

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

**Bharath Nursery and Primary School, Housing Board Colony, Sankar Nagar, Tirunelveli District, Tamil Nadu - 627357.**

**Vs.**

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

**Case No. 172 of 2020**

**09.05.2023.**

Present: Mr. Prasanth.K, Advocate for the petitioner.  
None for the respondent.

Mr. Prasanth. K appeared on behalf of the arguing counsel Mr. Junais P.

We have already granted last and final opportunity in this case on previous two hearings dated 19.01.2023 and 16.03.2023.

Now, learned counsel for the petitioner again prayed for last and final opportunity to comply with the Commission's earlier Order dated 22.09.2022 since the main counsel is out of Delhi. In the interest of justice, one last and final opportunity is again granted.

List on 19.07.2023.

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**St. Joseph's High School, Ayyanarkula 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. 307 of 2020**

**09.05.2023.**

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

Learned Counsel for the petitioner has filed notarized copy of last two pages of the amended MoA in Tamil language alongwith its notarized English translation by hand, before the Commission's Office on dated 04.05.2023, which is taken on record.

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

List on 19.07.2023.

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**R.C.M. Boys Primary School, Surada, Ganjam, Odhisha - 761108.**

**Vs.**

**Director, Elementary Education, 5th Floor, HOD Building, Unit - V,  
Bhubaneswar - 01, Khordha, Odisha – 751001.**

**Case No. 413 of 2020**

**09.05.2023.**

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**

**Good Shepherd Nursery and Primary School, No. 2/8, Corporation Colony, 2nd Lane, Seniammen Koil Street, Tondiarpet, Chennai, Tamil Nadu - 600081.**

**Vs.**

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

**Case No. 449 of 2020**

**09.05.2023.**

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

Learned counsel for the petitioner has filed two documents viz. Original and notarized copy of first Trust deed and Original and notarized copy of amended Trust deed, before the Commission's Office by hand on dated 02.05.2023. Both originals and their notarized copies are taken on record.

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

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**Immaculate College of Education for Women, Pakkamudayanpet,  
Puducherry - 605008.**

**Vs.**

**Lieutenant Governor, Raj Nivas, Puducherry - 605001.**

**Case No. 106 of 2021**

**09.05.2023.**

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

Learned counsel for the petitioner prayed for time to file NCTE  
recognition. Time prayed for is allowed.

In the interest of justice, at the request of learned counsel for the  
petitioner, list the case for final arguments on 18.05.2023.

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**Christian English College, Nowgong Road, Chhatarpur District, Madhya Pradesh - 471001.**

**Vs.**

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

**Case No. 112 of 2021**

**09.05.2023.**

Present: Mr. Jose Abraham, 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.

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

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

List on 01.08.2023.

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**Servite Matriculation Higher Secondary School, Therkupallam,  
Thogaimalai, Karur District, Tamil Nadu - 621313.**

**Vs.**

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

**Case No. 113 of 2021**

**09.05.2023.**

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 issued by the Central/ State examination board. 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**

**St. Alphonsa School, Jhirnia Village, Parvalia Road, Huzur Tehsil,  
Mugaliya P.O., Bhopal District, Madhya Pradesh - 462036.**

**Vs.**

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

**Case No. 167 of 2021**

**09.05.2023.**

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**

**Holy Family Matriculation School, Kangayampalayam P.O., Sulur,  
Coimbatore District, Tamil Nadu - 641401.**

**Vs.**

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

**Case No. 151 of 2022**

**09.05.2023.**

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

Despite service of notice by registered post and e-mail, we have not received any reply/ response from the respondent.

Learned counsel for the petitioner 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 02.08.2023.

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**R.C. St. Joseph's Primary School, Koothavakkam, OMR, Thiruporur,  
Kancheepuram District, Tamil Nadu - 603104.**

**Vs.**

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

**Case No. 154 of 2022**

**09.05.2023**

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

District Collector, Kancheepuram has written a letter dated 13.03.2023 to the District Collector, Chengalpet and copy of the same letter has sent to this Commission by post and stated that this educational institution is belongs to Chengalpet district jurisdiction. Hence, the original petition has been forwarded to the District Collector, Chengalpet, which is received in the Commission's Office on dated 20.03.2023 and is taken on record.

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.

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 provide all the relevant documents to the members of Physical Inspection Committee.

In the interest of justice, list on 02.08.2023.

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**Fusco's Matriculation Higher Secondary School, 17-1-543, Main Road,  
T. Vadipatti, Madurai District, Tamil Nadu - 625218.**

**Vs.**

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

**Case No. 155 of 2022**

**09.05.2023**

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

Physical Inspection Committee has sent by post, physical inspection report along with covering letter dated 18.04.2023, which was received in the Commission's Office on dated 02.05.2023 and is taken on record.

Learned counsel for the petitioner again prayed for time to file updated recognition/ affiliation order issued by State Board/CBSE.

In the interest of justice, list on 02.08.2023.

**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, Koothavakkam, OMR,  
Thiruporur Kancheepuram District, Tamil Nadu - 603104.**

**Vs.**

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

**Case No. 156 of 2022**

**09.05.2023**

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

District Collector, Kancheepuram has written a letter dated 03.04.2023 to the District Collector, Chengalpet and copy of the same letter has sent to this Commission by post and stated that this educational institution is belongs to Chengalpet district jurisdiction. Hence, the original petition has been forwarded to the District Collector, Chengalpet, which is received in the Commission's Office on dated 13.04.2023 and is taken on record.

Copy of the same letter along with other case was also received before he Commission's Office on dated 20.03.2023, which is taken on record.

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.

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 provide all the relevant documents to the members of Physical Inspection Committee.

In the interest of justice, list on 02.08.2023.

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**De Paul's Public School, Village - Kotripara, Dotma P.O., Kokrajhar District, BTAD, Assam - 783347.**

**Vs.**

**Joint Secretary, Education Department (Higher), Assam Secretariat, Block C, Secretariat Complex, Dispur, Guwahati, Assam – 781006.**

**Case No. 197 of 2022**

**09.05.2023**

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

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

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 provide all the relevant documents to the members of Physical Inspection Committee.

In the interest of justice, list on 08.08.2023.

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**Asian Christian High School. Jeemangalam, Bagalur P.O., Hosur,  
Krishnagiri District, Tamil Nadu - 635103.**

**Vs.**

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

**Case No. 202 of 2022**

**09.05.2023**

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 01.11.2022. 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**

**St. Mary's School, S.L.F. Ved Vihar, Sadullabad Village, Loni P.O.,  
Ghaziabad District, Uttar Pradesh - 201102.**

**Vs.**

- 1. Additional Chief Secretary, Department of Basic 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. 44 of 2023**

**09.05.2023**

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

Learned counsel for the petitioner filed by hand, envelope and postal stamps for sending notice to the respondent , before the Commission's Office on dated 05.04.2023, which is taken on record.

In compliance of the Commission's earlier Order dated 08.02.2023, learned counsel for the petitioner filed notarized copy of Recognition Order of St. Mary's School (standard 6<sup>th</sup> to 8<sup>th</sup>) by hand, before the Commission's Office on dated 02.05.2023, which is taken on record.

Office is directed to issue notice to the respondent by registered A. D. and email.

In the interest of justice, list on 09.08.2023.

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**St. Antony's Matric Hr. Sec. School, Anthoniyar Nagar, TVR Road,  
Thirutharaipoondi, Thiruvarur District, Tamil Nadu - 614713.**

**Vs.**

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

**Case No. 45 of 2023**

**09.05.2023**

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

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

Ms. Tulsi Negi, Under Secretary to the Government of India, Ministry of Education, Department of Higher Education, Minority Cell has forwarded three letters of Government of Tamil Nadu mentioning in subject " forwarding of various references of Ministry of Education regarding", which is received in the Commission's Office on dated 24.04.2023 and is taken on record.

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

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

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

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

Learned counsel for the petitioner prayed for a copy of the letter issued to the members of Physical Inspection Committee in order to pursue the matter with the Physical Inspection Committee, for inspection of the petitioner institution.

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

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

List on 09.08.2023.

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR



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

**St. Rita English Medium School, Vittal, Bantwal Taluk, Dakshina  
Kannada District, Karnataka - 574243.**

**Vs.**

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

**Case No. 46 of 2023**

**09.05.2023**

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 28.03.2023 jointly for 15 cases was received from Dr. Vihal. R, IAS, Commissioner, Directorate of Urdu and other Linguistic Minority Schools, Office of Commissioner for School Education, Nrupathunga Road, Bangalore, Karnataka by post in the Commission's Office on dated 05.04.2023 and requested for dismissal of the cases filed before the NCMEI and mentioning therein that a notice ought to have been issued to the Commissioner for School Education, 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.

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

Contd...2/-

**Case No. 46 of 2023**

**09.05.2023**

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.

In the interest of justice, list on 16.08.2023.

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**Nithyadhar English Medium School, Nithyadhar Nagar, Permannur  
Post, Mangalore Taluk, Dakshina Kannada District, Karnataka - 575017.**

**Vs.**

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

**Case No. 47 of 2023**

**09.05.2023**

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 28.03.2023 jointly for 15 cases was received from Dr. Vihal. R, IAS, Commissioner, Directorate of Urdu and other Linguistic Minority Schools, Office of Commissioner for School Education, Nrupathunga Road, Bangalore, Karnataka by post in the Commission's Office on dated 05.04.2023 and requested for dismissal of the cases filed before the NCMEI and mentioning therein that a notice ought to have been issued to the Commissioner for School Education, 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.

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

Contd...2/-

**Case No. 47 of 2023**

**09.05.2023**

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.

In the interest of justice, list on 16.08.2023.

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**St. Mary's English Medium School, Uppinangady Taluk, Dakshina  
Kannada District, Karnataka - 574241.**

**Vs.**

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

**Case No. 48 of 2023**

**09.05.2023**

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 28.03.2023 jointly for 15 cases was received from Dr. Vihal. R, IAS, Commissioner, Directorate of Urdu and other Linguistic Minority Schools, Office of Commissioner for School Education, Nrupathunga Road, Bangalore, Karnataka by post in the Commission's Office on dated 05.04.2023 and requested for dismissal of the cases filed before the NCMEI and mentioning therein that a notice ought to have been issued to the Commissioner for School Education, 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.

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

Contd...2/-

**Case No. 48 of 2023**

**09.05.2023**

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.

In the interest of justice, list on 16.08.2023.

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR