

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

**Madarsa Faroge Idrisiya, Barauni Ashraf Tola, Post - Sandila,
District - Hardoi, Uttar Pradesh - 241204.**

Vs.

- 1. Additional Chief Secretary, Department of Higher Education,
Government of Uttar Pradesh, Bahu Khandi, Secretariat,
Lucknow, Uttar Pradesh - 226001.**
- 2. Additional Chief Secretary, Minority Welfare and Waqf
Department, Bahu Khandi, Secretariat, Lucknow, UP- 226001.**

Case No. 399 of 2020

05.07.2023

Present: Mr. Saleem for the petitioner.
None for the respondents.

1. Mr. Saleem appeared on behalf of the petitioner institution.
2. In compliance of Commission's earlier Order dated 18.04.2023, Office has sent letter to the members of the Physical Inspection Committee for sending the inspection report in proper Performa but we have not received any response/Physical inspection report from the members of the said Committee in proper Performa till now.
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 in proper Performa positively before the next date of hearing.
4. Petitioner is directed to approach the members of the Physical inspection Committee and provide copies of all the relevant documents to the said Committee to send the report in proper Performa.

List on 22.08.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Joseph's Nursery and Primary School, Nagamalai, Madurai
District, Tamil Nadu - 625019.**

Vs.

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

Case No. 117 of 2021

05.07.2023

Present: Ms. Sarah Shaji, Advocate for petitioner.
None for the Respondent.

1. Ms. Sarah Shaji, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.
2. Learned counsel for the petitioner prayed for time to file clarification about the contradiction between MoA and amended MoA and also to file the updated recognition/ affiliation certificate issued by State Board or CBSE. In the interest of justice, time prayed for is allowed.

List on 22.08.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Bastin's Matriculation School, Railway Station Road,
Papanasam, Thanjavur District, Tamil Nadu - 614205.**

Vs.

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

Case No. 118 of 2021

05.07.2023

Present: Ms. Sarah Shaji, Advocate for petitioner.
None for the Respondent.

1. Ms. Sarah Shaji, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.
2. Learned counsel for the petitioner again prayed for time to comply with the Commission's earlier Order dated 28.09.2022. In the interest of justice, time prayed for is allowed.

List on 22.08.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Don Bosco Matriculation School, Nemilicherry, Chrompet,
Chengalpattu, Chennai, Tamil Nadu - 600044.**

Vs.

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

Case No. 237 of 2022

05.07.2023

Present: Ms. Sarah Shaji, Advocate for petitioner.
None for the Respondent.

1. Ms. Sarah Shaji, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.
2. Under Secretary, Minority Cell, Ministry of Education has sent an e-mail alongwith some documents which is received in the Commission's Office on dated 24.03.2023. The photocopy of e-mail and documents are taken on record.
3. Respondent has sent by post counter affidavit alongwith covering letter dated March, 2023, which is received in the Commission's Office on dated 20.03.2023 and is taken on record.
4. Office is directed to supply a copy of the Counter Affidavit to the learned counsel for the petitioner.
5. Despite letter 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.
6. Office is directed to 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.
7. Learned Counsel for the petitioner is directed to approach the members of the Physical inspection Committee and provide copies of all the relevant documents to the said Committee.

In the interest of justice, list on 29.08.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Joseph's Hr. Sec. School, East Tambaram, Chengalpattu,
Chennai, Tamil Nadu - 600059.**

Vs.

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

Case No. 238 of 2022

05.07.2023

Present: Ms. Sarah Shaji, Advocate for petitioner.
None for the Respondent.

1. Ms. Sarah Shaji, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.
- 2.. Under Secretary, Minority Cell, Ministry of Education has sent an e-mail alongwith some documents which is received in the Commission's Office on dated 24.03.2023. The photocopy of e-mail and documents are taken on record.
3. Despite letter 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.
4. Office is directed to 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.
5. Learned Counsel for the petitioner is directed to approach the members of the Physical inspection Committee and provide copies of all the relevant documents to the said Committee.
6. Learned counsel for the petitioner prayed for time to file updated recognition/ affiliation order issued by State Board or CBSE. Time prayed for is allowed.

In the interest of justice, list on 31.08.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

St. Pauls Academy, Thimmavaram Campus, Kancheepuram High Road, Chengalpattu, Kancheepuram, Tamil Nadu - 603101.

Vs.

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

Case No. 239 of 2022

05.07.2023

Present: Ms. Sarah Shaji, Advocate for petitioner.
None for the Respondent.

1. Ms. Sarah Shaji, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.
- 2.. Under Secretary, Minority Cell, Ministry of Education has sent an e-mail alongwith some documents which is received in the Commission's Office on dated 24.03.2023. The photocopy of e-mail and documents are taken on record.
3. Nobody including the Advocate for the petitioner knows Tamil language. So, Office is directed to send a letter to the State Competent Authority of Tamil Nadu that the language of this Commission is English/Hindi. So, in order to understand the matter, kindly send the letter in English/ Hindi language only.
4. Despite letter 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.
5. Office is also directed to issue reminder letter by post and e-mail to the members of the Physical Inspection Committee that we are receiving the above said letters in Tamil language from the State of Tamil Nadu and direct them not to send the letters in Tamil language and to send the inspection report positively before the next date of hearing and to provide a copy of the reminder letter to the learned counsel for the petitioner.
6. Learned Counsel for the petitioner is directed to approach the members of the Physical inspection Committee and provide copies of all the relevant documents to the said Committee.

In the interest of justice, list on 31.08.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

St. Joseph's Primary School, East Tambaram, Chennai, Tamil Nadu - 600059.

Vs.

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

Case No. 240 of 2022

05.07.2023

Present: Ms. Sarah Shaji, Advocate for petitioner.

None for the Respondent.

1. Ms. Sarah Shaji, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.
2. Respondent has sent by post counter affidavit alongwith covering letter dated 20.03.2023, which is received in the Commission's Office on dated 27.03.2023 and is taken on record.
3. Office is directed to supply a copy of the Counter Affidavit to the learned counsel for the petitioner.
4. Despite letter 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.
5. District Collector, Rajaji Salai, Chennai-! has sent by post two letters dated 12.04.2023 and 05.05.2023 which are received in the Commission's Office on dated 09.05.2023 and 16.05.2023 respectively. Both the letters are taken on record. In the said letter it is mentioned that the petitioner institution falls under the jurisdiction of the Chengalpattu District and requested to send letter for Physical inspection report to the concerned appropriate authority.
6. Copy of the same letter is received by e-mail from District Minority Welfare Officer, Chennai in the Commission's Office on dated 13.04.2023 which is also taken on record.
7. Office is directed to send letter by post and e-mail to the members of the Physical Inspection Committee of Chengalpattu District 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.
8. Learned Counsel for the petitioner is directed to approach the members of the Physical inspection Committee and provide copies of all the relevant documents to the said Committee.

In the interest of justice, list on 31.08.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. John's Matriculation School, No. 1, Velachery Main Road, East
Tambaram, Chengalpattu, Chennai, Tamil Nadu - 600059.**

Vs.

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

Case No. 241 of 2022

05.07.2023

Present: Ms. Sarah Shaji, Advocate for petitioner.
None for the Respondent.

1. Ms. Sarah Shaji, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.
2. Under Secretary, Minority Cell, Ministry of Education has sent a letter dated 24.04.2023 alongwith some documents which were received in the Commission's Office on dated 24.03.2023. The photocopy of the letter and attached documents are taken on record.
3. Respondent has sent by post counter affidavit alongwith covering letter dated March, 2023, which is received in the Commission's Office on dated 27.03.2023 and is taken on record.
4. Office is directed to supply a copy of the Counter Affidavit to the learned counsel for the petitioner.
5. Despite letter 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.
6. Office is directed to 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.
7. Learned Counsel for the petitioner is directed to approach the members of the Physical inspection Committee and provide copies of all the relevant documents to the said Committee.

In the interest of justice, list on 31.08.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Joseph's Higher Secondary School, Kovalam P.O., Chengalpet,
Kancheepuram, Tamil Nadu - 603112.**

Vs.

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

Case No. 242 of 2022

05.07.2023

Present: Ms. Sarah Shaji, Advocate for petitioner.
None for the Respondent.

1. Ms. Sarah Shaji, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.
2. In compliance of the Commission's earlier Order dated 22.03.2023, the Physical Inspection Committee has sent its inspection report along with the covering letter dated 21.03.2023, by post which is received in the Commission's Office on dated 31.03.2023 and is taken on record.
3. Learned counsel for the petitioner prayed for time to file updated recognition/ affiliation order issued by State Board or CBSE. Time prayed for is allowed.

List on 31.08.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

Mount Carmel Nursery and Primary School, No. 1, Matha Kovil Street, Kovalam P.O., Thiruporur Union, Kancheepuram District, Tamil Nadu - 603112.

Vs.

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

Case No. 243 of 2022

05.07.2023

Present: Ms. Sarah Shaji, Advocate for petitioner.

None for the Respondent.

1. Ms. Sarah Shaji, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.
2. Respondent has sent by post counter affidavit alongwith covering letter dated 28.02.2023, which is received in the Commission's Office on dated 20.03.2023 and is taken on record.
3. Office is directed to supply a copy of the Counter Affidavit to the learned counsel for the petitioner.
5. Despite letter 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.
6. District Collector, Kancheepuram has written a letter dated 15.06.2023 to the District Collector, Chengalpet District alongwith the original petition for further action and sent a copy of the said letter by post to the Commission which is received in the Commission's Office on dated 21.06.2023 and is taken on record. In the said letter it is mentioned that the petitioner institution falls under the jurisdiction of the Chengalpet District.
7. Office is directed to send letter by post and e-mail to the concerned members of the Physical Inspection Committee of Chengalpet district for sending the report positively before the next date of hearing.
8. In this case petitioner has mentioned Kancheepuram District in the address of petitioner institution which is wrong as per the letter of District Collector, Kancheepuram as the petitioner institution falls under the jurisdiction of the Chengalpet District.
9. Learned counsel for the petitioner prayed for time to amend the address of the petitioner institution. Time prayed for is allowed.
In the interest of justice, list on 31.08.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

**St. Little Teresa's Girls Higher Secondary School, Vaikom,
Kerala-686141.**

Vs.

**Secretary, General Education Department, Government of Kerala,
Thiruvananthapuram, Kerala – 695001.**

Case No. 56 of 2023

05.07.2023

Present: None for the petitioner.

1. In compliance of the Commission's earlier Order dated 22.03.2023, Office has sent notice to the petitioner but despite service of notice by registered post and e-mail also, none appeared on behalf of the petitioner even in the second round.
2. In this case the petitioner has filed an incomplete application in old format.
3. It transpires from the record that the petitioner has not applied to the Competent Authority of the State Government for grant of NOC.
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 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.
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 records that the petitioner has not filed any Original Board Resolution of the petitioner Society, proper affidavit and the Unique ID issued by the NITI Aayog etc.
7. Since nobody has appeared to make any submission and the Commission has waited sufficiently, the Commission has been forced to dismiss the petition.

Hence, the petition is dismissed in default.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

A.G. College of Nursing, Bandhdih, Jaridih, Jainamore, Bokaro, Jharkhand - 829301.

Vs.

- 1. The Director, Primary Education, Department of School Education & Literacy S.E & L. Department, MDI Building, Post - Dhurwa, District - Ranchi, Jharkhand - 834004.**
- 2. The Director, Technical Education, Department of Higher, Technical Education & skill Development, Govt. of Jharkhand, 3rd Floor, Yojna Bhawan, Nepal House, Doranda Ranchi, Jharkhand - 834002.**

Case No. 100 of 2023

05.07.2023

Present: Ms. Lakshmi Sree P., Advocate for the petitioner.

None for the respondent.

1. Ms. Lakshmi Sree P., Advocate appeared on behalf of the arguing counsel Mr. Junais P.
2. Despite service of notice by registered post and e-mail also, none appeared on behalf of the respondent even in the second round.
3. In the State of Jharkhand, the competent authority for grant of NOC is The Director, Primary Education, Department of School Education & Literacy S.E & L. Department, MDI Building, Post - Dhurwa, District - Ranchi, Jharkhand – 834004 but the competent authority for grant of MSC is Director, Technical Education, Department of Higher, Technical Education & skill Development, Govt. of Jharkhand, 3rd Floor, Yojna Bhawan, Nepal House, Doranda Ranchi, Jharkhand – 834002 in this case.
4. Office is directed to implead The Director, Technical Education, Department of Higher, Technical Education & skill Development, Govt. of Jharkhand, 3rd Floor, Yojna Bhawan, Nepal House, Doranda Ranchi, Jharkhand – 834002 as respondent No.2.
5. Learned Counsel for the petitioner is directed to submit one more envelope and postage charge for sending notice to respondent No.2 by registered post and e-mail.
6. After compliance of the above said order by the learned counsel for the petitioner, Office is directed to send notice to respondent No.2 by registered AD and e-mail.
7. Learned Counsel for the petitioner has filed three documents before the Commission's office on dated 31.03.2023, which are taken on record.

In the interest of justice, list on 20.09.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

RS

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

05.07.2023

**St. Joseph's Primary School, Jayamedha Nagar, Jolarpet, Vellore Dt.,
Tamil Nadu - 600056.**

Vs.

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

Present: Ms. Sarah, Advocate for the petitioner.

1. Ms. Sarah, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.
2. An application has been received by hand on 05.06.2023, from St. Joseph's Primary School, Jayamedha Nagar, Jolarpet, Vellore Dt., Tamil Nadu - 600056, for grant of minority status certificate. It be registered.
3. It transpires from the petition that on 11.11.2022, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Principal Secretary, School Education Department, Government of Tamil Nadu, Fort St. George, Secretariat, Chennai, Tamil Nadu - 600009, which was received by the respondent on 13.11.2022. The said petition is still pending. The petitioner has waited sufficiently for period of 90 days, before filing this petition.
4. The petitioner has already filed the proof of delivery of the registered AD to the respondent.
5. 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.
6. It also transpires from the petition that the petitioner Institute is Un-aided school (Primary Level). During the academic year 2020-21, of the 243 enrolled students, 18 students are from Christian Minority Community, in 2021-22 of the 224 enrolled students, 16 students are from the Christian Minority Community, in 2022-23 of the 257 enrolled students, 19 students are from the Christian Minority Community.
7. 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. Accordingly, the petition is disposed of as withdrawn.
8. Office is directed to tag the previous file no. 204 of 2020 with this case and return envelope and postage filed by the petitioner.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

A.K.

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

05.07.2023

CSI, KND, BMHEC'S Kittle Science College, P.B. Road, Dharwad, Karnataka.

Vs.

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

Present: None.

1. An application has been received by hand on 23.06.2023, from CSI, KND, BMHEC'S Kittle Science College, P.B. Road, Dharwad, Karnataka, 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 the petitioner has not applied for grant of No Objection Certificate before the 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. In this case Office has reported that petitioner has not filed affidavit, UID issued by Niti Ayog, General Body Resolution, MoA, updated recognition certificate and Envelopes with postage for sending notice to the respondent with this petition.
6. It also transpires from the records, that petitioner has mentioned against the column No. 5 of the application that the State Competent Authority has granted MSC to the petitioner Institute.
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 21.09.2023

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. SHAHID AKHTER
MEMBER**

A.K.