

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

**Kodaikanal International School, Seven Roads Junction,
Kodaikanal, Tamil Nadu - 624101**

V/s.

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

CASE NO. 97 of 2020

03.05.2023.

Present: Mr. Prashant Kumar, Advocate for the petitioner
None for the respondent.

Mr. Prashant Kumar,, Advocate appeared on behalf of the
arguing counsel Mr. Romy Chacko.

Learned counsel for the petitioner submitted that in compliance of
the Commission's earlier Order dated 19.01.2023, he wants to file some
relevant documents before the Commission's Office today itself.

He is directed to file the said document before the Commission's
Office today itself.

Learned counsel for the petitioner submitted that certified copies of
all the relevant documents are already on record.

In the interest of justice, list the case for final arguments on
02.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

A.M.E.S. College of Education, Reddythoppu, Ambur, Vellore District, Tamil Nadu - 635802.

Vs.

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

Case No. 435 of 2020

03.05.2023.

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

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.

Learned counsel for the petitioner has filed an application under Order VIII Rule 9 of Section 151 C.P.C. read with Section 12(2) of the NCMEI Act, 2004, to accept the Rejoinder Affidavit. He has also filed rejoinder, a copy of the rejoinder along with an envelope and postal stamp for sending notice to the respondent, submitted by hand before the Commission's Office on dated 26.04.2023, which are taken on record.

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

List on 01.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Mazharul Uloom Higher Secondary School, Ambur, Vellore District,
Tamil Nadu - 635802.**

Vs.

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

Case No. 436 of 2020

03.05.2023.

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

Learned counsel for the petitioner again prayed for time to file updated recognition/ affiliation order issued by State Board or CBSE. In the interest of justice, time prayed for is allowed.

List on 01.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
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.

Vs.

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

Case No. 446 of 2020

03.05.2023.

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 Commission's earlier Order dated 10.01.2023. In the interest of justice, time prayed for is allowed.

List on 02.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Dominic Savio Hr. Sec. School, London Mission Road, Tirupattur,
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. 447 of 2020

03.05.2023.

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.

On previous hearing dated 09.03.2023, learned counsel for the petitioner has already submitted that the members of the Physical Inspection Committee have already inspected the petitioner institution.

Office is directed to again issue final 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.

List on 02.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

St. Mary's School, Sangramsai Camp, Noamundi P.O., West Singhbhum District, Jharkhand - 833218.

Vs.

Director, Secondary Education, Under School Education & Literac Department, 3rd Floor, MDI Building, S.E & L. Department Behind Prject Bhawan, Post - Dhurwa, District - Ranchi, Jharkhand - 834004.

Case No. 14 of 2021

03.05.2023.

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

In compliance of earlier order dated 04.01.2023, we have not received any reply/ response from the Chairman and Chief Executive and Secretary of Council for the Indian School Certificate Examinations till now.

Learned counsel for the petitioner has filed notarized copy of the affiliation certificate issued by Council for the Indian School Certificate Examinations before the Commission's Office on dated 26.04.2023, which is taken on record.

Learned counsel for the petitioner submitted that the petitioner institution has been permanently affiliated to the Council for the Indian School Certificate Examinations and certified copies of all the relevant documents are already on record.

In the interest of justice, list the case for final arguments on 19.07.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Theresa's School, Garhi, Ghoranji P.O., Giridih District,
Jharkhand - 815317.**

Vs.

**Director, Primary Education, Under School Education & Literacy
Dept., 3rd Floor, MDI Building, S.E. & L. Dept., Behind Project
Bhawan, Post - Dhurwa, Dist., - Ranchi, Jharkhand - 834004.**

Case No. 76 of 2021

03.05.2023.

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

Despite service of notice by registered post and e-mail also, none appeared on behalf of the respondent even in the second round and 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 consisting 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 02.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Mary's Middle School, Palmo, Tisri P.O., Giridih District,
Jharkhand - 815317.**

Vs.

**Director, Primary Education, Under School Education & Literacy
Dept., 3rd Floor, MDI Building, S.E. & L. Dept., Behind Project
Bhawan, Post - Dhurwa, Dist., - Ranchi, Jharkhand - 834004.**

Case No. 77 of 2021

03.05.2023.

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

None for the respondent.

Despite service of notice by registered post and e-mail also, none appeared on behalf of the respondent even in the second round and 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 consisting 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 02.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Joseph's High School EM, Irusumanda P.O., Ambajipeta, East
Godevari District, Andhra Pradesh - 533239.**

Vs.

**Secretary, Govt. of Andhra Pradesh, Minorities Welfare Deptt., 03rd
Floor, Andhra Pradesh Secretariat, Velagapudi, Amaravati, Andhra
Pradesh - 522503.**

Case No. 01 of 2022

03.05.2023

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

Learned Counsel for the petitioner filed by hand, notarized copy of Recognition Order of St. Joseph's High School EM, before the Commission's Office on dated 26.04.2023, which is taken on record.

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

Now, fix the case for final arguments on 03.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

St. Antony's Nursery and Primary School, No. 20, Dr. Narayanasamy Street, Puliakulam, Coimbatore, Tamil Nadu – 641 045.

Vs.

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

Case No. 04 of 2022

03.05.2023

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

Director of Matriculation Schools, Chennai-6 has sent by post, Counter Affidavit along with covering letter dated 31.01.2023 before the Commission's Office on dated 06.02.2023, 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 updated Recognition Order. In the interest of justice, time prayed for is allowed.

List on 03.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

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

Vs.

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

Case No. 153 of 2022

03.05.2023

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

In compliance of the Commission's earlier Order Physical Inspection Committee has sent by post, physical inspection report along with covering letter dated 17.04.2023, which was received in the Commission's Office on dated 25.04.2023 and is taken on record.

In the interest of justice, list on 03.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Guru Nanak Public School, Village- Jagaatkhana, Himachal Pradesh.
Vs.**

**Director, Directorate of Higher Education, Himachal Pradesh,
Shimla-1.**

Case No. 166 of 2022

03.05.2023

Present: Mr. Nasib Singh for the petitioner.

Mr. Nasib Singh 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 petitioner.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Vinod Bhaskar Sharma, Santosh nagar, Railway Road, Shanti Nagar,
Etah, Uttar Pradesh.**

- Applicant

Vs.

Janta Higher Secondary School, Pilakhua, Etah, Uttar Pradesh.

(Through Mohit Jain, Manager S/o Suresh Chandra Jain)

- Respondent

u/s 12-C of the NCMEI Act. 2004 (Cancellation of Minority Certificate)

Misc. Case No. 22 of 2022

03.05.2023

Present: Mr. Vinod Bhaskar Sharma for the applicant.
Ms. Kavita K.T., Advocate for the respondent.

Mr. Vinod Bhaskar Sharma appeared on behalf of the applicant.

Ms. Kavita K.T., Advocate appeared on behalf of the respondent and prayed for time to file her Vakalatnama and reply on behalf of the respondent. In the interest of justice, time prayed for is allowed.

List on 08.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Vibgyor Rise Schools, Plot No. 16, Scheme Number 78, Part – II,
Vijay Nagar, Indore, Madhya Pradesh - 452010.**

Vs.

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

Case No. 37 of 2023

03.05.2023

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

Mr. Junais P., Advocate filed his Vakalatnama on behalf of the petitioner institution by hand, before the Commission's Office on dated 09.02.2023, which is taken on record.

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 the envelope and postal stamps to the learned counsel for the petitioner.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Sacred Heart College Chalakkudi, Railway Station Road, Thrissur
District, Kerala - 680307.**

Vs.

**Director, Directorate of Minority Welfare, Government of Kerala, 4th
Floor, Vikas Bhavan, Thiruvananthapuram, Kerala - 695033.**

Unregistered Case No.

03.05.2023

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

In compliance of the Commission's earlier Order dated 26.04.2023, Office has filed previous application along with documents and original damaged Minority Status Certificate and the report submitted by the Under Secretary, NCMEI on dated 02.05.2023. All the documents are attached with this filed are taken on record.

In the interest of justice, list on 16.05.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

03.05.2023

**Jamia Islamia Primary/Middle School, Ayodhya Basti, Ward No. 13,
Mahidpur District Ujjain, Madhya Pradesh - 456443.**

Vs.

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

Present: None.

An application has been received by post on 25.04.2023, from Jamia Islamia Primary/Middle School, Ayodhya Basti, Ward No. 13, Mahidpur District Ujjain, Madhya Pradesh - 456443, 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.

It also transpires from the records, that petitioner has applied before the State Competent Authority for grant of Minority Status Certificate also and that application is still pending.

So as per the law and settle procedure, petitioner cannot apply before this Commission until unless the disposal of that application which is still pending before the State Competent Authority. So this application is not maintainable at this stage.

In this case Office has reported that petitioner has not filed affidavit, UID issued by Niti Ayog, General Body Resolution, Envelope with postage for sending notice to the respondent with this petition and beneficiary clause is also not available in the MoA of the Society.

On perusal of the petition it is found that petitioner has mentioned against the column No. 4 (iii) that their MSC application had rejected by the respondent but not attached any rejection order with this petition.

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

In the interest of justice, list on 30.05.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Ansh College of Pharmacy, Gwalior, Madhya Pradesh.

Vs.

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

Unregistered Case No.

03.05.2023

Present: None.

It transpires from the record that applicant has not comply with the Commission's earlier Order dated 30.08.2022.

Office is directed to issue letter by e-mail / post, to the applicant as to why this application for restoration should not be dismissed at this stage.

In the interest of justice, list on 12.07.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR