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

V/s

- 1. Principal Secretary, Higher Education, Department of Education, Govt. 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. 116 of 2020

09.01.2024

Present: Mr. Jose Abraham, Advocate for the petitioner

None for the respondent

- 1. On 20.04.2023, Learned Counsel for the petitioner filed the amended petition Under Order VI Rule 17 CPC Read with Section 12(2) of the NCMEI Act, 2004 for seeking permission to amend the original Minority Status Certificate application dated 27.12.2019 submitted before this Commission. Subsequently notice issued to the respondent on the said application but so far respondent has not replied.
- For the reasons stated in the application that the petitioner has wrongly ticked against the Col. No. 6 as higher education instead of Higher Secondary Level, is allowed.

3. In the interest of justice, list the case for final arguments on 08.02.2024.

DR. SHAHID AKHTER MEMBER

St. Joseph's Women's College of Education, Jayamadha Nagar, Jolarpettai, District Vellore, Tamil Nadu-635851

V/s

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

Case No. 188 of 2020

09.01.2024

Present: Mr. Jose Abraham, Advocate for the petitioner

None for the respondent

- Despite service of reminder letter to the Chief Secretary of the State
 of Tamil Nadu, we have not received any reply / response from the
 State Competent Authority that as to whether the petitioner
 institution has filed any application for grant of MSC before the
 State Competent Authority or not.
- 2. Office is directed to write a reminder letter to the Chief Secretary of the State of Tamil Nadu with a request to direct the State Competent Authority for sending the reply before the next date of hearing.
- 3. Office is directed to supply a copy of the reminder letter to the Learned Counsel for the petitioner.
- 4. Learned Counsel for the petitioner is also directed to approach to the State Competent Authority and also to the Chief Secretary of Tamilnadu to pursue the matter.
- 5. In the interest of justice, list on 15.02.2024.

DR. SHAHID AKHTER MEMBER

VB

M.S. Junior College, H.No. 16-2-705/5/5, Akbarbagh, Malakpet, Nalgonda District, Telangana-500036

V/s

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

Case No. 289 of 2020

09.01.2024

Present: Mr. Jose Abraham, Advocate for the petitioner

None for the respondent

- 1. Heard, learned counsel for the petitioner.
- 2. Reserved for Orders.

DR. SHAHID AKHTER MEMBER

St. Joseph's Primary School, North Street, Thiruvalyaru, District Thanjavur, Tamil Nadu-613204

V/s

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

Case No. 311 of 2020

09.01.2024

Present: Mr. Jose Abraham, Advocate for the petitioner

None for the respondent

- 1. Heard, learned counsel for the petitioner.
- 2. Reserved for Orders.

DR. SHAHID AKHTER MEMBER

Chevalier Academy Matriculation School, Kovilur Junction, Siluvathur Road, District Dindigul, Tamil Nadu-624306
V/s

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

Case No. 393 of 2020

09.01.2024

Present: Mr. Jose Abraham, Advocate for the petitioner

None for the respondent

- 1. As per the meeting held in the Commission on 16.10.2023, the State Govt. of Tamil Nadu has intimated that as per the Govt. Orders the Chief Education Officer / District Education Officer are authorized to issue recognition / affiliation certificate to all the private schools and the recognition / affiliation certificate is a sufficient documents to prove that the institution is affiliated to Tamil Nadu State Examination Board. Hence the pendency of the matter related to recognition / affiliation certificate issued by the Tamil Nadu State Examination Board is now resolved.
- Learned Counsel for the petitioner submitted that he has filed certified copies of all the relevant documents before the Commission.
- 3. Now, fix the case for final arguments on 15.02.2024.

DR. SHAHID AKHTER MEMBER

VB

Servite English High School, Vettaikaran Street, Nehru Nagar, Karaikal, Puducherry-609605

V/s

Secretary to Government (Education), Chief Secretary, No. 1, Goubert Avenue, Beach Road, Puducherry-605001

Case No. 16 of 2021

09.01.2024

Present: Mr. Jose Abraham, Advocate for the petitioner

None for the respondent

- 1. Heard, learned counsel for the petitioner.
- 2. Reserved for Orders.

DR. SHAHID AKHTER MEMBER

Madarsa Furquaniah Korra Sadat. Block-Hasawa, Village-Korra Sadat, District Fatehpur, Uttar Pradesh-212622

V/s

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

Case No. 204 of 2022

09.01.2024

Present: Mr. Junais P, Advocate for the petitioner

None for the respondent

- 1. Heard, learned counsel for the petitioner.
- 2. Reserved for Orders.

DR. SHAHID AKHTER MEMBER

iLEAD FOUNDATION, 1133, Matheswar Tula, Topsia, Kolkata-700016 V/s

Commissioner, Minority Affairs & Madrasah Education Department, "NABANNA", 325, Sarat Chatterjee Road, Howrah-711102 (West Bengal)

Case No. 273 of 2023

09.01.2024

Present: Ms. Samaya Khanna, Advocate for the petitioner

- 1. Learned Counsel for the petitioner prayed for time to file her Vakalatnama and to comply Commission's earlier order dated 17.10.2023. Time prayed for is allowed.
- 2. In the interest of justice, list on 15.02.2024.

DR. SHAHID AKHTER MEMBER

Loyola English Medium School, Tenughat Gomia, Bokaro, Jharkhand-829112

V/s

Director, Primary Education, Department of School Education & Literacy, 3rd Floor, MDI Building, S.E. & L Department, Behind Project Bhawan, Post – Dhurwa, District Ranchi, Jharkhand-834004

Case No. 274 of 2023

09.01.2024

Present: Mr. Jose Abraham, Advocate for the petitioner

None for the respondent

- 1. Despite service of service registered notice and also by email, none appeared on behalf of the respondent even in second round.
- 2. In the facts and circumstances of the case, we deem it just and proper that the physical inspection report alongwith recommendation, 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)
- 3. Office is directed to issue letter to the above authorities and also to provide a copy of the letter to the learned counsel for the petitioner.
- 4. Learned Counsel for the petitioner is directed to approach the members of the Physical inspection Committee and provide all the relevant documents to the said Committee.
- 5. In the interest of justice, list on 15.02.2024.

DR. SHAHID AKHTER MEMBER

Asian Christian High School, Jeemangalam, Bagalur P.O., Hosur, Krishnagiri District, Tamil Nadu- 635 103.

Vs.

The Principal Secretary, School Education Department, Government of Tamil Nadu, Rina Road, Fort St. George, Secretariat, Chennai, Tamil Nadu- 600 009.

Case No. 275 of 2023

9.1.2024

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

Despite service of notice by registered AD and email, there is no appearance on behalf of the respondent even in second round and no reply has been filed by the respondent.

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

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

Office is directed to issue letter to the above authorities and also to provide a copy of the letter to the learned counsel for the petitioner.

Learned Counsel for the petitioner is directed to approach the members of the Physical inspection Committee and provide all the relevant documents to the said Committee and pursue the matter with the Physical Inspection Committee for inspection of the petitioner institution.

List on 20.2.2024.

Convent of Jesus and Mary Girls High School, Pratappura, Arad Road, Halol, Panchmahal, Gujarat- 389 350.

Vs.

The Deputy Director, Director of Schools, Government of Gujarat, Old Secretariat, Block 9/1, Gandhinagar, Gujarat- 382 10.

Case No. 276 of 2023

9.1.2024

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

None for the respondent.

Despite service of notice by registered AD and email, there is no appearance on behalf of the respondent even in second round and no reply has been filed by the respondent.

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

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

Office is directed to issue letter to the above authorities and also to provide a copy of the letter to the learned counsel for the petitioner.

Learned Counsel for the petitioner is directed to approach the members of the Physical inspection Committee and provide all the relevant documents to the said Committee and pursue the matter with the Physical Inspection Committee for inspection of the petitioner institution.

List on 20.2.2024.

Lourdes Convent School (Primary-Gujarati Medium), Compound, Indoor Stadium, Athwalines, Surat District, Gujarat- 395 007.

Vs.

Director, Primary Education, Dr. Jivraj Mehta Bhavan, 2nd Floor, 12/1, Gandhinagar, Gujarat- 382 010.

Case No. 277 of 2023

9.1.2024

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

Despite service of notice by registered AD and email, there is no appearance on behalf of the respondent even in second round and no reply has been filed by the respondent.

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

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

Office is directed to issue letter to the above authorities and also to provide a copy of the letter to the learned counsel for the petitioner.

Learned Counsel for the petitioner is directed to approach the members of the Physical inspection Committee and provide all the relevant documents to the said Committee and pursue the matter with the Physical Inspection Committee for inspection of the petitioner institution.

List on 20.2.2024.

St. Xavier's Primary School, Opp. Axis Bank, Near Ram Chowk, Ghod-Dod Road, Surat, Gujarat- 395 001.

Vs.

Director, Primary Education, Dr. Jivraj Mehta Bhavan, 2nd Floor, 12/1, Gandhinagar, Gujarat- 382 010.

Case No. 278 of 2023

9.1.2024

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

None for the respondent.

Despite service of notice by registered AD and email, there is no appearance on behalf of the respondent even in second round and no reply has been filed by the respondent.

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

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

Office is directed to issue letter to the above authorities and also to provide a copy of the letter to the learned counsel for the petitioner.

Learned Counsel for the petitioner is directed to approach the members of the Physical inspection Committee and provide all the relevant documents to the said Committee and pursue the matter with the Physical Inspection Committee for inspection of the petitioner institution.

List on 20.2.2024.

09.01.2024

S.G.T.B. Girls Sr. Sec. School, Pul Bangash, Delhi - 110006.

Vs.

Assistant Director of Education (ACT), Directorate of Education, Government of NCT of Delhi, Room No. 214-A, Old Secretariat, Delhi.

Present: None.

An application has been received by hand on 30.12.2023 from S.G.T.B. Girls Sr. Sec. School, Pul Bangash, Delhi- 110006 for grant of minority status certificate. It be registered.

2. It transpires from the petition that the petitioner has not applied for grant of No Objection Certificate to the designated authority i.e. Assistant Director of Education (ACT), Directorate of Education, Government of NCT of Delhi, Room No. 214-A, Old Secretariat, Delhi.

3. There is variance between proof and pleading as the names of founding members given in MSC application and as mentioned in Memorandum of Association does not match.

4. Petitioner has not supplied complete information against 1 (f) and 1(g). Petitioner has also not supplied correct information against Col. No. 6 (a) regarding number of existing teachers and students for the last three academic years.

5. Office is directed to issue notice to the petitioner to show cause as to why the petition should not be dismissed at this stage.

6. List on 27.2.2024.

DR. SHAHID AKHTER MEMBER

MD

09.01.2024

St. Thomas High School, Shantipur P.O., Tinsukia, Assam-786 157.

Vs.

Joint Secretary, Education Department (Higher), Assam Secretariat, Block C, Secretariat Complex, Dispur, Guwahati, Assam- 781 006.

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

An application has been received by hand on 15.12.2023 from St. Thomas High School, Shantipur P.O., Tinsukia, Assam- 786 157 for grant of minority status certificate. It be registered.

- 2. It transpires from the petition that on 9.8.2023, the petitioner institution has applied for grant of No Objection Certificate to the State Competent Authority i.e. Joint Secretary, Education Department (Higher), Assam Secretariat, Block C, Secretariat Complex, Dispur, Guwahati, Assam- 781 006, which was received by the respondent on 14.8.2023. The said petition is still pending as per the petitioner institution. The petitioner has waited sufficiently for period of 90 days as per Section 10 of NCMEI Act, 2004, before filing this petition. The petitioner has already filed the proof of delivery of track consignment to the respondent.
- 3. The petitioner has filed copy of letter dated 6.4.99 issued by Secretary, Board of Secondary Education, Assam granting permission to the petitioner institution.
- 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 an unaided institution (Secondary).
- 6. During the academic year 2021-22, out of 1618 students, 68 students were from the Christian minority community, in the year 2022-23, out of 1533 students, 66 students were from the Christian minority community and in the year 2023-24, out of 1530 students, 69 students are from the Christian minority community.
- 7. It transpires from the petition that the Memorandum of Association of the petitioner Society was registered prior to filing application u/s 10 of NCMEI Act. 2004 and also petition before this Commission for grant of Minority Status Certificate.
- 8. Office is directed to issue notice to the respondent by registered AD and e-mail.
- 9. List on 27.2.2024.

09.01.2024

Shamrock School, RS No. 271/3, Opp. PVP Siddartha Engineering College, Kanuru, Penamaluru Mandal, Krishna District, Andhra Pradesh- 520 007.

Vs.

Secretary to Government, Minorities Welfare Department, 3rd Floor, A.P. Secretariat, Velagapudi, Amaravati, Andhra Pradesh- 522 503.

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

An application has been received by hand on 15.12.2023 from Shamrock School, RS No. 271/3, Opp. PVP Siddartha Engineering College, Kanuru, Penamaluru Mandal, Krishna District, Andhra Pradesh- 520 007 for grant of minority status certificate. It be registered.

- 2. It transpires from the petition that on 9.8.2023, the petitioner institution has applied for grant of No Objection Certificate to the State Competent Authority i.e. Secretary to Government, Minorities Welfare Department, 3rd Floor, A.P. Secretariat, Velagapudi, Amaravati, Andhra Pradesh- 522 503, which was received by the respondent on 14.8.2023. The said petition is still pending as per the petitioner institution. The petitioner has waited sufficiently for period of 90 days as per Section 10 of NCMEI Act, 2004, before filing this petition. The petitioner has already filed the proof of delivery of track consignment to the respondent.
- 3. The petitioner has filed downloaded copy of letter dated 21.12.2022 issued by CBSE granting affiliation to the petitioner institution for the period 1.4.2022 to 31.3.2027.
- 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 an unaided institution (Secondary).
- 6. During the academic year 2021-22, out of 128 students, 11 students were from the Christian minority community, in the year 2022-23, out of 327 students, 13 students were from the Christian minority community and in the year 2023-24, out of 588 students, 24 students are from the Christian minority community.
- 7. It transpires from the petition that the amendment in the Memorandum of Association of the petitioner Society was prior to filing application u/s 10 of NCMEI Act. 2004 and also petition before this Commission for grant of Minority Status Certificate.
- 8. Office is directed to issue notice to the respondent by registered AD and e-mail.
- 9. List on 27.2.2024.

09.01.2024

Ajmani Public School, Shyam Nagar Colony, Sitapur Road, Lakhimpur-Kheri, Uttar Pradesh- 262 701.

Vs.

Additional Chief Secretary, Secondary Education Department, Government of Uttar Pradesh, Bapu Bhawan, 7th Floor, Lucknow, Uttar Pradesh – 226 001.

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

An application has been received by hand on 20.12.2023 from Ajmani Public School, Shyam Nagar Colony, Sitapur Road, Lakhimpur-Kheri, Uttar Pradesh- 262 701 for grant of minority status certificate. It be registered.

- 2. It transpires from the petition that on 13.12.2022, the petitioner institution has applied for grant of No Objection Certificate to the State Competent Authority i.e. Additional Chief Secretary, Secondary Education Department, Government of Uttar Pradesh, Bapu Bhawan, 7th Floor, Lucknow, Uttar Pradesh—226 001, which was received by the respondent on 16.12.2022. The said petition is still pending as per the petitioner institution. The petitioner has waited sufficiently for period of 90 days as per Section 10 of NCMEI Act, 2004, before filing this petition. The petitioner has already filed the proof of delivery of track consignment to the respondent.
- 3. The petitioner has filed notarized copy of letter dated 6.8.2021 issued by CBSE granting affiliation to the petitioner institution for the period 1.4.2022 to 31.3.2027.
- 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 an unaided institution (Higher Secondary).
- 6. During the academic year 2020-21, out of 1179 students, 49 students were from the Sikh minority community, in the year 2021-22, out of 1317 students, 49 students were from the Sikh minority community and in the year 2022-23, out of 1307 students, 68 students were from the Sikh minority community.
- 7. It transpires from the petition that the amendment in the Memorandum of Association of the petitioner Society done prior to the filing application u/s 10 of NCMEI Act. 2004 and also petition before this Commission for grant of Minority Status Certificate.
- 8. Office is directed to issue notice to the respondent by registered AD and e-mail.
- 9. List on 27.2.2024.

09.01.2024

Madarsa Veer Abdul Hameed, Gram & Post Sarserha, Tehsil Tehrauli, District Jhansi, Uttar Pradesh- 284 301.

Vs.

Additional Chief Secretary/ Principal Secretary/ Secretary, Basic Education Department, Government of Uttar Pradesh, Vidya Bhawan, Nishatganj, Lucknow, Uttar Pradesh- 226 007.

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

An application has been received by hand on 20.12.2023 from Madarsa Veer Abdul Hameed, Gram & Post Sarserha, Tehsil Tehrauli, District Jhansi, Uttar Pradesh- 284 301 for grant of minority status certificate. It be registered.

- 2. It transpires from the petition that on 25.8.2023, the petitioner institution has applied for grant of No Objection Certificate to the State Competent Authority i.e. Additional Chief Secretary/ Principal Secretary/ Secretary, Basic Education Department, Government of Uttar Pradesh, Vidya Bhawan, Nishatganj, Lucknow, Uttar Pradesh- 226 007, which was received by the respondent on 28.8.2023. The said petition is still pending as per the petitioner institution. The petitioner has waited sufficiently for period of 90 days as per Section 10 of NCMEI Act, 2004, before filing this petition. The petitioner has already filed the proof of delivery of track consignment to the respondent.
- 3. The petitioner has filed notarized copy of letter dated 17.6.2005 issued by District Minority Welfare Officer, Jhansi granting affiliation to the petitioner institution.
- 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 an unaided institution (Primary).
- 6. During the academic year 2020-21, out of 39 students, 26 students were from the Muslim minority community, in the year 2021-22, out of 41 students, 27 students were from the Muslim minority community and in the year 2022-23, out of 42 students, 27 students were from the Muslim minority community.
- 7. It transpires from the petition that the amendment in the Memorandum of Association of the petitioner Society done prior to the filing application u/s 10 of NCMEI Act. 2004 and also petition before this Commission for grant of Minority Status Certificate.
- 8. Office is directed to issue notice to the respondent by registered AD and e-mail. Record of Case No. 12 of 2023 be tagged with the record of this case.
- 9. List on 27.2.2024.