kanyakumari District, Tamil Nadu - 629163.

Vs.

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

Case No. 199 of 2022

25.04.2023

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

None for the respondent.

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

Office is directed to 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 for perusal.

Learned Counsel for the petitioner is also directed to approach the members of the Physical inspection Committee.

In the interest of justice, list on 26.07.2023.

DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

Golden Degree College of Arts, Science, Commerce and Management Studies, Bagur Sonnenahalli, Chikkathirupathi Post, Malur Taluk, Kolar District, Karnataka – 563160.

Vs.

Additional Chief Secretary, Education Department (Higher Education), Govt. of Karnataka, 6th Floor, Multi-Storeyed Building, Bengaluru, Karnataka - 560001.

Case No. 200 of 2022

25.04.2023

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

None for the respondent.

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

Office is directed to 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 for perusal.

Learned Counsel for the petitioner is also directed to approach the members of the Physical inspection Committee.

In the interest of justice, list on 27.07.2023.

DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

Golden International School, Bagur Sonnenahlii, Lakkur Hobli, Chikkathirupathi Post, Malur Taluk, Kolar District, Karnataka - 563160.
Vs.

Additional Chief Secretary, Education Department (Higher Education), Govt. of Karnataka, 6th Floor, Multi-Storeyed Building, Bengaluru, Karnataka - 560001.

Case No. 201 of 2022

25.04.2023

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

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

Office has sent letter to the District Social Welfare Officer, District Social Welfare Department, Ambedkar Bhawan, Srinivasapura Road, Kolar Ho, Karnataka, which was received un-served and returned back to this Commission on dated 13.03.2023, which is taken on record.

Learned Counsel for the petitioner submitted that the members of the Physical inspection committee have already inspected the petitioner institution.

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

List on 27.07.2023.

DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

Don Bosco Matriculation Higher Secondary School, 8th East Main Road, Gandhi Nagar, Vellore District, Tamil Nadu - 635006.

Vs.

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

Case No. 15 of 2023 25.04.2023

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

Learned Counsel for the petitioner prayed for time to comply with the Commission's earlier Order dated 11.01.2023.

In the interest of justice, list on 01.08.2023

DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Maria Rafols School, Abirami Nagar, Chevidan Villai, Laxmipuram Post, Mandaikadu, Kalkulam Taluk, Kanyakumari District, Tamil Nadu - 629802.

Vs.

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

Case No. 16 of 2023 25.04.2023

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

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

Despite giving regd. notice to the respondent, no reply is received from the State Competent Authority so far.

In the facts and circumstances of the case, we deem just and proper that physical inspection report alongwith the recommendations for issuance of minority status certificate to the petitioner institution, may be obtained from the committee consisting of the following members: -

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

Office is directed to issue letter to the above Committee members for submitting the report.

Learned counsel for the petitioner prayed for a copy of the 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 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 01.08.2023.

DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

St. Vincent's Matric Hr. Sec. School, No. 24, Railway Colony, 4th Street, Aminjikarai, Chennai, Tamil Nadu - 600029.

Vs.

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

Case No. 17 of 2023

25.04.2023

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

Learned Counsel for the petitioner prayed for time to comply with the Commission's earlier Order dated 11.01.2023.

In the interest of justice, list on 01.08.2023

DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Naiminath Ayurvedic Medical College, Hospital and Research Centre, NH 19, Nawalpur, Kuberpur, Agra, Uttar Pradesh - 283202.

Vs.

Additional Chief Secretary, Ayush Department Govt of Uttar Pradesh 3rd floor, Lal Bahadur Shastri Bhawan, Lucknow226001.

Case No. 18 of 2023

25.04.2023

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

Mr. Junais P., Advocate appeared on behalf of the petitioner institution and seeks leave to withdraw the petition with liberty to file a fresh petition for the same relief.

Leave and liberty is granted.

The petition is disposed of as withdrawn.

Office is directed to return the envelope and postal stamps to the learned counsel for the petitioner.

DR. JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

> DR. JASPAL SINGH MEMBER

Angel's Abode Public School, Gram Badagaon Khurd, Tikamgarh, Madhya Pradesh-472001

V/s

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

Case No. 139 of 2020

25.04.2023

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 Angel's Abode Public School, Gram Badagaon Khurd, Tikamgarh, Madhya Pradesh-472001 run by Jains New Children's Educational Foundation 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 Jain minority community.

Consequently, Angel's Abode Public School, Gram Badagaon Khurd, Tikamgarh, Madhya Pradesh-472001, which is for Senior Secondary Level, is declared as an unaided 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 Jain minority community subject to the eligibility of the students and availability of the accommodation in the petitioner institution. If the petitioner institution failed to comply the above order of this Commission within a period of three months from the date of order passed by this Commission then the petition filed by the petitioner for grant of MSC will be automatically deemed to be dismissed."

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

DR. SHAHID AKHTER MEMBER