

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

**St. Michael School, Raksa, Jhansi, Uttar Pradesh - 284419.**

**Vs.**

- 1. Additional Chief Secretary, Secondary Education, Bahukhandi Secretariat, Lucknow, UP.**
- 2. Deputy Director, Minority Welfare Department, 6th Floor, Indira Bhawan, Lucknow, Uttar Pradesh.**

**Case No. 105 of 2020**

**26.07.2023**

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

1. Despite service regd. notice and also email to the respondents, we have not received any response/ reply that whether petitioner institution has ever applied for grant of MSC before the State Competent Authority or not.
2. As per the previous Order of this Commission, it is clear that this Commission has not constituted any Physical Inspection Committee till now but District Collector, District Inspector of Schools and District Minority Welfare Officer, Jhansi have sent their Inspection report alongwith covering letter dated 14.11.2022, which is on record.
3. Thereafter, we have sent a letter to the respondents and District Inspector of Schools has again sent letter to considered the inspection report letter dated 18.07.2023, which was received in the Commission's Office today itself 26.07.2023 and is taken on record.
4. Learned counsel for the petitioner is directed to take specific letter from the State Competent Authority that petitioner has never applied before the State Competent Authority for grant of MSC and that application is not pending before the State Competent Authority.
5. Office is again directed to send letter to the respondents that whether, petitioner institution has ever applied before the State Competent Authority for grant of MSC and whether any application for grant of MSC is pending before the State Competent Authority or not.
6. Learned counsel for the petitioner filed two documents by hand, before the Commission's Office on dated 20.07.2023, which are taken on record.
7. By the letter dated 18.07.2023, District Inspector of Schools, Jhansi has submitted that another two cases no. 107 of 2020 and 327 of 2020, they have sent Physical Inspection Report should also be considered.

Contd....2/-

8. In this regard as per the information, we have already decided Case no. 107 of 2020 on dated 25.07.2023 and one case 327 of 2020 is pending before the Commission and next date of hearing is 09.08.2023. So Office is directed to attach the photocopy of said letter along with other attached paper in case file 327 of 2020.

In the interest of justice, list on 14.09.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**St. Rita's Inter College, Manikpur P.O., Chitrakoot District, Uttar Pradesh - 210208.**

**Vs.**

- 1. Principal Secretary, Higher Education, Deptt. Of Education, Govt. of Uttar Pradesh, Bahukhandi Secretariat, Lucknow, UP.**
- 2. Additional Chief Secretary, Govt. of U.P. Secondary Education, Bahukhandi Secretariat, Lucknow, UP.**

**Case No. 116 of 2020**

**26.07.2023**

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

1. In earlier Order dated 27.04.2023, Office was directed to issue notice of the application under Order VI Rule 17 CPC to the respondent by Regd. A.D and email.
2. Despite service of regd. notice, none appeared on behalf of the respondent no.01
3. On behalf of the Respondent no.01 Special Secretary, State of Uttar Pradesh has sent by post a letter dated 25.05.2023, which was received in the Commission's Office on dated 29.05.2023 and is taken on record. In this letter, it is stated that this matter does not comes under their jurisdiction.
4. Learned counsel for the petitioner has filed two documents by hand, before the Commission's Office on dated 20.07.2023, which are taken on record.
5. Learned counsel for the petitioner is directed copy of application under Order VI Rule 17 CPC and one more envelope and postal charges for sending regd. notice to the respondent no.02 i.e. Additional Chief Secretary, Govt. of U.P. Secondary Education, Bahukhandi Secretariat, Lucknow, UP.
6. After compliance of the above order by the learned counsel for the petitioner, Office is directed to issue proper notice to the respondent no.02 by regd. AD and email.

In the interest of justice, list on 14.09.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**St. Basil's School, Nipaniya, Samaspur, Basti District, Uttar Pradesh - 272124.**

**Vs.**

- 1. Secretary, Room No.- 19, 3rd Floor, Sachiv Bhawan, Uttar Pradesh Secretariat, Lucknow, Uttar Pradesh.**
- 2. The Additional Chief Secretary, Department of Secondary Education, Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh**

**Case No. 117 of 2020**

**26.07.2023**

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

1. Learned counsel for the petitioner filed notarized copy of the permanent Recognition Order of the petitioner institution by hand, before the Commission's Office on dated 21.07.2023, which is taken on record.

Heard, learned counsel for the petitioner.

Reserved for Orders.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**Shanthi Rani Matriculation Higher Secondary School, Kallal P.O.,  
Sivagangai District, Tamil Nadu - 630305.**

**Vs.**

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

**Case No. 17 of 2021**

**26.07.2023**

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

1. 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.

In the interest of justice, list on 26.09.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**Infant Jesus Matriculation Higher Secondary School, Sanganur,  
Rathinapuri P.O., Coimbatore District, Tamil Nadu - 641027.**

**Vs.**

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

**Case No. 18 of 2021**

**26.07.2023**

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

None for the respondent.

1. 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.

In the interest of justice, list on 26.09.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**St. Pauls College, # E-1, St. Pauls Campus, Nelagadharanahalli,  
Nagasandra P.O., Bangalore, Karnataka – 560 073.**

**Vs.**

**Additional Chief Secretary to Govt., Education Deptt., (Higher  
Education), Govt. of Karnataka, 6<sup>th</sup> Floor, Multi – Storeyed Building,  
Bengaluru, Karnataka.**

**Case No. 151 of 2021**

**26.07.2023**

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

1. 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 members of the Physical Inspection Committee till now.
2. We have received two letters dated 28.04.2023 and 02.06.2023 by post, on dated 16.05.2023 and 21.06.2023 respectively, which are taken on record.
3. Above both letters are in Kannad language and we are unable to understand the Kannad language. Our Commission language is English or Hindi.
4. We are again and again directed to Officers of Karnataka State to send all the letters and correspondence in English or Hindi language instead of Kannad language but again and again they are sending letters in Kannad language.
5. Office is directed to send the letter to the Respondent for sending all the letters and correspondence in English or Hindi language.
6. In letter dated 02.06.2023, one line written in English “College Administration does not comes under this Office”, may be this letter was given by District Education Officer.
7. This Commission has constituted a Committee for inspection of petitioner institution and this Commission has power to depute any Officer for inspection of Educational Institution. So jurisdiction is not material fact.
8. Office is also directed to send reminder letter to the Physical Inspection Committee for sending Physical Inspection Report by saying that this Commission has appointed three members of Physical Inspection Committee and they are quite competent to do the inspection as per the direction of this Commission.

Contd....2/-

**Case No. 151 of 2021**

**26.07.2023**

9. In the interest of justice, Office is directed to send a request letter to the Chief Secretary, Government of Karnataka for sending all the letters and correspondence in English or Hindi language instead of Kannad language, and also for compliance of the Order of this Commission.

In the interest of justice, list on 27.09.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. SHAHID AKHTER  
MEMBER**

SR



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

**Holy Angels School, Shalimar Garden Ext. 2, B-1120, Sahibabad P.O.,  
Ghaziabad District, Uttar Pradesh - 201005.**

**Vs.**

**Additional Chief Secretary, Secondary Education Department, Babu  
Bhawan, 7th Floor, Lucknow - 226001.**

**Case No. 38 of 2022**

**26.07.2023**

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

None for the respondent.

Heard, learned counsel for the petitioner.

Reserved for Orders.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**Hasnath-E- Jaria Aided Primary School, Vavoor, Madar Sahib Street,  
Ambur, Vellore District, Tamil Nadu.**

**Vs.**

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

**Case No. 141 of 2022**

**26.07.2023**

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

None for the respondent.

1. 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 members of the Physical Inspection Committee till now.
2. District Educational Officer, Vellore has sent a letter dated 08.05.2023 by post, which was received in the Commission' s Office on dated 11.05.2023 and photocopy of above letter is taken on record, wherein District Educational Officer has stated that Vellore District has been trifurcated as Vellore District, Ranipet District and Tirupattur District. Now, Petitioner institution is functioning under the jurisdiction of District Educational Officer (Secondary), Tirupattur.
3. Office is directed to send letter by post and also by email to the members of Physical Inspection Committee, Tirupattur District, Tamil Nadu for sending the inspection report positively before next date of hearing.

In the interest of justice, list on 04.10.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**Mazharul Uloom Aided Primary School, Kuchikar, Fakir Sahib Street,  
Ambur, Vellore District, Tamil Nadu.**

**Vs.**

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

**Case No. 142 of 2022**

**26.07.2023**

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

1. 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 members of the Physical Inspection Committee till now.
2. District Educational Officer, Vellore has sent a letter dated 08.05.2023 by post, which was received in the Commission' s Office on dated 11.05.2023 and is taken on record, wherein District Educational Officer has stated that Vellore District has been trifurcated as Vellore District, Ranipet District and Tirupattur District. Now, Petitioner institution is functioning under the jurisdiction of District Educational Officer (Secondary), Tirupattur.
3. Office is directed to send letter by post and also by email to the members of Physical Inspection Committee, Tirupattur District, Tamil Nadu for sending the inspection report positively before next date of hearing.

In the interest of justice, list on 04.10.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**St. Jude's Academy, Holy Child School Road, Narender Nagar, Sector  
1A, Sonipat, Haryana - 131001.**

**Vs.**

**Principal Secretary, School Education Department, Room No. 37, 7th  
Floor Haryana Civil Secretariat, Sector1, Chandigarh-160001**

**Case No. 144 of 2022**

**26.07.2023**

Present: Mr. Junais P., Advocate for the petitioner.  
Mr. Sandeep Kumar for the respondent.

1. Mr. Sandeep Kumar appeared on behalf of the respondent and wants to file certain documents in support of their contention today itself.
2. Mr. Sandeep Kumar is directed to file the documents before the Commission's Office.
3. Copy of the above documents is supplied to the learned counsel for the petitioner.

In the interest of justice, list on 04.10.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**Jothi Nilayam School for Intellectual Disabled, D.No. 10/139A,  
Reetahpuram Town Panchayat, Chevilai, Palappallm Post, Kalkulam  
Taluk, Manniyakumari District, Tamil Nadu - 629159.**

**Vs.**

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

**Case No. 149 of 2022**

**26.07.2023**

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

1. In compliance of the Commission's earlier Order, Physical Inspection Committee has sent their inspection report in English language by post, along with covering letter dated 28.04.2023 is in Tamil language, which was received in the Commission's Office on dated 09.05.2023 and is taken on record.

2. 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 04.10.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. SHAHID AKHTER  
MEMBER**

SR

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

**St. Joseph's Matriculation Higher Secondary School, Ondipudur,  
Coimbatore, Tamil Nadu - 641016.**

**Vs.**

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

**Case No. 189 of 2022**

**26.07.2023**

Pres

ent: Mr. Jose Abraham, Advocate for petitioner.

None for the Respondent.

1. Despite service of notice by registered post and e-mail, none appeared on behalf of the respondent even in the second round.
2. Learned counsel for the petitioner again prayed for time to comply with the Commission's earlier Orders. Time prayed for is allowed.
3. In the interest of justice, list on 05.10.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**Mar Ivanios CBSE School, Bridge Ward, Kuzhithurai P.O., Kanyakumari District, Tamil Nadu - 629163.**

**Vs.**

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

**Case No. 199 of 2022**

**26.07.2023**

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

1. In compliance of the Commission's earlier Order dated 14.02.2023, the Physical Inspection Committee has sent its inspection report along with the covering letter in Tamil language dated 28.04.2023, by post, which is received in the Commission's Office on dated 09.05.2023 and is taken on record.
2. Learned counsel for the petitioner has submitted that petitioner has filed certified copies of all the relevant documents which are already on record.
3. In the interest of justice, list the case for final arguments on 05.10.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

RS

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

**Rampur National Senior Secondary School, Khusro Bagh Road,  
Rampur District, Uttar Pradesh - 244901.**

**Vs.**

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

**CASE NO. 268 of 2022**

**26.07.2023.**

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

Learned Counsel for the petitioner again prayed for time to comply with the Commission's earlier Order dated 14.12.2022. In the interest of justice, time prayed for is allowed.

List on 05.10.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. SHAHID AKHTER  
MEMBER**

RS



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

**Fatima Girls Higher Secondary School, T. Palur Road, Jayankodam,  
Udayarpalayam (T.K.), Ariyalur District, Tamil Nadu - 621802.**

**Vs.**

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

**CASE NO. 270 of 2022**

**26.07.2023.**

Present: Mr. Jose Abraham, Advocate for petitioner.

Learned Counsel for the petitioner again prayed for time to comply with the Commission's earlier Order dated 14.12.2022. In the interest of justice, time prayed for is allowed.

List on 05.10.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**Crescent International School, Bario (Knowledge Village), Govindpur,  
Dhanbad , Jharkhand - 828109.**

**Vs.**

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

**Case No. 05 of 2023**

**26.07.2023**

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

1. 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.
2. 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.
3. Office is directed to provide a copy of the reminder letter to the learned counsel for the petitioner.
4. 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.

List on 05.10.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**Saint Francis De Sales (SFS) School, P.O. Silapathar, District -  
Dhemaji, Assam - 787059.**

**Vs.**

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

**Case No. 06 of 2023**

**26.07.2023**

Present: None.

1. Despite service of notice by registered post and e-mail, none appeared on behalf of the petitioner even in the second round.
2. On previous hearings also dated 04.01.2023 and 13.04.2023 , none appeared on behalf of the petitioner.
3. In this case Office has reported that there is no specific beneficiary clause available in the MoA of the petitioner Society and the petitioner has not filed complete Unique ID.
4. 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**

**St. John's School, Village - Shankarpur Bhoor, Post - Ramnagar,  
Nainital District, Uttarakhand - 244715.**

**Vs.**

**Incharge Secretary, Higher Education, Uttarakhand Govt., Room No. 7,  
Ground Floor, Late Soban Singh Jeena Bhawan (SBI Bank Building),  
Uttarakhand Secretariat.**

**Case No. 10 of 2023**

**26.07.2023.**

Pres

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

None for the respondent.

1. 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 till now.
2. Additional Secretary, Govt. of Uttar Pradesh has sent by post a letter dated 17.04.2023 which is received in the Commission's Office on dated 20.04.2023 and is taken on record.
3. Copy of the above said letter be kept in office file for information in future.
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.  
List on 10.10.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**Providence School, Jyoti Niketan, Sahibganj P.O. & District, Jharkhand  
- 816109.**

**Vs.**

- 1. District Education Officer, Sahibganj P.O & District, Jharkhand -  
816109.**
- 2. Additional Chief Secretary, Department of Secondary Education,  
Government of Uttar Pradesh**

**Case No. 113 of 2023**

**26.07.2023.**

Pres

ent: None.

1. Despite service of notice by registered post and e-mail, none appeared on behalf of the petitioner even in the second round.
2. 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. 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. Hence, this application is not maintainable at this stage.
7. It also transpires from the records that petitioner has not complied with the Commission's earlier Order dated 19.04.2023.
8. Since nobody has appeared to make any submission and the Commission has waited sufficiently, the Commission has been forced to dismiss the petition.
9. 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**

26.07.2023.

**Madresah Taiyebiyah English Primary School, Begumpura, Surat,  
Gujarat - 395003.**

**- Appellant**

**Vs.**

**Director, Primary Education, Dr. Jivraj Mehta Bhavan, 2nd Floor, 12/1,  
Gandhinagar, Gujarat - 382010**

**- Respondent**

**Appeal u/s 12-B of NCMEI Act – 2004**

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

Learned counsel for the appellant again prayed for time to comply with the Commission's earlier Order dated 19.04.2023. Time prayed for is allowed.

In the interest of justice, list the matter on 10.10.2023.

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. SHAHID AKHTER  
MEMBER**

RS

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

**26.07.2023**

**Asain Public School, Agon & VPO Agon, Tehsil Ferozpur Jhirka District - Nuh, Haryana - 122104.**

**Vs.**

**Principal Secretary, School Education Department for Schools/ Primary Schools, Room No. 37, 7th Floor, Haryana Civil Secretariat, Sector - 1, Chandigarh - 160001.**

Present: None.

1. An application for grant of minority status certificate to Asain Public School, Agon & VPO Agon, Tehsil Ferozpur Jhirka District - Nuh, Haryana – 122104 has been received from the petitioner by post on 17.07.2023. 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. It also transpires from the petition that the petitioner Institute is Un-aided School (Middle Level). In the school, of the 121 enrolled students 110 are from the Muslim Minority Community.
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.
9. In the interest of justice, list on 11.10.2023

**DR. JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. SHAHID AKHTER  
MEMBER**

A.K.

**26.07.2023**

**St. Xavier School, Tanakpur Road, Tigri Chauraha, Amaun, Udham Singh Nagar District, Uttarakhand - 262308.**

**Vs.**

**Incharge Secretary, Higher Education, Uttarakhand Government, Room No. 7, Ground Floor, Late Soban Singh Jeena Bhawan (SBI Bank Building), Uttarakhand Secretariat, Uttarakhand - 248001.**

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

1. An application has been received by hand on 17.07.2023 from Athar St. Xavier School, Tanakpur Road, Tigri Chauraha, Amaun, Udham Singh Nagar District, Uttarakhand - 262308 for grant of minority status certificate. It be registered.
2. It transpires from the petition that on 24.03.2023, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Incharge Secretary, Higher Education, Uttarakhand Government, Room No. 7, Ground Floor, Late Soban Singh Jeena Bhawan (SBI Bank Building), Uttarakhand Secretariat, Uttarakhand - 248001, which was received by the respondent on 03.04.2023. 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 2020-21 of the 419 enrolled students 06 are from the Christian Minority Community, in 2021-22 of the 443 enrolled students 08 are from the Christian Minority Community, in 2022-23 of the 515 enrolled students 09 are from the Christian Minority Community.
6. In this petition Amendment in 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 before this Commission for grant of Minority Status Certificate.
7. In this case office has attached a copy of letter sent to the Under Secretary, Notary Cell, Department of Legal Affairs, Ministry of Law & Justice, New Delhi, which is taken on record.
8. It transpire from the documents filed by the petitioner that Mr. Deo Raj Singh, Notary Public has attested all the documents as Notary Public and affixed the seal Notary / Govt. of India.
9. Learned counsel for the petitioner is directed to file certified copies of relevant documents which are not attested by Sh. Deo Raj Singh, Notary Public as we have sent a letter to the State Competent Authority for cancellation of Registration of Sh. Deo Raj Singh as Notary Public.
10. Office is directed to issue notice by registered Ad and e-mail to the respondent.
11. In the interest of justice, list on 11.10.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. SHAHID AKHTER  
MEMBER**

A.K.



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

**26.07.2023**

**St. Joseph's School, 16-2-741, Asmangadh Palace, Malakpet, Hyderabad District, Telangana - 500036.**

**Vs.**

**Secretary to Government, Minorities Welfare Department, "D" Block, Ground Floor, Telangana Secretariat, Hyderabad - 500022.**

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

1. An application has been received by hand on 17.07.2023 from St. Joseph's School, 16-2-741, Asmangadh Palace, Malakpet, Hyderabad District, Telangana - 500036 for grant of minority status certificate. It be registered.
2. It transpires from the petition that on 30.01.2023, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Secretary to Government, Minorities Welfare Department, "D" Block, Ground Floor, Telangana Secretariat, Hyderabad - 500022, which was received by the respondent on 14.02.2023. 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 (Secondary Level). During the academic year 2020-21 of the 2417 enrolled students 122 are from the Christian Minority Community, in 2021-22 of the 2434 enrolled students 14 are from the Christian Minority Community, in 2022-23 of the 2406 enrolled students 109 are from the Christian Minority Community.
6. In this petition Amendment in 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 before this Commission for grant of Minority Status Certificate.
7. In this case office has attached a copy of letter sent to the Under Secretary, Notary Cell, Department of Legal Affairs, Ministry of Law & Justice, New Delhi, which is taken on record.
8. It transpire from the documents filed by the petitioner that Mr. Deo Raj Singh, Notary Public has attested all the documents as Notary Public and affixed the seal Notary / Govt. of India.
9. Learned counsel for the petitioner is directed to file certified copies of relevant documents which are not attested by Sh. Deo Raj Singh, Notary Public as we have sent a letter to the State Competent Authority for cancellation of Registration of Sh. Deo Raj Singh as Notary Public.
10. Office is directed to issue notice by registered Ad and e-mail to the respondent.
11. In the interest of justice, list on 11.10.2023.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. SHAHID AKHTER  
MEMBER**

A.K.

**The Arham Body of Divinity and Excellence, Kesliwala Mansion, Alka Talkies Road, Kareli, District Narsinghpur, Madhya Pradesh-487221**

**V/s**

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

**Case No. 261 of 2020**

**26.07.2023**

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

1. Order dictated separately and pronounced, which reads as under:

“Relying on the said unrebutted evidence produced on behalf of the petitioner, we find and hold that The Arham Body of Divinity and Excellence, Kesliwala Mansion, Alka Talkies Road, Kareli, District Narsinghpur, Madhya Pradesh-487221 run by Syat Education Society is eligible for grant of minority status on religious basis. The evidence also proves that the said educational institution was established with the main objective of subserving the interests of the Jain minority community.

Consequently, The Arham Body of Divinity and Excellence, Kesliwala Mansion, Alka Talkies Road, Kareli, District Narsinghpur, Madhya Pradesh-487221, which is from 1<sup>st</sup> to 8<sup>th</sup> Std., is declared as an unaided minority educational institution covered under Article 30 of the Constitution of India within the meaning of Section 2(g) of the National Commission for Minority Educational Institutions Act, 2004 subject to the condition that the petitioner would file an affidavit or undertaking to the fact that the petitioner institution shall not deny admission of eligible candidate of the Jain minority community subject to the eligibility of the students and availability of the accommodation in the petitioner institution. If the petitioner institution failed to comply the above order of this Commission within a period of three months from the date of order passed by this Commission then the petition filed by the petitioner for grant of MSC will be automatically deemed to be dismissed.”

2. After compliance of the above order, a minority status certificate be issued accordingly.

3. In view of the above, the present petition is disposed of in accordance with this order.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. SHAHID AKHTER  
MEMBER**

VB

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

**St. Mary's School, At Sangramsai Camp, Noamundi P.O., District West Singhbhum, Jharkhand-833218**

**V/s**

**Director, Secondary Education under School Education & Literacy Department, 3<sup>rd</sup> Floor, MDI Building, S.E. & L Department, Behind Project Bhawan, Post – Dhurwa, District Ranchi, Jharkhand-834004**

**Case No. 14 of 2021**

**26.07.2023**

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

1. Order dictated separately and pronounced, which reads as under:

“Relying on the said unrebutted evidence produced on behalf of the petitioner, we find and hold that St. Mary's School, At Sangramsai Camp, Noamundi P.O., District West Singhbhum, Jharkhand-833218 run by Dibya Prasad Aradhana Society is eligible for grant of minority status on religious basis. The evidence also proves that the said educational institution was established with the main objective of sub-serving the interests of the Christian minority community.

Consequently, St. Mary's School, At Sangramsai Camp, Noamundi P.O., District West Singhbhum, Jharkhand-833218, which is for ICSE 10<sup>th</sup> Examination, is declared as an unaided minority educational institution covered under Article 30 of the Constitution of India within the meaning of Section 2(g) of the National Commission for Minority Educational Institutions Act, 2004 subject to the condition that the petitioner would file an affidavit or undertaking to the fact that the petitioner institution shall not deny admission of eligible candidate of the Christian minority community subject to the eligibility of the students and availability of the accommodation in the petitioner institution. If the petitioner institution failed to comply the above order of this Commission within a period of three months from the date of order passed by this Commission then the petition filed by the petitioner for grant of MSC will be automatically deemed to be dismissed.”

2. After compliance of the above order, a minority status certificate be issued accordingly.

3. In view of the above, the present petition is disposed of in accordance with this order.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. SHAHID AKHTER  
MEMBER**

VB