

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

**Jothi Dharman Assissi Hr. Sec. School, Sathangudi P.O., Madurai
Dt., Tamil Nadu.**

Vs.

**Principal Secretary, School Education Department, Government
of Tamil Nadu, Fort St. George, Secretariat, Chennai, Tamil Nadu
– 9.**

Case No. 783 of 2019

31.05.2023.

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

Learned counsel for the petitioner again prayed for time to
comply with the Commission's earlier Order dated 22.03.2023. In the
interest of justice, time prayed for is allowed.

In the interest of justice, list on 02.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. John's Academy, 25/2 Police Chawki, Prem Nagar, Nagra, Jhansi
District, Uttar Pradesh - 284003**

V/s.

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

Case No. 327 of 2020

31.05.2023.

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

1. Despite sending letter by post to Assistant Registrar, Firm Societies and Chits, Jhansi, U.P., we have not received any response/ reply from him till now.

2. In compliance of the Commission's earlier Order dated 28.03.2023, learned counsel for the petitioner has filed a letter from Asst. Registrar showing the date of 03.05.2015 as the registration date of the Amended Memorandum of Association, before the Commission's Office on dated 25.05.2023, which is taken on record.

3. Learned counsel for the petitioner submitted that all the deficiencies pointed out in this case have already been complied.

In the interest of justice, fix the case for final arguments on 09.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Ayushman College of Nursing, Gwalior Road, Pidora, District
Bhind, Madhya Pradesh-477001**

Vs.

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

Case No. 181 of 2021

31.05.2023.

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.

1. 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.

2. Learned counsel for the petitioner again prayed for time to
comply with the Commission's earlier Order dated 28.03.2023. In the
interest of justice, time prayed for is allowed.

3. 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.

In the interest of justice, list on 16.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Cambridge International School, S. No. 291/01, Athens Arc,
Keelambur, Ambasamudram Tenkasi Main Road, Tirunelveli Dt.,
Tamil Nadu.**

Vs.

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

Case No. 246 of 2021

31.05.2023.

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

1. In compliance of Commission's earlier Order dated 22.03.2023, learned Counsel for the petitioner has filed Notarized copy of complete pages of the amended Trust Deed dated 19.01.2021, before the Commission's office on dated 24.05.2023, which is taken on record.

2. Learned counsel for the petitioner submitted that petitioner has already filed certified copies of all the relevant documents and has complied with the Commission's earlier Orders also.

In the interest of justice, list on 16.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**Sh. Radhey Pratap Singh, R/o. Village and Post – Akbarpur Farsi,
District – Amethi, Uttar Pradesh.**

V/s.

- 1. Wasi Naqvi National Inter College, Raebareli, U.P. & Anr.**
- 2. Additional Chief Secretary, Bahukhandi Secretariat, Lucknow, UP**
- 3. Directorate of Secondary Education, 18th Park Road, Lucknow, UP
as party respondent.**

Misc. 18 of 2021

31.05.2023.

Present: Ms. Savita Singh, Advocate for the complainant/ petitioner.
None for the respondents.

1. Ms. Savita Singh, Advocate appeared on behalf of the complainant/petitioner.
2. None appeared on behalf of the respondents.
3. A letter regarding cancellation of MSC to the petitioner institution, signed by thirteen persons has been received by post in the Commission's Office on dated 20.03.2023 and is taken on record.
4. Office is directed to provide a copy of the above said letter to the learned counsel for the complainant/ petitioner.
5. Learned counsel for the complainant/ petitioner submitted that Hon'ble High Court of Lucknow has stayed the proceedings of this Commission and prayed for adjournment in this matter. In the interest of justice, adjournment is allowed.

List on 23.08.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Peter's High School (Hindi Medium), Catholic Church
Campus, Kalabhawan Road, Shivajee Colony, Ward No. 06,
Purnea District, Bihar - 854301.**

Vs.

**Director, Primary Education, Ground Floor, Vikas Bhawan, New
Secretariat, Bailey Road, Patna, Bihar - 800015.**

Case No. 95 of 2023

31.05.2023

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

1. Despite service of notice by registered post and e-mail also, none appeared on behalf of the respondent even in the second round.
2. Despite giving regd. notice to the respondent, no reply is received from the State Competent Authority so far.
3. 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)
4. Office is directed to issue letter to the above Committee members for submitting the report.
5. 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.
6. Office is directed to provide a copy of the letter to the learned counsel for the petitioner.
7. Learned counsel for the petitioner is directed to provide all the relevant documents to the members of Physical Inspection Committee.

List on 06.09.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Thomas High School, Minshibari, Gulabbagh P.O., Sadar
Thana, Purnea P.S. & Dt., Bihar - 854326.**

Vs.

**Director, Secondary and Senior Secondary Education, Ground
Floor, Vikas Bhawan, New Secretariat, Bailey Road, Patna, Bihar -
800015.**

Case No. 96 of 2023

31.05.2023

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

None for the respondent.

1. Despite service of notice by registered post and e-mail also, none appeared on behalf of the respondent even in the second round.
2. Despite giving regd. notice to the respondent, no reply is received from the State Competent Authority so far.
3. 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)
4. Office is directed to issue letter to the above Committee members for submitting the report.
5. 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.
6. Office is directed to provide a copy of the letter to the learned counsel for the petitioner.
7. Learned counsel for the petitioner is directed to provide all the relevant documents to the members of Physical Inspection Committee.
8. 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.

List on 06.09.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

Hindustan Bible Institute & College, 86-89, Medavakkam Tank Road, Kilpauk, Chennai, Tamil Nadu.

Vs.

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

Unregistered Case

31.05.2023

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

1. Today the case is fixed for further arguments on admission.
2. Heard the learned counsel for the petitioner at some length.
3. List the case on 12.09.2023 again for further arguments on admission.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**St. Peter's College Kolencherry, Ernakulam District, Kerala -
682311**

- Applicant

Vs.

**1. Mahatma Gandhi University, Priyadarshini Hills, Kottayam
P.O., Kottayam District, Kerala – 686560**

2. Department of Higher Education, State Of Kerala

- Respondents

Unregistered Case

31.05.2023

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

1. In compliance of the Commission's earlier Order dated 28.03.2023, learned counsel for the petitioner filed by hand, an application U/o 1 Rule 10 CPC read with Section 151 CPC for impleadment of State of Kerala as respondent no. 02 along with Affidavit and Amended Memo of parties, before the Commission's Office on dated 17.04.2023, which are taken on record.

2. We have perused the application, U/o 1 Rule 10 CPC read with Section 151 CPC for impleadment of State of Kerala as respondent no. 02 filed by the learned counsel for the petitioner is allowed.

3. Office is directed to be registered this case as misc. case and implead the respondent no. 02 State of Kerala.

4. Learned counsel for the petitioner is directed to submit two envelopes and postal charges for sending regd. notice to both the respondents.

5. After compliance of the above order by the learned counsel for the petitioner, Office is directed to issue notice to both the respondent by regd. A.D. and email.

In the interest of justice, list on 12.09.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

**Anurag Agriculture, Education & Research Institute, 125, Yamini nagar,
Vijapur Road, Solapur.**

Vs.

**Joint Secretary, Minorities Development Department, Room No. 715,
Mantralaya (Annexe), Mumbai-32**

Unregistered Case

31.05.2023

Present: None.

1. An application dated 01.02.2023 has been received by post in the Commission's Office on dated 07.02.2023 for grant of Minority Status Certificate. It be registered.
2. In compliance of the Commission's earlier Order dated 19.04.2023 Office has reported properly and mentioned the date of reporting.
3. We have perused the Office report and it is found that the petitioner has not applied for grant of NOC before the State Competent Authority.
4. The Hon'ble Supreme Court in Civil Appeal No. 3945 of 2018 in case of Sisters of St. Joseph of Cluny vs. The State of West Bengal and Ors. vide order dated 18.04.2018, has held that any person who desires to establish minority educational institution after the amendment Act of 2006 came into force, must apply only to the competent authority for grant of No Objection Certificate for the said purpose.
5. All applications for the establishment of a minority educational institution after the amendment Act of 2006 must go to the competent authority set up under the statute.
6. It also transpires from the record, that the petitioner has also applied before the State Competent Authority for grant of Minority Status Certificate and that the application is still pending.
7. As per law and settled procedure, petitioner cannot apply before this Commission unless and until the Minority Status Certificate application is disposed by the State Competent Authority. Hence this application is not maintainable at this stage.
8. In this case, Office has reported that the Affidavit and declaration part of the MSC application has signed by the different persons and petitioner has also not filed affidavit, UID issued by Niti Ayog, General Body Resolution, Envelope with postage for sending notice to the respondent with this petition and beneficiary clause is also not available in the MoA of the Society.
9. Office is directed to issue show cause notice by post and e-mail to the petitioner as to why this petition may not be dismissed at this stage.
In the interest of justice, list on 12.09.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

SR

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

31.05.2023

Kainat International School, Badaun Darwaza, Delhi - Hasanpur Road, District - Sambhal, Uttar Pradesh - 244302.

Vs.

The Additional Chief Secretary, Secondary Education Department, Government of Uttar Pradesh, Vidya Bhawan, Nishantganj, Lucknow, Uttar Pradesh - 226007.

Present: Mr. Faiyyaz Ahmed Ansari, for the petitioner.

1. An application has been received by hand on 17.05.2023 from Kainat International School, Badaun Darwaza, Delhi - Hasanpur Road, District - Sambhal, Uttar Pradesh - 244302 for grant of minority status certificate. It be registered.
2. It transpires from the petition that the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. The Additional Chief Secretary, Secondary Education Department, Government of Uttar Pradesh, Vidya Bhawan, Nishantganj, Lucknow, Uttar Pradesh – 226007 but date of application is not clear, which was received by the respondent on 27.01.2023. The said petition is still pending. The petitioner has waited sufficiently for period of 90 days, before filing this petition.
3. The petitioner has already filed the proof of delivery of the registered AD to the respondent.
4. 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.
5. It also transpires from the petition that the petitioner Institute is Un-aided school (Higher Secondary level). During the academic year 2023-24, of the 843 students who are enrolled all are from the Muslim Minority Community.
6. In this petition Amendment has been made in Trust Deed prior to the filing of NOC application before the State Competent Authority u/s 10 of NCMEI Act. 2004 and filing of MSC application before the Commission.
7. Office is directed to issue notice by registered Ad and e-mail to the respondent.
8. At the request of Mr. Faiyyaz Ahmed Ansari list the case on 06.09.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K.

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

31.05.2023

St. Maria Goretti Girl's High School Torai, P.O. - Torai, Pakur District, Jharkhand - 816107.

Vs.

Director, Secondary Education, Directorate of Secondary Education, School Education & Literacy Department, Jharkhand, Ranchi.

Present: None

1. An application has been received by post on 22.05.2023 from St. Maria Goretti Girl's High School Torai, P.O. - Torai, Pakur District, Jharkhand - 816107 for grant of minority status certificate, which is in old format. It be registered.
2. Perused the office report and it transpires from record that petitioner has not applied for grant of No Objection Certificate before State Competent Authority.
3. The Hon'ble Supreme Court in Civil Appeal No. 3945 of 2018 in case of Sisters of St. Joseph of Cluny vs. The State of West Bengal and Ors. vide order dated 18.04.2018, has held that any person who desires to establish a minority educational institution after the amendment Act of 2006 came into force, must apply only to the competent authority for grant of No Objection Certificate for the said purpose.
4. All applications for the establishment of a minority educational institution after the amendment Act of 2006 must go to the competent authority set up under the statute.
5. It also transpires from the records, that petitioner has applied before the State Competent Authority for grant of Minority Status Certificate also and that application is still pending.
6. So as per the law and settle procedure, petitioner cannot apply before this Commission until unless the disposal of that application which is still pending before the State Competent Authority. So this application is not maintainable at this stage.
7. In this case office has reported that petitioner has not filed Resolution Passed by the Governing Body to obtain Minority Status Certificate from this Commission, and envelope with postage for sending notice to the respondent and petitioner has filed affidavit in support of the MSC application but only photocopy not in original.
8. Office is directed to issue show cause notice by registered Ad and e-mail to the petitioner as to why this petition may not be dismissed at this stage.

In the interest of justice, list on 12.09.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K.

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

31.05.2023

**Christu Jyothi Academy, Sarai Shah Mohd., Jalalpur Panwara Post,
Kannauj, Uttar Pradesh - 209727.**

Vs.

**The Additional Chief Secretary, Secondary Education Department,
Government of Uttar Pradesh, Vidya Bhawan, Nishantganj,
Lucknow, Uttar Pradesh - 226007.**

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

1. An application has been received by hand on 23.05.2023 from Christu Jyothi Academy, Sarai Shah Mohd., Jalalpur Panwara Post, Kannauj, Uttar Pradesh - 209727 for grant of minority status certificate. It be registered.
2. It transpires from the petition that on 19.09.2022 the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. The Additional Chief Secretary, Secondary Education Department, Government of Uttar Pradesh, Vidya Bhawan, Nishantganj, Lucknow, Uttar Pradesh – 226007, which was received by the respondent on 21.09.2022. The said petition is still pending. The petitioner has waited sufficiently for period of 90 days, before filing this petition.
3. The petitioner has already filed the proof of delivery of the registered AD to the respondent.
4. 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.
5. It also transpires from the petition that the petitioner Institute is Un-aided school (Secondary level). During the academic year 2020-21 of the 698 enrolled students 11 Students from the Christian Minority Community, in 2021-22 of the 742 enrolled students 15 were from the Christian Minority Community and in 2022-23 of the 791 enrolled students 16 students from the Christian Minority Community.
6. In this petition Amendment has been made in the Memorandum of Association prior to the filing of NOC application before the State Competent Authority u/s 10 of NCMEI Act. 2004 and filing of MSC application before the Commission
7. Office is directed to issue notice by registered Ad and e-mail to the respondent.

In the interest of justice, list on 12.09.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K.

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

31.05.2023

St. Arnolds English Medium High School, Meghnagar, Jhabua District, Madhya Pradesh - 457779.

Vs.

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

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

1. An application has been received by hand on 23.05.2023 from St. Arnolds English Medium High School, Meghnagar, Jhabua District, Madhya Pradesh - 457779 for grant of minority status certificate. It be registered.
2. It transpires from the petition that on 06.02.2023 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 - 462004, which was received by the respondent on 09.02.2023. The said petition is still pending. The petitioner has waited sufficiently for period of 90 days, before filing this petition.
3. The petitioner has already filed the proof of delivery of the registered AD to the respondent.
4. 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.
5. It also transpires from the petition that the petitioner Institute is Un-aided school (Senior Secondary level). During the academic year 2020-21 of the 1567 enrolled students 238 are from the Christian Minority Community, in 2021-22 of the 1550 enrolled students 231 are from the Christian Minority Community and in 2022-23 of the 1659 enrolled students 255 students are from the Christian Minority Community.
6. In this petition Amendment has been made in the Memorandum of Association prior to the filing of NOC application before the State Competent Authority u/s 10 of NCMEI Act. 2004 and filing of MSC application before the Commission.
7. Office is directed to issue notice by registered Ad and e-mail to the respondent.

In the interest of justice, list on 13.09.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K.

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

31.05.2023

**Immanuel Arasar Law College (Proposed), Edaivilagam, Nattalam,
Marthandam, Tamil Nadu.**

Vs.

- 1. The Principal Secretary, Law Department, Government of Tamil Nadu, Fort St. George, Chennai, Tamil Nadu - 600009.**
- 2. Secretary, Law Department, Government of Tamil Nadu, Fort St. George, Chennai, Tamil Nadu - 600009**

Present: None.

1. An application has been received by post on 22.05.2023, from Immanuel Arasar Law College (Proposed), Edaivilagam, Nattalam, Marthandam, Tamil Nadu, for grant of minority status certificate. It be registered.
2. It transpires from the petition that on 06.12.2022, the petitioner has applied for grant of No Objection Certificate to the wrong State Competent Authority i.e. The Principal Secretary, Law Department, Government of Tamil Nadu, Fort St. George, Chennai, Tamil Nadu – 600009 instead of Secretary, Law Department, Government of Tamil Nadu, Fort St. George, Chennai, Tamil Nadu - 600009, which was received by an unknown person by hand on 09.12.2022 and affixed the seal of Deputy Secretary, Law Department. The said petition is still pending. The petitioner has waited sufficiently for a period of 90 days, before filing this petition.
3. The petitioner has filed photocopy of by hand receiving of NOC application dated 06.12.2022.
4. Petitioner has not filed original 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.
5. In this case office has reported that petitioner has not filed complete UID issued by NITI Ayog, list of present Trustees duly certified by the Trust Registrar and this is a proposed law college so there are no students available in this Institute.
6. On perusal of the petition, it is found that there is no beneficiary clause is available for the Christian Minority Community in the MoA.
7. Office is directed to issue show cause notice by post and e-mail to the petitioner as to why this petition may not be dismissed at this stage.
8. In the interest of justice, list on 13.09.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K

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

31.05.2023

**Global Siddha Medical College (Proposed), Edaivilagam, Nattalam,
Marthandam, Tamil Nadu.**

Vs.

- 1. The Principal Secretary, Health & Welfare Department,
Government of Tamil Nadu, Fort St. George, Chennai, Tamil
Nadu - 600009.**
- 2. Secretary, Health & Welfare Department, Government of Tamil
Nadu, Fort St. George, Chennai, Tamil Nadu - 600009**

Present: None.

1. An application has been received by post on 22.05.2023, from Global Siddha Medical College (Proposed), Edaivilagam, Nattalam, Marthandam, Tamil Nadu, for grant of minority status certificate. It be registered.
2. It transpires from the petition that on 06.08.2022, the petitioner has applied for grant of No Objection Certificate to the wrong State Competent Authority i.e. The Principal Secretary, Health & Welfare Department, Government of Tamil Nadu, Fort St. George, Chennai, Tamil Nadu – 600009 instead of Secretary, Health & Welfare Department, Government of Tamil Nadu, Fort St. George, Chennai, Tamil Nadu - 600009, which was received by an unknown person by hand on 08.08.2022 and affixed the seal. The said petition is still pending. The petitioner has waited sufficiently for a period of 90 days, before filing this petition.
3. The petitioner has filed photocopy of by hand receiving of NOC application dated 06.08.2022.
4. Petitioner has not filed original 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.
5. In this case office has reported that petitioner has not filed complete UID issued by NITI Ayog, certified list of present members of the Trust and this is a proposed Medical college so there are no students available in this Institute.
6. On perusal of the petition, it is found that there is no beneficiary clause is available for the Christian Minority Community in the MoA.
7. Office is directed to issue show cause notice by post and e-mail to the petitioner as to why this petition may not be dismissed at this stage.
8. In the interest of justice, list on 13.09.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K

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

31.05.2023

Amar Jyoti High School, Pardih, Mango, Jamshedpur, Jharkhand - 831020.

Vs.

Director, Secondary Education, Department of School Education & Literacy, S.E & L. Department, MDI Building, Post - Dhurwa, District - Ranchi, Jharkhand - 834004.

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

1. An application has been received by hand on 23.05.2023 from Amar Jyoti High School, Pardih, Mango, Jamshedpur, Jharkhand - 831020 for grant of minority status certificate. It be registered.
2. It transpires from the petition that on 11.08.2022 the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Director, Secondary Education, Department of School Education & Literacy, S.E & L. Department, MDI Building, Post - Dhurwa, District - Ranchi, Jharkhand - 834004, which was received by the respondent on 16.08.2022. The said petition is still pending. The petitioner has waited sufficiently for period of 90 days, before filing this petition.
3. The petitioner has already filed the proof of delivery of the registered AD to the respondent.
4. 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.
5. It also transpires from the petition that the petitioner Institute is Un-aided school (Secondary level). During the academic year 2020-21 of the 749 enrolled students 187 Students are from the Christian Minority Community, in 2021-22 of the 571 enrolled students 140 students are from the Christian Minority Community and in 2022-23 of the 697 students 180 students are from to the Christian Minority Community.
6. In this petition Amendment has been made in the Memorandum of Association prior to the filing of NOC application before the State Competent Authority u/s 10 of NCMEI Act. 2004 and filing of MSC application before the Commission.
7. In this case, office has reported that the petitioner has filed the resolution but the names of only four members present in it match with those in the certified list.
8. Learned counsel for the petitioner submitted that the majority of the Governing Members has nominated the signatory and his name is also available in the list of members which is also duly certified by the registrar of the societies.
9. Office is directed to issue notice by registered Ad and e-mail to the respondent.

In the interest of justice, list on 13.09.2023.

**DR. JASPAL SINGH
MEMBER**

**DR. SHAHID AKHTER
MEMBER**

A.K.