

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

**Samta Shiksha Niketan, Bhagwan Mahaveer Marg, Sagod Road, Ratlam
District, Madhya Pradesh - 457001.**

Vs.

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

Case No. 69 of 2020

04.05.2023

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

Heard, learned counsel for the petitioner.

Reserved for Orders.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Joseph's Women's College of Education, Jayamadha Nagar,
Jolarpettai, Vellore District, Tamil Nadu - 635851.**

Vs.

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

Case No. 188 of 2020

04.05.2023

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

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

Respondent has not filed any reply/response regarding whether the petitioner institution has filed any application for grant of MSC before the State Competent Authority or not.

Office is directed to issue final reminder letter by post and also by email to the State Competent Authority whether the petitioner institution has filed any application for grant of MSC before the State Competent Authority or not.

In the interest of justice, list on 10.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Joseph's Primary School, No. 130, Kalathiappa Street, Choolai, Chennai,
Tamil Nadu - 600112.**

Vs.

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

Case No. 190 of 2020

04.05.2023

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

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

Deputy Secretary to the Government, Chennai has addressed a letter dated 03.04.2023 to the Director of Elementary Education, Chennai and copy thereof sent to the Commission by post, which was received in the Commission's Office on dated 19.04.2023 and is taken on record.

Respondent has not filed any reply/response regarding whether the petitioner institution has filed any application for grant of MSC before the State Competent Authority or not.

Office is directed to issue final reminder letter by post and also by email to the State Competent Authority whether the petitioner institution has filed any application for grant of MSC before the State Competent Authority or not.

In the interest of justice, list on 10.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

R.C.M. High School, Nehru Nagar, Walajabad, Kancheepuram District, Tamil Nadu - 631605.

Vs.

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

Case No. 206 of 2020

04.05.2023

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

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

Respondent has not filed any reply/response regarding whether the petitioner institution has filed any application for grant of MSC before the State Competent Authority or not.

Office is directed to issue final reminder letter by post and also by email to the State Competent Authority whether the petitioner institution has filed any application for grant of MSC before the State Competent Authority or not.

In the interest of justice, list on 10.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

St. Joseph's High School, Kottaikuppam, Pulicat, Thiruvallur District, Tamil Nadu - 601205.

Vs.

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

Case No. 207 of 2020

04.05.2023

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

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

Respondent has not filed any reply/response regarding whether the petitioner institution has filed any application for grant of MSC before the State Competent Authority or not.

Office is directed to issue final reminder letter by post and also by email to the State Competent Authority whether the petitioner institution has filed any application for grant of MSC before the State Competent Authority or not.

In the interest of justice, list on 10.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

R.C.M. Primary School, Walajabad, Kancheepuram District, Tamil Nadu - 635601

V/s.

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

Case No. 208 of 2020

04.05.2023

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

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

Deputy Secretary to the Government, Chennai has addressed a letter dated 03.04.2023 to the Director of Elementary Education, Chennai and copy thereof sent to the Commission by post, which was received in the Commission's Office on dated 19.04.2023 and is taken on record.

Respondent has not filed any reply/response regarding whether the petitioner institution has filed any application for grant of MSC before the State Competent Authority or not.

Office is directed to issue final reminder letter by post and also by email to the State Competent Authority whether the petitioner institution has filed any application for grant of MSC before the State Competent Authority or not.

In the interest of justice, list on 10.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Madarsa Kamarunisa Islamia Education, Mitawali, Etmadpur, Agra,
Uttar Pradesh - 283202.**

Vs.

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

Case No. 338 of 2020

04.05.2023

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

Learned Counsel for the petitioner submitted that Physical Inspection Committee has not inspected the petitioner institution till now and they have sent fake report to this Commission without inspection.

Learned Counsel for the petitioner prayed for time to file an application alongwith an Affidavit. 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**

Damien Public School, Diravianagar, Nilakottai, Dindigul Dt., Tamil Nadu.

Vs.

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

Case No. 365 of 2020

04.05.2023

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

Learned Counsel for the petitioner has filed downloaded copy of CBSE Affiliation Order of Damien Pubic School before the Commission's office on dated 27.04.2023 and is taken on record.

Physical Inspection Committee has sent Physical Inspection Report by email which is received before the Commission's office on dated 27.04.2023 and is also taken on record.

Learned Counsel for the petitioner submitted that Physical Inspection Committee has already sent the original physical inspection report to the Commission's office three months ago and the same was received by the office of the Commission but that physical inspection report is not on record.

Secretary is directed to enquire the matter and if physical inspection report is received by the Commission, place on file before the next date of hearing.

List on 03.08.2023

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Thomas Academy, Magazine Road, St. Thomas Mount, Chennai,
Tamil Nadu - 600016.**

Vs.

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

Case No. 29 of 2021

04.05.2023

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

Learned Counsel for the petitioner prayed for time to comply with the Commission's earlier order dated 09.03.2023. 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**

**A.P.J. Abdul Kalam Degree College, Pakri Deoraj, Ramnagar, West
Champaran, Bihar – 845106.**

Vs.

**Secretary, Human Resource Development Department, Government of
Bihar, Secretariat, Patna, Bihar - 821101.**

Case No. 111 of 2021

04.05.2023

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

In compliance of Commission's earlier order dated 26.10.2022, Physical Inspection Committee has sent covering letter dated 20.08.2022 and 22.10.2022 alongwith original physical inspection reports by post which were received in the Commission's Office on dated 07.03.2023 and are taken on record.

Learned Counsel for the petitioner submitted that they have filed all the relevant documents.

In the interest of justice, list 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. Joseph's Nursery and Primary School, No. 6, Siva Sankaran Street,
Kilpauk, Chennai, Tamil Nadu - 600010.**

Vs.

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

Case No. 125 of 2021

04.05.2023

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

Learned Counsel for the petitioner prayed for time to comply with the Commission's earlier order dated 09.03.2023. 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**

Hebron School, Lushington Hall, Ootacamund, Nil Giris District, Tamil Nadu - 643001.

Vs.

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

Case No. 223 of 2021

04.05.2023.

Present: Mr. Nasib Masih, Advocate for the petitioner.
None for the respondent.

Mr. Nasib Masih, Advocate appeared on behalf of the arguing counsel Mr. Manoj V. George.

Learned Counsel for the petitioner has filed two documents before the Commission's office on dated 07.03.2023, which are taken on record.

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

Now, list the case for arguments before the full bench on 03.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

Nabajyoti U.P. School, Kerjenga, Pallahara, Angul District, Orissa - 759119.

Vs.

Director, Elementary Education, 5th Floor, HOD Building, Unit - V, Bhubaneswar - 01, Khordha, Odisha.

Case No. 71 of 2022

04.05.2023.

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

Heard, learned counsel for the petitioner.

Reserved for Orders.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

Nabajyoti High School, Kerjenga, Pallahara, Angul District, Orissa - 759119.

Vs.

The Director, Secondary Education, 6th Floor, HOD Building, Unit - V, Bhubaneswar, Khordha, Odisha - 751001.

Case No. 72 of 2022

04.05.2023

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

Learned Counsel for the petitioner again prayed for time to file updated Recognition/Affiliation Certificate of the Odisha State Board. In the interest of justice, time prayed for is allowed.

List on 08.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

Jayarani Matriculation Higher Secondary School, Nethimedu, District Salem, Tamil Nadu-636002

Vs.

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

Case No. 145 of 2022

04.05.2023

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.

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 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 09.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Joseph's School (Nursery and Primary), V. Sathanur, District
Villupuram, Tamil Nadu-605652**

Vs.

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

Case No. 146 of 2022

04.05.2023

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

District Educational Officer (Secondary), Villupuram has sent a letter dated 24.02.2023 addressed to the District Educational Officer (Private Schools), Villupuram and the copy of same letter thereof has been forwarded to the Commission, which was received by post in the Commission's Office on dated 20.03.2023 and 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.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Shanthi Nilayam Special School for Intellectual Disabled, Paruthivilai,
Agasteeswaram Taluk, Erumbukadu P.O., District Kanyakumari, Tamil
Nadu-629004**

Vs.

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

Case No. 147 of 2022

04.05.2023

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.

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 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 09.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Nishwan Shahid Shikshan Sansthan, Village - Kachhara, Pawai,
Azamgarh, Uttar Pradesh - 276288.**

Vs.

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

Case No. 39 of 2023

04.05.2023.

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

Ms. Pooja Pathak, from the Office of Basic Shiksha Adhikari,
Block Resource Centre, Pawai, Azamgarh for the respondent

Ms. Pooja Pathak from the Office of Basic Shiksha Adhikari, Block
Resource Centre, Pawai, Azamgarh appeared on behalf of the respondent
and submitted that she wants to file some relevant documents before the
Commission's Office today itself.

She is directed to file the said documents before the Commission's
Office today itself.

In the interest of justice, list on 10.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

H.K.G.N. International School, Purdil Nagar, Hathras District, Uttar Pradesh - 204214.

Vs.

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

Case No. 40 of 2023

04.05.2023.

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

Learned counsel for the petitioner has filed one additional envelope with postage for sending notice to the newly added respondent before the Commission's Office on dated 23.02.2023, which is taken on record. .

Learned counsel for the petitioner prayed for time to file certain relevant documents. Time prayed for is allowed.

In the interest of justice, list on 10.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Madarsa Mo. Shahid Shikshan Sansthan, Village - Kachhhara, Pawai,
Azamgarh, Uttar Pradesh - 276288.**

Vs.

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

Case No. 41 of 2023

04.05.2023.

Present: Mr. Junais P., 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 10.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Rosario English Medium Higher Primary School, Bolar, Mangaluru, Dakshina
Kannada District, Karnataka - 575001.**

Vs.

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

Case No. 43 of 2023

04.05.2023.

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.

A communication dated 18.03.2023 is received from Dr. Vihal. R, IAS, Commissioner, Directorate of Urdu and other Linguistic Minority Schools, Office of Commissioner of Public Instruction, Bangalore, Karnataka by post in the Commission's Office on dated 05.04.2023 mentioning therein that a notice ought to have been issued to the Commissioner for Public Instructions, Bangalore who functions under the Principal Secretary, Deptt. of School Education and Literacy instead of Additional Chief Secretary, Deptt. of Higher Education. The copy of said letter is taken on record.

As per the list of Competent Authority, Govt. of Karnataka has already confirmed Additional Chief Secretary, Deptt. of Higher Education as the Competent Authority for grant of NOC.

Learned counsel for the petitioner submitted that this letter pertains to grant of MSC to the petitioner institution and not for grant of NOC u/s 10 of NCMEI Act, 2004.

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.

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Rosario English Medium Higher Primary School, Karnataka Vs Additional Chief Secretary, Education Department (Higher Education), Govt. of Karnataka.

Case No. 43 of 2023

04.05.2023.

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It transpires from the petition that on 07.10.2022, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Additional Chief Secretary, Education Department (Higher Education), Govt. of Karnataka, Sixth Floor, Multi-Storeyed Building, Bengaluru, Karnataka - 560001, which was received by the respondent on 10.10.2022. The said petition is still pending. The petitioner has waited sufficiently for a period of 90 days, before filing this petition. Hence, as per Section 10 (3) of the NCMEI Act, 2004, the petitioner has applied for grant of MSC to the Commission

Office is also directed to send a letter enclosing a copy of this Order to the respondent by registered AD/ e-mail.

In the interest of justice, list on 10.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS