

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

St. Joseph's Primary School, North Street, Thiruvaiyaru, Thanjavur District, Tamil Nadu - 613204.

Vs.

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

Case No. 311 of 2020

20.04.2023

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

Learned counsel for the petitioner filed by hand one document, which is pertaining original permanent Recognition Certificate of petitioner school, before the Commission's Office on dated 12.04.2023, which is taken on record.

This case was fixed for final arguments and we have heard, learned counsel for the petitioner at some length.

During the course of the arguments, it transpires from the record that petitioner has filed an application under Order VI Rule 17 CPC read with Section 12 (2) of the NCMEI Act, 2004 to amend the Col. No. 06 of the petitioner for grant of MSC filed on dated 11.03.2020 and submitted that petitioner has wrongly ticked and stated the level of the education is Secondary, so treat this as typographical error and treat this as a Primary level institution.

We have seen the application for grant of MSC filed by the petitioner in which petitioner has ticked Secondary level but another in Col. No. 08 is also there and that is pertaining to the details of Affiliation either to the Central/ State Board or any recognize Board or University or UGC (copy of affiliation to be attached), petitioner has supplied the information as "State Board". Certainly if petitioner institution is up to primary level then State Board is also wrongly mentioned. But petitioner has not moved any amendment in this Col.

We have also seen amended MOA and page no. 18 and 19 which is in Tamil language and we are not understand the Tamil language.

Learned counsel for the petitioner prayed for time to file proper application as well as documents.

In the interest of justice, list on 04.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

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

**Holy Redeemer English High School, Gangankoppa Village, Hosanagar
Tq, Shimoga District, Karnataka - 577418.**

Vs.

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

Case No. 196 of 2021

20.04.2023

Present: Mr. Tariq Adeeb, Advocate for the petitioner.
None for the respondent.

Learned counsel for the petitioner frankly submitted that he has earlier filed an application for grant of MSC before the State Competent Authority and that was rejected by the State. Till now petitioner has not filed any Appeal. This petition was filed by the petitioner on dated 27.08.2021 and also moved an application for grant of NOC under Section 10 of the NCMEI Act, 2004 on dated 24.02.2021.

As per the respondent contention due to stay of Hon'ble High Court, they have returned the proposal for grant of MSC to the petitioner institution.

Learned counsel for the petitioner prayed for time to file reply and also to take instruction from his client.

In the interest of justice, list on 20.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**St. Philomena English Higher Primary School, H.N Pura Road, Hassan,
Karnataka - 573201.**

Vs.

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

Case No. 197 of 2021

20.04.2023

Present: Mr. Tariq Adeeb, Advocate for the petitioner.

None for the respondent.

Learned counsel for the petitioner submitted that he has filed an application to take certified copy of inspection report, but till now Commission's Office has not provided certified copy to him.

We have perused the file, physical inspection committee has sent physical inspection report along with covering letter dated 10.08.2022 for case no. 206 of 2021, 203 of 2021, 197 of 2021 and 205 of 2021. But as per the inspection report Committee has sent the report for case no. 196 of 2021, 203 of 2021, 205 of 2021 and again 203 of 2021.

We have compared the name of institution St. Philomena English Higher Primary School, which is listed today and in our hand it is case no. 197 of 2021 not the case no. 196 of 2021.

Learned counsel for the petitioner submitted that petitioner has withdrawn the case no. 206 of 2021, 203 of 2021 and 205 of 2021 on dated 08.02.2023.

Office is directed that when said inspection Committee has sent four cases inspection report jointly then these reports should be attached in separate files, but wrongly attached all inspection report in this file.

Office is directed to separate the inspection reports from this file and attach them properly.

Office is also directed to provide certified copy of inspection report, which is available and required by the learned counsel for the petitioner well in time.

Secretary, NCMEI is directed to call explanation from the concerned authority, why he has not provided certified copy well in time.

Learned counsel for the petitioner submitted that he has filed one application for 11 cases jointly for obtaining certified copy.

Learned counsel for the petitioner is directed to file separate application in which they want to certified copy from the particular case file.

Office is directed that if application is proper then provide certified copy within time frame

List on 20.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

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

**Sneha Sadan Higher Primary School, Kanakal, Basavana Bagevady Tq,
Bijapur District, Karnataka - 586203.**

Vs.

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

Case No. 198 of 2021

20.04.2023

Present: Mr. Tariq Adeeb, Advocate for the petitioner.
None for the respondent.

Learned counsel for the petitioner submitted that he has taken the instructions from his client and prayed to dismissed the case as per the law.

Heard, learned counsel for the petitioner.

Reserved for Orders.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Holy Redeemer Composite P.U College, Gangankoppa Village,
Hosanagar Tq., Shimoga District, Karnataka - 577418.**

Vs.

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

Case No. 199 of 2021

20.04.2023

Present: Mr. Tariq Adeeb, Advocate for the petitioner.
None for 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.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Stella Marys Inter College, Sushant Taj City, Ansal Api, Jaupura,
Sikandra, Agra, Uttar Pradesh - 282007.**

Vs.

- 1. Additional Chief Secretary, Department of Higher Education and Secondary Education, Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. - 226001.**
- 2. Principal Secretary, Secondary Education Department Bapu Bhawan, 7th Floor, Lucknow- 226001.**

Case No. 241 of 2021

20.04.2023

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

Learned counsel for the petitioner filed clarification Affidavit by hand, before the Commission's Office on dated 12.04.2023, which is taken on record.

Mr. Prashant Kumar Singh, District Minority Welfare Office, Agra has sent again photocopy of the Physical inspection report by post along with other case no. 338 of 2020 is also taken on record.

Office is directed that if original copy of physical inspection report is already on record then do not file again photo copy of same report in future. So no confusion would be create.

In the interest of justice, list on 19.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

Madarsa Hadeesul Quran Arabic College, Laliyana, Meerut, Uttar Pradesh- 250104.

Vs.

- 1. Additional Chief Secretary, Department of School Education, Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. - 226001.**
- 2. Secretary, Minority Welfare and Waqf Department, Government of U.P.**

Case No. 62 of 2022

20.04.2023

Present: Mr. Junais P., Advocate for the petitioner.
Mr. Barrar Husain for the respondents.

Mr. Barrar Husain appeared on behalf of the respondents.

District Minority Welfare Officer and District Education Officer signed the physical inspection report filed by Mr. Shailesh Rai, District Minority Welfare Officer, Meerut by hand, before the Commission's Office on dated 07.02.2023, which is taken on record.

We have perused the physical inspection report in which District Collector sign is not there and the report dated 07.02.2023 is pertaining only the name of District Minority Welfare Officer and District Education Officer typed but seal of the Officer and place is not there.

Mr. Barrar Husain appeared on behalf of the respondents and want to file another physical inspection report today itself.

Mr. Barrar Husain is directed to file the proper inspection report before the Commission's Office.

In the interest of justice, list on 25.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

N.S. Inter College, Laliyana, Meerut, Uttar Pradesh.

Vs.

**Additional Chief Secretary, Department of School Education, Lucknow,
Uttar Pradesh.**

Case No. 63 of 2022

20.04.2023

Present: Mr. Junais P., Advocate for the petitioner.
Mr. Barrar Husain for the respondents.

Mr. Barrar Husain appeared on behalf of the respondents.

District Minority Welfare Officer and District Education Officer signed the physical inspection report filed by Mr. Shailesh Rai, District Minority Welfare Officer, Meerut by hand, before the Commission's Office on dated 07.02.2023, which is taken on record.

We have perused the physical inspection report in which District Collector sign is not there and the report dated 07.02.2023 is pertaining only the name of District Minority Welfare Officer and District Education Officer typed but seal of the Officer and place is not there.

Mr. Barrar Husain appeared on behalf of the respondents and want to file another physical inspection report today itself.

Mr. Barrar Husain is directed to file the proper inspection report before the Commission's Office.

In the interest of justice, list on 25.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

Islamia Lilbinat Junior High School, Parikshit garh, Meerut, Uttar Pradesh- 250406.

Vs.

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

Case No. 64 of 2022

20.04.2023

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

Mr. Barrar Husain for the respondents.

Mr. Barrar Husain appeared on behalf of the respondents.

We have heard, learned counsel for the petitioner on application under Order VI Rule 17 CPC read with Section 12 (2) of NCMEI, 2004.

Learned counsel for the petitioner submitted that while file the application for grant of MSC in the Col. No. 05 mentioned "Yes" F. No. 158 of 2021 instead of F.NO. 160 of 2021 which was withdrawn on dated 10.05.2022.

Learned counsel for the petitioner also submitted that if amendment is not permitted then petitioner institution will suffer an irreparable loss.

For the reasons recorded in the application and in the interest of justice, application under Order VI Rule 17 CPC is allowed and amended petition is taken on record.

In this case on dated 07.02.2023, Mr. Shailesh Rai, appeared on behalf of the respondent and frankly submitted that respondent has no objection if this Commission will grant MSC to the petitioner institution.

Today also Mr. Barrar Husain appeared on behalf of the respondents and they have no objection if this Commission will grant MSC to the petitioner institution.

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.

Contd...2/-

Case No. 64 of 2022

20.04.2023

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 25.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Aliya Hadeesul Quran Lilbinat (Girls), Laliyana, Meerut, Uttar Pradesh.
Vs.**

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

Case No. 65 of 2022

20.04.2023

Present: Mr. Junais P., Advocate for the petitioner.
Mr. Barrar Husain for the respondents.

Mr. Barrar Husain appeared on behalf of the respondents.

District Minority Welfare Officer and District Education Officer signed the physical inspection report filed by Mr. Shailesh Rai, District Minority Welfare Officer, Meerut by hand, before the Commission's Office on dated 07.02.2023, which is taken on record.

We have perused the physical inspection report in which District Collector sign is not there and the report dated 07.02.2023 is pertaining only the name of District Minority Welfare Officer and District Education Officer typed but seal of the Officer and place is not there.

Mr. Barrar Husain appeared on behalf of the respondents and want to file another physical inspection report today itself.

Mr. Barrar Husain is directed to file the proper inspection report before the Commission's Office.

In the interest of justice, list on 25.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

**Nazia Girls Junior High School, Laliyana, Meerut, Uttar Pradesh -
246731**

V/s.

- 1. Additional Chief Secretary, Department of School Education,
Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow,
Uttar Pradesh – 226001.**
- 2. Additional Chief Secretary, Department of Secondary Education,
Bapu Bhawan, 7th Floor, Lucknow - 226001.**

Case No. 66 of 2022

20.04.2023

Present: Mr. Junais P., Advocate for the petitioner.
Mr. Jarrar Husain for the respondents.

Despite sending reminder letter 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 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.

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

In the interest of justice, list on 25.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

Madarsa Jamia Academy, Radhna, Meerut, Uttar Pradesh – 250104.

V/s.

**1. Additional Chief Secretary, Department of School Education,
Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow,
Uttar Pradesh – 226001**

**2. Secretary, Minority Welfare and Waqf Department, Government of
Uttar Pradesh.**

Case No. 67 of 2022

20.04.2023

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

Mr. Barrar Husain for the respondents.

Mr. Barrar Husain appeared on behalf of the respondents.

District Minority Welfare Officer and District Education Officer signed the physical inspection report filed by Mr. Shailesh Rai, District Minority Welfare Officer, Meerut by hand, before the Commission's Office on dated 07.02.2023, which is taken on record.

We have perused the physical inspection report in which District Collector sign is not there and the report dated 07.02.2023 is pertaining only the name of District Minority Welfare Officer and District Education Officer typed but seal of the Officer and place is not there.

Mr. Barrar Husain appeared on behalf of the respondents and want to file another physical inspection report today itself.

Mr. Barrar Husain is directed to file the proper inspection report before the Commission's Office.

In the interest of justice, list on 25.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

SR

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

Mandawar Degree College, Mandawar, Bijnor, Uttar Pradesh - 246721.

Vs.

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

Case No. 169 of 2020

20.04.2023.

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

In compliance of the Commission's earlier Order dated 08.12.2021, District inspector of Schools, Bijnor and District Minority Welfare Officer, Bijnor have sent by e-mail their inspection report along with the covering letter dated 18.04.2023 which is received in the Commission's Office on dated 19.04.2023 and is taken on record.

We have perused the above report and it transpires from the report that the members of the Physical inspection Committee have not sent the original inspection report till now and also the representative of District Collector who is the Chairperson of the Physical inspection Committee has not signed the inspection report.

Office is directed to again send reminder by post and also by email to the members of Physical Inspection Committee to send proper original inspection report alongwith the signature of the representative of District Collector positively before the next date of hearing.

In the interest of justice, list on 04.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**Hasnath-E- Jaria Aided Primary School, Vavoor, Madar Sahib Street,
Ambur, Vellore District, Tamil Nadu.**

Vs.

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

Case No. 141 of 2022

20.04.2023.

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

Despite 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.

Office is directed to 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.

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 approach the members of the Physical inspection Committee and provide copies of all the relevant documents to the said Committee members.

Learned Counsel for the petitioner has filed two documents before the Commission's office on dated 13.04.2023 which are taken on record.

List on 26.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**Mazharul Uloom Aided Primary School, Kuchikar, Fakir Sahib Street,
Ambur, Vellore District, Tamil Nadu.**

Vs.

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

Case No. 142 of 2022

20.04.2023.

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

Despite 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.

Office is directed to 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.

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 approach the members of the Physical inspection Committee and provide copies of all the relevant documents to the said Committee members.

Learned Counsel for the petitioner has filed two documents before the Commission's office on dated 13.04.2023 which are taken on record.

List on 26.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**Madarsa Veer Abdul Hameed, Gram & Post - Sarserha, Tehsil -
Tehrauli, District- Jhansi, Uttar Pradesh.**

Vs.

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

Case No. 12 of 2023

20.04.2023.

Present: Mohd. Israil, Treasurer of petitioner Society for the petitioner.

Mohd. Israil, Treasurer of petitioner Society 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.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

St. Mary's School, Ramleela Ground, amaria, Pilibhit District, Uttar Pradesh - 262121.

Vs.

- 1. Additional Chief Secretary, Department of Basic Education Govt. of UP Bahu Khandi, Secretariat, Lucknow (UP).**
- 2. Additional Chief Secretary, Department of Secondary Education, Government of Uttar Pradesh.**

Case No. 13 Of 2023

20.04.2023.

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

Sh. Shiv Shankar Maurya, Block Education Officer, Pilibhit District, Uttar Pradesh for the respondents.

Sh. Shiv Shankar Maurya, Block Education Officer, Pilibhit District, Uttar Pradesh appeared on behalf of the respondents and is ready to file the reply today itself before the Commission's Office.

Sh. Shiv Shankar Maurya is directed to file the reply before the Commission's Office and is also directed to supply a copy of the reply to the learned counsel for the petitioner.

In the interest of justice, list on 27.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

**St. Paul's High School, Door No. 8-15-42, Ring Rad, Srikakulam,
Andhra Pradesh - 532001.**

Vs.

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

Case No. 14 Of 2023

20.04.2023.

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

Despite service of registered notice and e-mail, none appeared on behalf of the respondent even in the second round.

Respondent has sent by post an internal communication letter dated 16.02.2023 which is received in the Commission's Office on dated 28.02.2023 and is taken on record.

Respondent has also sent by post, Counter Affidavit alongwith covering letter, which is received in the Commission's Office on dated 07.03.2023 and is also taken on record.

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

In the interest of justice, list on 27.07.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

RS

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

20.04.2023

Carmel School, Churamanpur Village, Buxar P.O., Buxar District, Bihar - 802116.

Vs.

Director, Secondary and Senior Secondary Education, Ground Floor, Vikas Bhawan, New Secretariat, Dailey Road, Patna, Bihar - 800015.

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

An application has been received by hand on 12.04.2023 from Carmel School, Churamanpur Village, Buxar P.O., Buxar District, Bihar - 802116 for grant of minority status certificate. It be registered.

It transpires from the petition that on 12.11.2022, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Director, Secondary and Senior Secondary Education, Ground Floor, Vikas Bhawan, New Secretariat, Dailey Road, Patna, Bihar - 800015, which was received by the respondent on 16.11.2022. The said petition is still pending. The petitioner has waited sufficiently for 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 filed Resolution Passed by the Governing Body to obtain Minority Status Certificate from this Commission and envelope with postage for sending notice to the State Competent Authority.

It also transpires from the petition that in this Un-aided school (Higher Secondary level) during the academic year 2020-21 total 1222 students were studying and out of them 37 Students from the Christian Minority Community, during the academic year 2021-22 total 1297 students were studying and out of them 33 were from the Christian Minority Community and during the academic year 2022-23 total 1337 students were studying and out of them 36 students belongs to the Christian Minority Community.

We have perused the Amended Trust Deed of the Petitioner Institute which was registered before the Sub – Registrar on dated 19.10.2022 which is well before the filing of No Objection Certificate (NOC) application u/s 10 of NCMEI Act., 2004 dated 12.11.2022 and application for grant of Minority Status Certificate (MSC) on dated 12.04.2023. So it is clear that the amendment has been made well before the application filed before the State Competent Authority u/s 10 of NCMEI Act, 2004 and also petition for grant of MSC before this Commission.

In this case office has reported that recognition certificate filed by the petitioner is without level of education and validity period.

Learned counsel for the petitioner prayed for time to file updated recognition certificate wherein proper validity period and level of education mentioned by the issuing authority.

In the interest of justice, list on 27.07.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

A.K.

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

20.04.2023

Timpany Steel City School, Pedagantyada, Visakhapatnam, Andhra Pradesh - 530044.

Vs.

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

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

An application has been received by hand on 12.04.2023 from Timpany Steel City School, Pedagantyada, Visakhapatnam, Andhra Pradesh - 530044 for grant of minority status certificate. It be registered.

It transpires from the petition that on 18.08.2022, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Secretary, Government of Andhra Pradesh, Minorities Welfare Department, 3rd Floor, A.P. Secretariat, Velagapudi, Amaravati, Andhra Pradesh - 522503, which was received by the respondent on 26.08.2022. The said petition is still pending. The petitioner has waited sufficiently for 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 filed Resolution Passed by the Governing Body to obtain Minority Status Certificate from this Commission and envelope with postage for sending notice to the State Competent Authority.

It also transpires from the petition that in this Un-aided school (Secondary level) during the academic year 2020-21 total 1402 students were studying and out of them 93 Students from the Christian Minority Community, during the academic year 2021-22 total 1338 students were studying and out of them 77 were from the Christian Minority Community and during the academic year 2022-23 total 1373 students were studying and out of them 87 students belongs to the Christian Minority Community.

We have perused the Amended Memorandum of Association of Evangelical Trust Association of South India filed by the Petitioner Institute which was registered before the Registrar of the Companies but date of amendment is not clear and it is also not clear that this Company is Charitable or Profitable.

Learned counsel for the petitioner submitted that after perusal of the Amended Memorandum of Association of the of Evangelical Trust Association of South India he will argue on the above mentioned facts that what is the Date of amendment and what is the status of this company whether it is Charitable or Profitable.

In the interest of justice, list on 27.07.2023.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

A.K.