M S Future School, Municipal No. 18-8-220/18, Riyasath Nagar, Phisalbanda, Midhani, Hyderabad, Telangana - 500059

V/s.

Secretary, Government of Telangana, Minorities Welfare Department, Government of Telangana, "D" Block, Ground Floor, Telangana Secretariat, Hyderabad – 500022

Case No. 294 of 2020

02.05.2023

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

District Minorities Welfare Officer, Hyderabad, Government of Telangana has addressed a letter dated 16.03.2023 to the District Education Officer, Hyderabad, Telangana and copy of thereof sent to the Commission, which was received in the Commission's Office on dated 20.03.2023 and is taken on record.

Collector, Hyderabad, , Government of Telangana has addressed a letter dated 27.02.2023 to the District Minority Welfare Officer, Hyderabad, Telangana and copy of thereof sent to the Commission, which was received in the Commission's Office on dated 09.03.2023 and is taken on record.

Mohammed Ilyas Ahmed, District Minorities Welfare Officer, Hyderabad District has forwarded an internal communication of the State Government to the Commission by email, which was received in the Commission's Office on dated 09.03.2023 and is taken on record.

Mohammed Ilyas Ahmed, District Minorities Welfare Officer, Hyderabad District has again forwarded an internal communication of the State Government to the Commission by email, wherein he prayed for time to file inspection report, which was received in the Commission's Office on dated 17.04.2023 and also taken on record. In the interest of justice, time prayed for is allowed.

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.

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

Office is again 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.

List on 13.07.2023.

DR. JASPAL SINGH MEMBER

Benedict Matriculation Higher Secondary School, Kutty Yercaud, Vellaikaradu, Anaimalayanpatty, Theni District, Tamil Nadu - 625526. Vs.

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

Case No. 318 of 2020

02.05.2023

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

Under Secretary (Minority Cell), Department of Higher Education, Ministry of Education, New Delhi has forwarded a joint letter of respondent by email to the Commission, which was received in the Commission's Office on dated 24.03.2023 and is taken on record.

Office is directed to issue final notice to the respondent in terms of Commission's earlier Order dated 07.03.2023.

In the interest of justice, list on 25.07.2023.

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Guru Nanak Girls High School, Khirki Ali Beg, Faizabad, Uttar Pradesh - 224001.

Vs.

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

Case No. 379 of 2020

02.05.2023

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/ physical inspection report from the Physical Inspection Committee till now.

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 by 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 again approach the members of the Physical inspection Committee and also provide all the relevant documents to the members of Physical Inspection Committee.

Learned Counsel for the petitioner prayed for time to file Recognition/Affiliation Certificate of the State/Central Board of Secondary Education (CBSE).

List on 25.07.2023.

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Shanthi Rani Matriculation Higher Secondary School, Kallal P.O., Sivagangai District, Tamil Nadu - 630305.

Vs.

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

Case No. 17 of 2021

02.05.2023

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

Despite service of regd. letter, there is no appearance on behalf of the respondent, even in the second round.

Learned Counsel for the petitioner prayed for time to file Recognition/Affiliation Certificate of the State/Central Board of Secondary Education (CBSE). In the interest of justice, time prayed for is allowed.

In the interest of justice, list on 26.07.2023.

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Infant Jesus Matriculation Higher Secondary School, Sanganur, Rathinapuri P.O., Coimbatore District, Tamil Nadu - 641027.

Vs.

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

Case No. 18 of 2021

02.05.2023

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

Learned Counsel for the petitioner prayed for time to file Recognition/Affiliation Certificate of the State/Central Board of Secondary Education (CBSE). In the interest of justice, time prayed for is allowed.

In the interest of justice, list on 26.07.2023.

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

David Matriculation Higher Secondary School, No. 132, Gandhi Road, Velachery, Chennai, Tamil Nadu - 600042.

Vs.

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

Case No. 19 of 2021

02.05.2023

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

Despite service of regd. letter to the State Competent Authority, no reply/ response has been received from the Competent Authority of the State of Tamil Nadu.

Office is directed to write a letter to the Chief Secretary, State of Tamil Nadu and Competent Authority of the State of Tamil Nadu for compliance of the Commission's earlier Order dated 02.03.2023.

In the interest of justice, list on 27.07.2023.

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

M.M. Rahmani B.Ed. College, Plot No. 4, Village - Damodarpur, Pasopur P.O., Tehsil / Taluk - Teghra, Begusarai District, Bihar - 851112.

Vs.

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

Case No. 58 of 2022

02.05.2023

Present: Mr. Junais P., 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/ physical inspection report from the Physical Inspection Committee till now.

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

Office is again 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.

List on 27.07.2023.

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Jamal Mohamed College of Teacher Education, No. 7, Race Course Road, Khaja Nagar, Tiruchirappalli, Tamil Nadu - 620020.

Vs.

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

Case No. 59 of 2022

02.05.2023

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

Despite giving email, no response/ reply filed on behalf of the respondent and 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)
- 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 27.07.2023.

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

St. Anne's High School, Chintapalli P.O., Visakhapatnam District, Andhra Pradesh - 531111.

Vs.

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

Case No. 74 of 2022

02.05.2023. Pres

ent: 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 the respondent even in the second round.

Learned Counsel for the petitioner has filed original recognition certificate issued by Addl. Joint Secretary, Andhra Pradesh before the Commission's office on dated 25.04.2023, which is taken on record.

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

In the interest of justice, now fix the case for final arguments on 01.08.2023.

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

St. Anne's High School (EM), Peda Boddepalli, Naripatnam, Visakhapatnam District, Andhra Pradesh - 531111.

Vs.

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

Case No. 75 of 2022

02.05.2023. Pres

ent: 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 the respondent even in the second round.

Learned Counsel for the petitioner has filed original recognition certificate issued by Addl. Joint Secretary, Andhra Pradesh before the Commission's office on dated 25.04.2023, which is taken on record.

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

In the interest of justice, now fix the case for final arguments on 01.08.2023.

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Punjalal Nathalal Shah Purnima High School, Dehgam, District - Gandhinagar, Gujarat - 382305.

Vs.

- 1. Secretary, Education Department, Government of Gujarat, 5th Block, Seven Flower, Sachivalaya, Gandhinagar, Gujarat.
- 2. Commissioner of School, Block No. : 9/1, Dr. Jivaraj Maheta Bhavan, Government of Gujarat, Gandhinagar, Gujarat.

Unregistered Appeal

02.05.2023. Pres

ent: Mr. Kiran Chandra Punjalal Shah for the appellant .

Mr. Kiran Chandra Punjalal Shah appeared on behalf of the appellant and submitted that his application was rejected by the State Government vide Order dated 11.06.2018 and the appellant was directed to file Impugned Order dated 11.06.2018 for further action in this matter.

Mr. Kiran Chandra Punjalal Shah stated that he wants to file a letter before the Commission's Office today itself regarding. He is directed to file the same before the Commission's Office.

In the interest of justice, list on 02.08.2023.

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Adam Public School, Village & Post - Sarkara, Chakrajmal, District - Bijnor, Uttar Pradesh - 246761.

Vs.

Additional Chief Secretary, Department of Basic Education, Government of Uttar Pradesh.

Case No. 32 of 2023

02.05.2023. Pres

ent: Dr. Faiyyaz Ahmad Ansari, for the petitioner.

Dr. Faiyyaz Ahmad Ansari 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 envelope and postage charges to the petitioner.

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Jamiatul Faisal Public Primary School, Village & Post - Raja Ka Taajpur, Block - Noorpur, District - Bijnor, Uttar Pradesh - 246735.

Vs.

Additional Chief Secretary, Department of Basic Education, Government of Uttar Pradesh.

Case No. 33 of 2023

02.05.2023. Pres

ent: Dr. Faiyyaz Ahmad Ansari, for the petitioner. None for the respondent.

Despite service of notice by registered post and e-mail, none appeared on behalf of the respondent 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 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 petitioner.

Petitioner is directed to approach the members of the Physical inspection Committee and provide all the relevant documents to the said Committee.

List on 08.08.2023.

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Shibli Public School, Village & Post - Raja Ka Tajpur, Tehseel - Chandpur, District - Bijnor, Uttar Pradesh 246735.

Vs.

Additional Chief Secretary, Department of Basic Education, Government of Uttar Pradesh.

Case No. 34 of 2023

02.05.2023. Pres

ent: Dr. Faiyyaz Ahmad Ansari, for the petitioner. None for the respondent.

Despite service of notice by registered post and e-mail, none appeared on behalf of the respondent 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 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 petitioner.

Petitioner is directed to approach the members of the Physical inspection Committee and provide all the relevant documents to the said Committee.

List on 08.08.2023.

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Hadi Public School, Village & Post - Kuri Rawana, Moradabad, Uttar Pradesh - 244501.

Vs.

Additional Chief Secretary, Department of Basic Education, Government of Uttar Pradesh.

Case No. 35 of 2023

02.05.2023. Pres

ent: Dr. Faiyyaz Ahmad Ansari, for the petitioner. None for the respondent.

Despite service of notice by registered post and e-mail, none appeared on behalf of the respondent 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 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 petitioner.

Petitioner is directed to approach the members of the Physical inspection Committee and provide all the relevant documents to the said Committee.

List on 08.08.2023.

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Brainy Stars International School, S Bingipura, Anekal Taluk, Bangalore South District, Karnataka - 560105.

Vs.

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

Case No. 36 of 2023

02.05.2023. Pres

ent: Dr. Faiyyaz Ahmad Ansari, for the petitioner. None for the respondent.

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

On 05.04.2023, a letter dated 18.03.2023 has been received by post from Commissioner, Directorate of Urdu and Other Linguistic Minority Schools, Office of Commissioner of Public Instruction, Karnataka in the Commission's office. Copy of said letter is taken on record.

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 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 petitioner.

Petitioner is directed to approach the members of the Physical inspection Committee and provide all the relevant documents to the said Committee.

List on 08.08.2023.

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

02.05.2023

Don Bosco Central School, Pavur P.O., Manjeshwar, Kasargod District, Kerala - 671323.

Vs.

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

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

An application has been received by hand on 20.04.2023 from Don Bosco Central School, Pavur P.O., Manjeshwar, Kasargod District, Kerala - 671323 for grant of minority status certificate. It be registered.

It transpires from the petition that the petitioner has applied on dated 12.07.2022 for grant of No Objection Certificate to the State Competent Authority i.e. Director, Directorate of Minority Welfare, Government of Kerala, 4th Floor, Vikas Bhavan, Thiruvananthapuram, Kerala – 695033.

Thereafter, State Competent Authority vide its order No. 4585/MSC/2022/DMW dated 09.02.2023 grant No Objection Certificate to the petitioner Institute.

Petitioner has filed Resolution passed by the Governing Body to obtain Minority Status Certificate from this Commission.

It also transpires from the petition that in this Un-aided School (Secondary Level) during the academic year 2022-23 total 479 students were studying and out of them 92 were belong to the Christian Minority Community.

After perusal of the record, we found that Mr. Michael K.A. has filed this application before this Commission for grant of Minority Status Certificate as Secretary, The Pavur Don Bosco Society and his name is available in the MoA of the Society which is duly certified by the Registrar of the Societies.

The petitioner Institution has applied for grant of Minority Status Certificate on the ground that the same has been established and is being administered by The Pavur Don Bosco Society, constituted by the members of the Christian Community. The aforesaid averments made in the petition find ample corroboration from the documentary evidence produced on behalf of the petitioner institution and the affidavit of Mr. Michael K.A. Don Bosco Central School, Kerala - 682507.

Vs.

Director, Kerala – 695033

Continued from pre-page

We have perused the Memorandum of Association of the Petitioner Institute which was registered before the District Magistrate Kasargod on dated 17.10.2022 which is well before the filing of No Objection Certificate (NOC) application u/s 10 of NCMEI Act., 2004 and application for grant of Minority Status Certificate (MSC) on dated 20.04.2023. So it is clear that the registration of the MoA is before the filling of No Objection Certificate (NOC) application u/s 10 of NCMEI Act., 2004 dated 12.07.2022 and application for grant of Minority Status Certificate (MSC) on dated 20.04.2023 before the Commission.

In the fact and circumstances of the case, we are of the considered opinion that when the State of Kerala has granted No Objection Certificate to the petitioner Institute to obtain Minority Status Certificate from this Commission, there is no need to give any notice to the respondent i.e. State Competent Authority.

Office is directed to return Envelope and postage charges to the petitioner. Heard learned counsel for the petitioner, Reserved for order.

> DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

A.K.

02.05.2023

Don Bosco School, Carmel Nagar, Gunadala, Vijayawada, Krishna District, Andhra Pradesh - 520004.

Vs.

Secretary, Department of Minorities Welfare, Government of Andhra Pradesh, 3rd Floor, Andhra Pradesh Secretariat, Velagagapudi, Amaravati, Andhra Pradesh - 521185.

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

An application for grant of minority status certificate to Don Bosco School, Carmel Nagar, Gunadala, Vijayawada, Krishna District, Andhra Pradesh - 520004 has been received from the petitioner by hand on 20.04.2023. It be registered.

It transpires from the petition that on 14.12.2021, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Secretary, Department of Minorities Welfare, Government of Andhra Pradesh, 3rd Floor, Andhra Pradesh Secretariat, Velagagapudi, Amaravati, Andhra Pradesh -521185, which was received by the respondent on 20.12.2021. 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 filed Resolution Passed by the Governing Body to obtain Minority Status Certificate from this Commission.

It also transpires from the petition that in this Un-aided School (Secondary Level) during the academic year 2020-21 total 348 students were studying and out of them 32 students were from Christian Minority Community, during the academic year 2021-22 total 435 students were studying and out of them 46 students were from the Christian Minority Community and during the academic year 2022-23 total 685 students were studying and out of them 215 students belongs to the Christian Minority Community.

Office is directed to issue notice by registered Ad and e-mail to the respondent.

In the interest of justice, list on 09.08.2023.

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER