

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS  
International Access School, At-Barhan, Post & Dt., - Siwan, Bihar.**

**Vs.**

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

**Case No. 836 of 2019**

**18.05.2023**

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

Chairperson of the Physical Inspection Committee has sent some papers along with covering letter dated 09.05.2023, which was received in the Commission's Office on dated 16.05.2023 and is taken on record.

They have written in the above letter that they are submitting Inspection Report along with this letter, but we have not received original report along with the said letter.

Physical Inspection Committee has sent a copy of the physical inspection report along with covering letter sated 09.05.2023 by email, which was received in the Commission's Office on dated 10.05.2023 and is taken on record.

Office is directed to send letter to the Physical Inspection Committee for sending original Physical Inspection Report positively before next date of hearing.

Looking to the controversy of amended beneficiary clause, learned counsel for the petitioner prayed for time to file original amended MOA of the petitioner's Society.

We have seen the previous Order-sheet dated 16.02.2023, application for amendment is not allowed or rejected till now. This is due to the controversy that Deputy Director (Secondary Education), Patna, Bihar filed reply dated 21.12.2022 and communicated to the Commission that no record available in their Department in respect of MSC application filed by the petitioner.

Office is directed to send specific letter to the Bihar State Competent Authority, whether the petitioner institution has applied before the said Authority for grant of MSC or not till now.

In the interest of justice, list on 02.08.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**Shri Dharmpal Singh Tyagi.**

**V/s.**

**1. Shri Ajit Nath Jain Inter College, Sherpur Luhara (Baghpat), Uttar Pradesh.**

**2. Deputy Director, Minority Welfare Department, 6th Floor, Indira Bhawan, Lucknow, Uttar Pradesh.**

**Misc. Case No. 18 of 2019**

**18.05.2023**

Present: Mr. Prashant Pathak, Advocate for the petitioner.

Mr. Bijendra Kumar Jain for the respondent No.1

None for the Respondent No.2.

Mr. Prashant Pathak, Advocate appeared on behalf of the appeared on behalf of the arguing counsel Mr. Susheel Tomar.

Mr. Bijendra Kumar Jain appeared on behalf of the respondent No.1

None for the Respondent No.2.

Mr. Prashant Pathak, Advocate appeared on behalf of the applicant and submitted that similar matter was decided by this Commission in the Case No. 2392 of 2013 namely Shri R.C. Jain and Anr. Vs. J.V. Jain College, Praduman Nagar, Saharanpur, UP., which was decided by the Commission on dated 15.02.2019 and this case was challenged on Hon'ble High Court of Judicature of Allahabad and still pending in the Hon'ble High Court. He further submitted that the date in the said matter is fixed in July, 2023 but specific date is not known at this time.

In the interest of justice, list on 29.08.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

**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**

**18.05.2023**

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

None for the respondent.

Learned Counsel for the petitioner filed by hand, latest Recognition Order of NCTE, before the Commission's Office on dated 12.05.2023, which is taken on record.

Heard, learned counsel for the petitioner.

Reserved for Orders.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**Saint Arnold's School, HIG - 489, K-5, Kalinga Vihar, Khurda, Bhubaneswar  
District, Orissa - 751019.**

**Vs.**

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

**Case No.161 of 2022**

**18.05.2023**

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

Learned Counsel for the petitioner filed by hand, written submissions, before the Commission's Office on dated 08.05.2023, which is taken on record.

Learned Counsel for the petitioner is directed to submit one copy of the written submissions and envelope and postal stamps for sending written submissions to the respondent.

After compliance of the above order by the learned Counsel for the petitioner, Office is directed to send copy of the written submissions to the respondent by regd. AD and email.

List on 17.08.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**St. Mary Convent School, Rajoula Village, Deori P.O., Sagar District , Madhya Pradesh.**

**Vs.**

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

**Case No. 162 of 2022**

**18.05.2023**

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 email, physical inspection report along with covering letter dated 02.03.2023, which was received in the Commission's Office on dated 27.03.2023, same report was also sent by the said Committee members by post, which was received in the Commission's Office on dated 09.03.2023, same report was again sent by post, which was received in the Commission's Office on dated 05.04.2023 and all the three reports are 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 22.08.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**St. Lasalle English Medium High School, Keesara Post, Kanchikacherla  
Mandal, Krishna District, A.P. – 521 185**

**V/s.**

**Secretary, Department of Minorities Welfare, Govt. of A.P., 3rd Floor,  
Andhra Pradesh Secretariat, Velagapudi, Amaravati, A.P.-521 185**

**Case No. 174 of 2022**

**18.05.2023**

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 10.03.2023, which was received in the Commission's Office on dated 13.03.2023 and is taken on record.

Learned counsel for the petitioner filed an application under Order VIII Rule 9 and Section 151 C.P.C. read with Section 12 of the NCMEI Act, 2004, to accept the Rejoinder Affidavit. He has also submitted a copy of the same application along with an envelope and postal stamp, before the Commission's Office on dated 11.05.2023, which are also taken on record.

Office is directed to issue notice of the above application to the respondent by post and email.

In the interest of justice, list on 23.08.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**BJT Degree College, D.No. 187, Keesara Post, Kanchikacherla Mandal,  
Krishna District, A.P.-521 185.**

**V/s.**

**Secretary, Department of Minorities Welfare, Government of A.P.,  
Velagapudi, Amaravati, A.P.-521 185**

**Case No. 175 of 2022**

**18.05.2023**

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 original with joint covering letter dated 10.03.2023, which was received in the Commission's Office on dated 13.03.2023, which is photocopy of above letter and is taken on record.

Learned counsel for the petitioner filed an application under Order VIII Rule 9 and Section 151 C.P.C. read with Section 12 of the NCMEI Act, 2004, to accept the Rejoinder Affidavit. He has also submitted a copy of the same application along with an envelope and postal stamp, before the Commission's Office on dated 11.05.2023, which are also taken on record.

Office is directed to issue notice of the above application to the respondent by post and email.

In the interest of justice, list on 23.08.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**St. Mary's Central School, Kinnigoli, Mangalore Taluk, Dakshina  
Kannada District, Karnataka - 574150.**

**Vs.**

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

**Case No. 71 of 2023**

**18.05.2023.**

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.

Commissioner, Directorate of Urdu and other Linguistic Minority Schools, Office of Commissioner for School Education, Nrupathunga Road, Bangalore, Karnataka has sent by post a joint reply dated 12.04.2023 in 04 cases including the present case, which was received in the Commission's Office on dated 24.04.2023, photocopy of the above letter is taken on record.

By the said letter Commissioner, Directorate of Urdu and other Linguistic Minority Schools, Office of Commissioner for School Education has submitted that all the petitioners have directly filed the petition for grant of MSC to the Commission. They have also submitted that all the cases are filed against the Additional Chief Secretary, Education Department (Higher Education). Instead of this, it should have been the Commissioner of school Education, Bengaluru who functions under the Principal Secretary, Department of School Education and Literacy, which is the administrative department dealing with the declaration of an educational institution as a Minority one for classes 1<sup>st</sup> to 12<sup>th</sup>.

In view of the aforesaid information, they are requested to dismiss the petition and also requested to provide an opportunity to observe the proceedings of the cases through video conference and link may kindly be sent to this office e-mail id: [dpminority2010@gmail.com](mailto:dpminority2010@gmail.com).

As per our record for grant of NOC, Additional Chief Secretary, Education Department (Higher Education), Govt. of Karnataka, Bengaluru, Karnataka is declared State Competent Authority by the State of Karnataka. So this Commission had issued notice to the right Competent Authority and as per the request of Commissioner, Directorate of Urdu and other Linguistic Minority Schools, Office of Commissioner for School Education, Nrupathunga Road, Bangalore, Karnataka to hear the proceeding through video conferencing, we also find it is appropriate suggestion.



Secretary, NCMEI is directed that a Television and other related equipments should affix in the court room during the course of hearing to start the proceeding through video conferencing as per the suggestion of Commissioner, Directorate of Urdu and other Linguistic Minority Schools, Office of Commissioner for School Education, Nrupathunga Road, Bangalore, Karnataka.

Office is directed to send a letter to the said authority that filing applications for grant of NOC under Section 10 of NCMEI, Act, 2004 is separate matter and application for grant of MSC to the State Competent Authority is another matter.

Petitioner is free to approach one method out of above two. In the present case petitioner has filed an application for grant of NOC to the State Competent Authority and as per Section 10 of NCMEI Act, 2004, Competent Authority should have disposed of the application within prescribed period of 90 days otherwise as per the prescribed provisions deemed to be granted NOC.

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 by post and email 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 23.08.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

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

**Sanskriti Nursery, Gambhir Building, Kotwali Road, Maya Bazar,  
Gorakhpur, Uttar Pradesh - 273013.**

**Vs.**

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

**Case No. 72 of 2023**

**18.05.2023.**

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

Dr. Rajesh Kumar, Distt. Coordinator, Inclusive Education, Deptt.  
of Basic Education for the respondent.

In compliance of the notices sent to the respondents by registered post and e-mails, Dr. Rajesh Kumar, Distt. Coordinator, Inclusive Education, Deptt. of Basic Education appeared on behalf of the respondents and prayed for time to file their reply. Time prayed for is allowed

Learned counsel for the petitioner has filed four documents before the Commission's Office on dated 03.03.2023, which are taken on record.

In the interest of justice, list on 29.08.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**Metropolitan School, D-26 Avas Vikas Colony, Surajkund, Gorakhpur,  
Uttar Pradesh - 273013.**

**Vs.**

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

**Case No. 73 of 2023**

**18.05.2023.**

Present: Mr. Junais P., Advocate for the petitioner.  
Sh. Vijay Kumar Singh, Principal, Govt. High School,  
Gorakhpur, U.P. for the respondent.

In compliance of the notices sent to the respondents by registered post and e-mails, Sh. Vijay Kumar Singh, Principal, Govt. High School, Gorakhpur, U.P. appeared on behalf of the respondents and prayed for time to file their reply. Time prayed for is allowed.

Sh. Vijay Kumar Singh, Principal, Govt. High School submitted that they have not received the copy of the petition. So, learned counsel for the petitioner is directed to provide one more copy of the petition alongwith the copies of relevant documents to Sh. Vijay Kumar Singh for filing the reply.

Sh. Vijay Kumar Singh also submitted that the level of petitioner institution is from 1<sup>st</sup> to 8<sup>th</sup> standard and of Additional Chief Secretary, Department of Basic Education, Government of Uttar Pradesh is the Competent Authority in this matter but we have not made the said authority as party respondent.

Govt. of Uttar Pradesh has notified State Competent Authority vide circular dated 14.06.2022 and as per the said circular, Additional Chief Secretary, Department of Basic Education, Government of Uttar Pradesh is appointed as State Competent Authority for grant of NOC to the minority educational institutions from 1<sup>st</sup> to 8<sup>th</sup> standard but petitioner has applied for grant of NOC u/s 10 of NCMEI Act, 2004 on dated 02.11.2022 to the wrong competent authority i.e. Principal Secretary, Department of Secondary Education, Government of Uttar Pradesh.

Learned counsel for the petitioner submitted that in previous Order sheet of this Commission dated 01.03.2023, reference of circular dated 05.05.2022 was mentioned. We have perused the previous Order sheet and found that inadvertently previous notification of Govt. of Uttar Pradesh dated 05.05.2022 was mentioned however another notification dated 14.06.2022

Contd.....2/-

**Case No. 73 of 2023**

**18.05.2023.**

was published after that by the State Govt. of Uttar Pradesh and so, learned counsel for the petitioner submitted that the petitioner should be made aware of the notification dated 14.06.2022 issued by the Govt. of Uttar Pradesh.

This Commission has uploaded the list of State Competent Authority only for the sake of awareness and benefit of educational institutions.

Learned counsel for the petitioner has filed four documents before the Commission's Office on dated 03.03.2023, which are taken on record.

Office is directed to implead Additional Chief Secretary, Department of Basic Education, Government of Uttar Pradesh as respondent No.3.

Learned counsel for the petitioner is directed to submit one more envelope and postage charges for sending notice to the newly added respondent No.3.

After compliance of the above order by the learned counsel for the petitioner, Office is directed to send notice to respondent No.3 by registered post and e-mail.

In the interest of justice, list on 29.08.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**Metropolitan School, Medical College Road, Gulhariya Bazar,  
Gorakhpur, Uttar Pradesh - 273013.**

**Vs.**

- 1. Principal Secretary, Department of Secondary 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. 74 of 2023**

**18.05.2023.**

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

Sh. Vijay Kumar Singh, Principal, Govt. High School, Gorakhpur,  
U.P. for the respondent.

In compliance of the notices sent to the respondents by registered post and e-mails, Sh. Vijay Kumar Singh, Principal, Govt. High School, Gorakhpur, U.P. appeared on behalf of the respondents and is ready to file their reply today itself.

He is directed to file reply before the Commission's Office and also to provide a copy of the reply to the learned counsel for the petitioner.

This Commission has also issued letter to Chairman and Chief Executive & Secretary of the Council for the Indian School Certificate Examination but we have not received any response/ reply till now.

Learned counsel for the petitioner has filed four documents and copy of affiliation order of the petitioner institution also before the Commission's Office on dated 21.03.2023, which are taken on record.

In the interest of justice, list on 29.08.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**St. Xavier's English Medium School, Simrawari Bhel, Jhansi District,  
Uttar Pradesh - 284129.**

**Vs.**

**Additional Chief Secretary, Department of Secondary Education,  
Government of Uttar Pradesh.**

**Case No. 75 of 2023**

**18.05.2023.**

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

Mr. Ran Vijay Singh, Lecturer, Govt. Inter College, Sakrar Jhansi,  
U.P. for the respondent.

In compliance of the notices sent to the respondents by registered post and e-mails, Mr. Ran Vijay Singh, Lecturer, Govt. Inter College, Sakrar Jhansi, U.P. appeared on behalf of the respondent and is ready to file the reply today itself.

He is directed to file reply before the Commission's Office and also to provide a copy of the reply to the learned counsel for the petitioner.

In the interest of justice, list on 29.08.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**18.05.2023**

**Sahib Institute of Management And Research, 255/1/1/2, Gram - Morod, Khandva Road, Indore, Madhya Pradesh - 452020.**

**Vs.**

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

Present: Mr. Iftekar Ahmad, Advocate for the petitioner.

An application has been received by hand on 09.05.2023, from Sahib Institute of Management And Research, 255/1/1/2, Gram - Morod, Khandva Road, Indore, Madhya Pradesh - 452020, for grant of minority status certificate. It be registered.

It transpires from the petition that on 27.01.2023, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Secretary, Backward Classes and Minority Welfare Department, Government of Madhya Pradesh, Room No. 339, Mantralaya, Bhopal, Madhya Pradesh, which was received on same day on 27.01.2023 by hand by the unknown person and affixed the seal of Office of the Backward Classes and Minority Welfare Deptt., Madhya Pradesh. The said petition is still pending. The petitioner has waited sufficiently for period of 90 days, before filing this petition.

The petitioner has filed letter dated 27.01.2023, wherein respondent has affixed the seal as proof of service of the NOC application.

Petitioner has filed Resolution Passed by the Governing Body to obtain Minority Status Certificate from this Commission and envelope with postage for sending notice to the State Competent Authority.

It also transpires from the petition that in this Un-aided Institute (General Degree College) during the academic year 2021-22 total 125 students were studying and out of them 41 Students belongs to the Muslim Minority Community.

In this petition Registration of Memorandum of Association of the Society is prior to the filing application u/s 10 of NCMEI Act. 2004 before the State Competent Authority and also petition for grant of Minority Status Certificate before this Commission.

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

In the interest of justice, list on 30.08.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

A.K.

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

**18.05.2023**

**Gurukripa College of Professional Studies, Gram Kamton, Tehsil - Bareli,  
District - Raisen, Madhya Pradesh.**

**Vs.**

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

Present: Mr. Iftekar Ahmad, Advocate for the petitioner.

An application has been received by hand on 09.05.2023, from Gurukripa College of Professional Studies, Gram Kamton, Tehsil - Bareli, District - Raisen, Madhya Pradesh, for grant of minority status certificate. It be registered.

It transpires from the petition that on 05.01.2023, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Secretary, Backward Classes and Minority Welfare Department, Government of Madhya Pradesh, Room No. 339, Mantralaya, Bhopal, Madhya Pradesh, which was received on same day on 05.01.2023 by hand by the unknown person and affixed the seal of Office of the Backward Classes and Minority Welfare Deptt., Madhya Pradesh. The said petition is still pending. The petitioner has waited sufficiently for period of 90 days, before filing this petition.

The petitioner has filed letter dated 05.01.2023, wherein respondent has affixed the seal as proof of service of the NOC application.

Petitioner has filed Resolution Passed by the Governing Body to obtain Minority Status Certificate from this Commission and envelope with postage for sending notice to the State Competent Authority.

It also transpires from the petition that in this Un-aided Institute (General Degree College) during the academic year 2021-22 total 125 students were studying and out of them 08 Students belongs to the Jain Minority Community.

In this petition Registration of Memorandum of Association of the Society is prior to the filing application u/s 10 of NCMEI Act. 2004 before the State Competent Authority and also petition for grant of Minority Status Certificate before this Commission.

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

In the interest of justice, list on 30.08.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

A.K.



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

**18.05.2023**

**Poise College, (formerly Known as JPB College), Gram Sankal Kheda Kalan, SH-19, Ashok Nagar Road, District - Vidisha, Madhya Pradesh.**

**Vs.**

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

Present: Mr. Iftekar Ahmad, Advocate for the petitioner.

An application has been received by hand on 09.05.2023 from Poise College, (formerly Known as JPB College), Gram Sankal Kheda Kalan, SH-19, Ashok Nagar Road, District - Vidisha, Madhya Pradesh for grant of minority status certificate. It be registered.

It transpires from the petition that the petitioner has applied on dated 03.06.2021 for grant of No Objection Certificate to the State Competent Authority i.e. Secretary, Backward Classes and Minority Welfare Department, Government of Madhya Pradesh, Room No. 339, Mantralay, Bhopal, Madhya Pradesh.

Thereafter, State Competent Authority vide its order No. □. □□□.□./21/2021/□□□□□-2 dated 10.08.2021 grant No Objection Certificate to the petitioner Institute for three years from 10.08.2021.

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 Institute during the academic year 2021-22 total 125 students were studying and out of them 27 were belong to the Muslim Minority Community.

After perusal of the record, we found that Mr. Mohammad Faisal Khan has filed this application before this Commission for grant of Minority Status Certificate as President, Poise Educational and Welfare 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 Poise Educational and Welfare Society, constituted by the members of the Muslim 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. Mohammad Faisal Khan.

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**Poise College, (formerly Known as JPB College), Madhya Pradesh.**

**Vs.**

**Secretary, Backward Classes and Minority Welfare Deptt. Madhya Pradesh.**

**Continued from pre-page**

We have perused the Memorandum of Association of the Petitioner Institute which was registered before the Assistant Registrar on dated 13.01.2016 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). 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 03.06.2021 and application for grant of Minority Status Certificate (MSC) on dated 09.05.2023 before the Commission.

In the fact and circumstances of the case, we are of the considered opinion that when the State of Madhya Pradesh 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.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

A.K.

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

**18.05.2023**

**Victoria College of Education, 89/1, 139/4, Gram - Berkhedi, Sehore,  
Madhya Pradesh - 466001.**

**Vs.**

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

Present: Mr. Iftekar Ahmad, Advocate for the petitioner.

An application has been received by hand on 09.05.2023, from Victoria College of Education, 89/1, 139/4, Gram - Berkhedi, Sehore, Madhya Pradesh - 466001, for grant of minority status certificate. It be registered.

It transpires from the petition that on 27.01.2023, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Secretary, Backward Classes and Minority Welfare Department, Government of Madhya Pradesh, Room No. 339, Mantralaya, Bhopal, Madhya Pradesh, which was received on same day on 27.01.2023 by hand by the unknown person and affixed the seal of Office of the Backward Classes and Minority Welfare Deptt., Madhya Pradesh. The said petition is still pending. The petitioner has waited sufficiently for period of 90 days, before filing this petition.

The petitioner has filed letter dated 27.01.2023, wherein respondent has affixed the seal as proof of service of the NOC application.

Petitioner has filed Resolution Passed by the Governing Body to obtain Minority Status Certificate from this Commission and envelope with postage for sending notice to the State Competent Authority.

It also transpires from the petition that in this Un-aided Institute (Technical included professional/Any other) during the academic year 2021-22 total 380 students were studying and out of them 77 Students belongs to the Muslim Minority Community.

In this petition Registration of Memorandum of Association of the Society is prior to the filing application u/s 10 of NCMEI Act. 2004 before the State Competent Authority and also petition for grant of Minority Status Certificate before this Commission.

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

In the interest of justice, list on 30.08.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

A.K.