

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

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

V/s

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

Case No. 399 of 2020

24.07.2024

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

1. Heard the petitioner.
2. Reserved for Orders.

**DR. SHAHID AKHTER
MEMBER**

VB

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

**Christian English College, Nowgong Road, Chhatarpur, District
Madhya Pradesh-471001**

V/s

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

Case No. 112 of 2021

24.07.2024

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

1. Deputy Collector, Backward Classes and Minority Welfare Department, Chhatarpur, MP has sent Physical Inspection Report alongwith covering letter dated 15.04.2024 by post which was received before the Commission's office on 02.05.2024 which is taken on record.
2. Learned Counsel for the petitioner submitted that the petitioner has filed certified copies of all the relevant documents which are already on record.
3. In the interest of justice, fix the case for final arguments on 25.09.2024.

**DR. SHAHID AKHTER
MEMBER**

VB

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

**St. Anne's Nursery and Primary School, Thiruvalluvar Nagar, Lalgudi,
Trichy District, Tamil Nadu-621601**

V/s

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

Case No. 119 of 2022

24.07.2024

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

1. A communication dated 28.03.2024 received from the District Backward Classes and Minorities Welfare Officer, Tiruchirappalli alongwith abstract and some documents by post before this Commission's office on dated 16.04.2024 which are taken on record. Office is directed to provide the copy of the said communication to the Learned Counsel for the petitioner for filing of rejoinder, if any.
2. Despite sending reminder letter by post and email to the Chief Secretary, Govt. of Tamil Nadu and reminder letter by post and email to the members of Physical Inspection Committee, no response / physical inspection report received from the Physical Inspection Committee till now.
3. Learned Counsel for the petitioner submitted that the members of the physical inspection committee have already inspected the petitioner institution
4. Secretary of the Commission is directed to write a reminder letter again to the Chief Secretary, Govt. of Tamil Nadu to direct the members of the physical inspection committee to send the inspection report positively before the next date of hearing.
5. Office is directed that if original Physical Inspection Report is not received, then send reminder letter by post and also by email to the members of Physical Inspection Committee, for sending the original inspection report positively before next date of hearing.
6. In the interest of justice, list on 18.09.2024.

**DR. SHAHID AKHTER
MEMBER**

VB

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

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

V/s

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

Case No. 243 of 2022

24.07.2024

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

1. Despite sending letter by post and email to the Chief Secretary, Govt. of Tamil Nadu and reminder letter by post and email to the members of Physical Inspection Committee, no response / physical inspection report received from the Physical Inspection Committee till now.
2. Learned Counsel for the petitioner submitted that the members of the physical inspection committee have already inspected the petitioner institution
3. Secretary of the Commission is directed to write a reminder letter again to the Chief Secretary, Govt. of Tamil Nadu with a request to direct the members of the physical inspection committee to send the inspection report positively before the next date of hearing.
4. Office is directed that if original Physical Inspection Report is not received, then send reminder letter by post and also by email to the members of Physical Inspection Committee, for sending the original inspection report positively before next date of hearing.
5. Director of Private Schools, Chennai has sent counter affidavit on behalf of the respondent before the Commission's office on dated 19.06.2024 which is taken on record.
6. Learned Counsel for the petitioner submitted that the same counter affidavit has already been received by the him and he does not want to file any rejoinder.
7. In the interest of justice, list on 18.09.2024.

**DR. SHAHID AKHTER
MEMBER**

VB

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

**Nishwan Shahid Shikshan Sansthan, Village-Kachhara, Pawai,
Azamgarh, Uttar Pradesh-276288**

V/s

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

Case No. 39 of 2023

24.07.2024

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

1. A communication dated 17.05.2024 received from the District Magistrate, Azamgarh by post before this Commission's office on dated 05.06.2024, which is taken on record. After perusal of the same, this is not in the prescribed format of the Commission and they have not enclosed the physical inspection report.
2. Despite sending reminder letter alongwith proper prescribed format of the Commission by post and also by email to the members of Physical Inspection Committee, no response / physical inspection report received from the Physical Inspection Committee till now.
3. Learned Counsel for the petitioner submitted that the members of the physical inspection committee have already inspected the petitioner institution
4. Office is directed that if original Physical Inspection Report is not received, then send reminder letter by post and also by email to the members of Physical Inspection Committee, for sending the original inspection report in the prescribed format of the Commission duly signed by all the members of the physical inspection committee positively before next date of hearing.
5. In the interest of justice, list on 18.09.2024.

**DR. SHAHID AKHTER
MEMBER**

VB

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

**St. Mary's School, S.L.F. Ved Vihar, Sadullabad Village, Loni P.O.,
District Ghaziabad, Uttar Pradesh-201102**

V/s

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

Case No. 44 of 2023

24.07.2024

Present : Mr. Jose Abraham, Advocate for the petitioner
Mr. Satesh Kumar Pandey for the respondent

1. A communication dated 02.05.2024 received from the Joint Secretary, Minority Welfare and Waqf Department, Government of Uttar Pradesh by post before this Commission's office on dated 22.05.2024 which is taken on record.
2. Mr. Satesh Kumar Pandey for the respondent wants to file detailed report of the petitioner institution which is not in the prescribed format of the Commission. He is directed to file the detailed report before the Commission's office today itself.
3. Office is directed to send reminder letter by post and also by email to the members of Physical Inspection Committee, for sending the original inspection report in the prescribed format of the Commission duly signed by all the members of the physical inspection committee positively before next date of hearing.
4. In the interest of justice, list on 18.09.2024.

**DR. SHAHID AKHTER
MEMBER**

VB

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

**Sevaniketan Primary School, Gothada, Ta-Savil, Vadodara District,
Gujarat-391770**

V/s

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

Case No. 55 of 2023

24.07.2024

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, no response / physical inspection report received from the Physical Inspection Committee till now.
2. Learned counsel for the petitioner submitted that the members of the physical inspection committee have already inspected their institution.
3. Office is directed that if original Physical Inspection Report is not received, then send reminder by post and also by email to the members of Physical Inspection Committee, for sending the original inspection report positively before next date of hearing.
4. In the interest of justice, list on 18.9.2024.

**DR. SHAHID AKHTER
MEMBER**

VB

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

**Immanuel Arasar College of Pharmacy, Edaivilagam, Nattalam,
Marthandam, District Kanyakumari, Tamil Nadu-629195**

V/s

**Secretary, Health and Welfare Department, Namakkal Kavignar,
Maaligai, Secretariat, Chennai, Tamil Nadu – 600009**

Case No. 175 of 2023

24.07.2024

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, no response / physical inspection report received from the Physical Inspection Committee till now.
2. Learned counsel for the petitioner submitted that the members of the physical inspection committee have already inspected their institution.
3. Office is directed that if original Physical Inspection Report is not received, then send reminder by post and also by email to the members of Physical Inspection Committee, for sending the original inspection report positively before next date of hearing.
4. In the interest of justice, list on 18.9.2024.

**DR. SHAHID AKHTER
MEMBER**

VB

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

**Immanuel Arasar Ayurveda Medical College, Edaivilagam, Nattalam,
Marthandam, District Kanyakumari, Tamil Nadu-629195**

V/s

**Secretary, Health and Welfare Department, Namakkal Kavignar,
Maaligai, Secretariat, Chennai, Tamil Nadu – 600009**

Case No. 176 of 2023

24.07.2024

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, no response / physical inspection report received from the Physical Inspection Committee till now.
2. Learned counsel for the petitioner submitted that the members of the physical inspection committee have already inspected their institution.
3. Office is directed that if original Physical Inspection Report is not received, then send reminder by post and also by email to the members of Physical Inspection Committee, for sending the original inspection report positively before next date of hearing.
4. In the interest of justice, list on 18.9.2024.

**DR. SHAHID AKHTER
MEMBER**

VB

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

**Shrine Vailankanni Matriculation Hr. Sec. School, 7th Cross, Renga
Nagar, K.K. Nagar Post, District Trichy, Tamil Nadu-620021**

V/s

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

Case No. 196 of 2023

24.07.2024

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

1. Despite sending notice by post and email under order VIII rule 9 of 151 of CPC read with Section 12 of the NCMEI Act, 2004 by post and email, no response / reply has been received from the respondent.
2. In the facts and circumstances of the case, it would be 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)
3. Office is directed to issue letter to the above Committee members for submitting the report.
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. Learned Counsel for the petitioner prayed for time to file updated recognition / affiliation order issued by the State Competent Authority. Time prayed for is allowed.
6. In the interest of justice, list on 19.09.2024.

**DR. SHAHID AKHTER
MEMBER**

VB

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

**St. Mary's Matriculation Hr. Sec. School, Irulancheri, Perambakkam,
District Thiruvallur, Tamil Nadu-631402**

V/s

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

Case No. 197 of 2023

24.07.2024

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

1. Learned counsel for the petitioner has filed notarized copy of latest recognition order of the petitioner institution before the Commission's office on dated 23.07.2024 which is taken on record.
2. Director of Private Schools, Chennai has sent counter affidavit on behalf of the respondent before the Commission's office on dated 14.05.2024 which is taken on record. Office is directed to provide the copy of the same to the Learned Counsel for the petitioner for filing of reply /rejoinder, if any.
3. The respondent is not filing proper reply against the notice issued by the Commission under Section 10 of the NCMEI Act, 2004 and filing the same counter affidavit in all the cases.
4. In the facts and circumstances of the case, it would be 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)
5. Office is directed to issue letter to the above Committee members for submitting the report.
6. 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.
7. In the interest of justice, list on 19.09.2024.

**DR. SHAHID AKHTER
MEMBER**

VB

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

**St. Joseph International School, Mother Virgin Garden, R.S. No. 570,
South Venganallur Village, Tirunelveli Road, Rajapalayam Taluk,
Virudhunagar District, Tamil Nadu-630312**

V/s

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

Case No. 199 of 2023

24.07.2024

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

1. Director of Private Schools, Chennai has sent counter affidavit on behalf of the respondent before the Commission's office on dated 28.05.2024 which is taken on record.
2. Learned Counsel for the petitioner submitted that the same counter affidavit has already been received by the respondent before this Commission and he does not want to file any rejoinder.
3. It transpires from the record that the ID number of the tracking report and registered slip does not match. Learned Counsel for the petitioner is directed to clarify the said variance.
4. In the interest of justice, list on 19.09.2024.

**DR. SHAHID AKHTER
MEMBER**

VB

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

Islamiah Aided Elementary School, No. 2/ 145, Jamia Mosque Street, Periankuppam, Vellore District, Tamil Nadu- 635 814.

Vs.

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

**Case No. 200 of 2023
24.7.2024**

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

Heard learned counsel for the petitioner. Reserved for orders.

**DR. SHAHID AKHTER
MEMBER**

MD

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

**Krist Raja School, Godda P.O., Godda District,
Jharkhand- 814 133.**

Vs.

**Director, Primary Education, Department of School
Education & Literacy S.E & L. Department, MDI Building,
Post - Dhurwa, District - Ranchi, Jharkhand- 834 004.**

Case No. 30 of 2024

24.7.2024

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

Despite sending 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 Physical Inspection Committee till now.

Learned counsel for the petitioner has submitted that the members of the Physical Inspection Committee have already inspected the petitioner institution.

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, if the inspection report is not received till sending the reminder letter.

Learned counsel for the petitioner has prayed for time to file updated recognition/ affiliation order issued by competent authority.

In the interest of justice, list on 24.9.2024.

**DR. SHAHID AKHTER
MEMBER**

MD

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

St. Louis Middle School, Siktia, Nawdiha P.O., Godda District, Jharkhand- 814 153.

Vs.

Director, Primary Education, Department of School Education & Literacy S.E & L. Department, MDI Building, Post - Dhurwa, District - Ranchi, Jharkhand- 834 004.

**Case No. 31 of 2024
24.7.2024**

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

Despite sending 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 Physical Inspection Committee till now.

Learned counsel for the petitioner has submitted that the members of the Physical Inspection Committee have already inspected the petitioner institution.

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, if the inspection report is not received till sending the reminder letter.

Learned counsel for the petitioner has prayed for time to file updated recognition/ affiliation order issued by competent authority.

In the interest of justice, list on 24.9.2024.

**DR. SHAHID AKHTER
MEMBER**

MD

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

St. Thomas School, Godda P.O., Godda District, Jharkhand-814 133.

Vs.

Director, Primary Education, Department of School Education & Literacy S.E & L. Department, MDI Building, Post - Dhurwa, District - Ranchi, Jharkhand- 834 004.

Case No. 32 of 2024

24.7.2024

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

Despite sending 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 Physical Inspection Committee till now.

Learned counsel for the petitioner has submitted that the members of the Physical Inspection Committee have already inspected the petitioner institution.

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, if the inspection report is not received till sending the reminder letter.

Learned counsel for the petitioner has prayed for time to file updated recognition/ affiliation order issued by competent authority.

In the interest of justice, list on 24.9.2024.

**DR. SHAHID AKHTER
MEMBER**

MD

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

**St. Joseph's High School (E.M.), MLK Nagar, Georgepetta, Tallarevu
Mandal, Kakinada District, Andhra Pradesh- 533 461.**

Vs.

**Secretary, Department of Minorities Welfare, Government of Andhra
Pradesh, 3rd Floor, A.P. Secretariat, Velagapudi, Amravati, Andhra
Pradesh- 522 503.**

Case No. 131 of 2024

24.7.2024

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

Counter affidavit dated 27.6.2024 has been received on 10.7.2024 from Secretary, Minorities (SDM) Department, Andhra Pradesh, which is taken on record.

Office is directed to supply a copy of the same to the learned counsel for the petitioner for filing rejoinder, if any.

This case belongs to State of Andhra Pradesh. In most of the cases, the State Government of Andhra Pradesh is not filing proper reply on the applications filed by the petitioner institutions before the competent authority under Section 10 of the NCMEI Act 2004.

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.

In the interest of justice, list on 24.9.2024.

**DR. SHAHID AKHTER
MEMBER**

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

Carmel Convent School, Noorbari P.O., Harigaon, Tezpur, Nikhamul Satra, Sonitpur District, Assam- 784 154.

Vs.

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

Case No. 132 of 2024

24.7.2024

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

Vide order dated 2.4.2024, office was directed to issue notice to the respondent by registered AD and email.

On 20.6.2024, notice sent to Joint Secretary, Education Department (Higher), Government of Assam has been returned back undelivered stating on the envelope that it was not received by Joint Secretary Education (Higher) on 11.6.2024 at 2:30 p.m.

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

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.

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.

Secretary of the Commission is directed to write a letter to the Chief Secretary, Government of Assam to nominate the competent authority for grant of No Objection Certificate under Section 10 of the NCMEI Act, 2004.

In the interest of justice, list on 24.9.2024.

**DR. SHAHID AKHTER
MEMBER**

MD

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

**St. Joseph's Upper Primary School (E.M.), MLK Nagar, Georgepetta,
Tallarevu Mandal, Kakinada District, Andhra Pradesh- 533 461.**

Vs.

**Secretary, Department of Minorities Welfare, Government of Andhra
Pradesh, 3rd Floor, A.P. Secretariat, Velagapudi, Amravati, Andhra
Pradesh- 522 503.**

Case No. 133 of 2024

24.7.2024

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

Counter affidavit dated 27.6.2024 has been received on 10.7.2024 from Secretary, Minorities (SDM) Department, Andhra Pradesh, which is taken on record.

Office is directed to supply a copy of the same to the learned counsel for the petitioner for filing rejoinder, if any.

This case belongs to State of Andhra Pradesh. In most of the cases, the State Government of Andhra Pradesh is not filing proper reply on the applications filed by the petitioner institutions before the competent authority under Section 10 of the NCMEI Act 2004.

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.

In the interest of justice, list on 24.9.2024.

**DR. SHAHID AKHTER
MEMBER**

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

**St. Xavier's School, Satkoha (Naushera Majha Singh), Gurdaspur,
Punjab- 143 518.**

Vs.

**Director of Public Instruction (S.E) Punjab Block E, Vidya Bhawan, 4th
Floor Complex Punjab School Education Board, Sector 62, S.A.S
Nagar, Mohali, Punjab- 160 062.**

Case No. 134 of 2024

24.7.2024

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

On 16.7.2024, a letter dated 10.7.2024 has been received from Director, School Education (S.E.), Directorate of School Education (Secondary), Punjab stating therein that the petitioner has not applied for grant of minority status certificate to the said department and has directly applied for grant of minority status certificate to this Commission.

It transpires from the record that the petitioner institution has applied for grant of No Objection Certificate to the competent authority on 11.9.2023 which was received by the respondent on 14.9.2023.

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.

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.

Office is directed to send a copy of this order to the respondent and also direct him to file reply.

In the interest of justice, list on 24.9.2024.

**DR. SHAHID AKHTER
MEMBER**

MD

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

24.7.2024

**St. Xavier's College of Management & Technology, Digha Ashiyana Road,
Digha Ghat, Patna, Bihar- 800 011.**

Vs.

**Director, Secondary & Senior Secondary Education, Ground Floor, Vikas
Bhawan, New Secretariat, Daily Road, Patna, Bihar- 800 015.**

Present: Mr. Ravi Sagar, Advocate for the petitioner.

An application has been received by hand on 5.6.2024 from St. Xavier's College of Management & Technology, Digha Ashiyana Road, Digha Ghat, Patna, Bihar- 800 011 for grant of minority status certificate. It be registered.

2. The petitioner has filed copy of letter dated 5.3.2024 issued by Aryabhatta Knowledge University, Patna granting affiliation to the petitioner institution for the academic session 2023-24. The petitioner has also filed accreditation certificate dated 9.11.2022 issued by National Assessment and Accreditation Council to the petitioner institution.

3. 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.

4. It also transpires from the petition that the petitioner Institute is an unaided institution (Higher). During the academic year 2020-21, out of 1138 students, 102 students were from the Christian minority community 2021-22, out of 1167 students, 92 students were from the Christian minority community and in the year 2022-23, out of 1087 students, 70 students were from the Christian minority community.

5. It transpires from the petition that on 14.8.2023, the petitioner institution has applied for grant of minority status certificate before the Additional Chief Secretary, Higher Education Department, Government of Bihar and vide letter dated 1.9.2023, the Director (Administration), Education Department has granted NOC to the said institution.

6. 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

7. As the petitioner institution has not applied to the correct competent authority for grant of No Objection Certificate, the petition is not maintainable.

8. 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.

9. The petition is disposed of as withdrawn. Office is directed to return additional sets, envelope and postage charges to the learned counsel for the petitioner

**DR. SHAHID AKHTER
MEMBER**

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

24.7.2024

**Bishop Ambrose College, Ramanathapuram P.O., Coimbatore District,
Tamil Nadu- 641 045.**

Vs.

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

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

An application has been received by hand on 10.7.2024 from Bishop Ambrose College, Ramanathapuram P.O., Coimbatore District, Tamil Nadu- 641 045 for grant of minority status certificate. It be registered.

2. It transpires from the petition that on 23.2.2024, the petitioner institution has applied for grant of No Objection Certificate to the State Competent Authority i.e. Principal Secretary, Higher Education Department, Government of Tamil Nadu, Fort St. George, Secretariat, Chennai, Tamil Nadu, which was received by the respondent on 27.2.2024. 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.

3. The petitioner has filed notarized copy of certificate dated 25.4.2017 issued by Bharthiar University, Tamil Nadu certifying that the petitioner institution is permanently affiliated to the said university.

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 Education).

6. During the academic year 2021-22, out of 280 students, 55 students were from the Christian minority community, in the year 2022-23, out of 259 students, 64 students were from the Christian minority community and in the year 2023-24, out of 166 students, 49 students were from the Christian minority community.

7. It transpires from the petition that the amendment in the Memorandum of Association of the petitioner Society was done 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.

8. Office has reported that there is variance in signature of President on Declaration and affidavit. Learned counsel for the petitioner submitted that both the declaration and affidavit has been signed by Rev. Dr. L. Thomas Aquinas, President. Hence, office report is ignored.

9. Office is directed to issue notice to the respondent by registered AD and e-mail. Record of Case No. 782 of 2017 be tagged with the record of this case.

10. List on 25.9.2024.

**DR. SHAHID AKHTER
MEMBER**

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

24.7.2024

St. Joseph's School, Y.M.R. Patty, Dindigul District Tamil Nadu- 624 001.

Vs.

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

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

An application has been received by hand on 12.7.2024 from St. Joseph's School, Y.M.R. Patty, Dindigul District Tamil Nadu- 624 001 for grant of minority status certificate. It be registered.

2. It transpires from the petition that on 29.2.2024, the petitioner institution has applied for grant of No Objection Certificate to the State Competent Authority i.e. Principal Secretary, School Education Department, Government of Tamil Nadu, Rina Road, Fort St. George, Secretariat, Chennai, Tamil Nadu- 600 009, which was received by the respondent on 4.3.2024. 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.

3. The petitioner has filed notarized copy of letter dated 29.4.2024 issued by Director of Private Schools, School Education Department, Government of Tamil Nadu granting affiliation to the petitioner institution upto 14.11.2026.

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). During the academic year 2021-22, out of 3367 students, 1176 students were from the Christian minority community, in the year 2022-23, out of 3387 students, 1125 students were from the Christian minority community and in the year 2023-24, out of 3390 students, 1261 students were from the Christian minority community.

6. Office has reported that the name of the Society mentioned in MOA is "Congregation of Sisters of Our Lady of Seven Dolours where is it is different in Registration Certificate/ Unique ID.

7. It transpires from the record that the name of Society mentioned in Memorandum of Association & Rules & Regulation is "The Congregation of the Sisters of Our Lady of Seven Dolours". However, in Certificate of Registration, amended MOA & Rules & Regulations, the name of the society is mentioned as "The Society of Congregation of Mother of Sorrows, Servants of Mary".

8. 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.

9. The petition is disposed of as withdrawn. Office is directed to return original petition, envelope and postage charges to the learned counsel for the petitioner after retaining its copy.

**DR. SHAHID AKHTER
MEMBER**

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

24.7.2024

St. Joseph's Matriculation School, Kelamangalam Main Road, Denkanikottai, Krishnagiri District, Tami Nadu- 635 107.

Vs.

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

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

An application has been received by hand on 12.7.2024 from St. Joseph's Matriculation School, Kelamangalam Main Road, Denkanikottai, Krishnagiri District, Tami Nadu- 635 107 for grant of minority status certificate. It be registered.

2. It transpires from the petition that on 29.2.2024, the petitioner institution has applied for grant of No Objection Certificate to the State Competent Authority i.e. Principal Secretary, School Education Department, Government of Tamil Nadu, Rina Road, Fort St. George, Secretariat, Chennai, Tamil Nadu- 600 009, which was received by the respondent on 4.3.2024. 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.

3. The petitioner has filed notarized copy of letter dated 20.7.2023 issued by Joint Director, Director of Private Schools, Chennai granting recognition to the petitioner institution for the period 1.6.2022 to 31.5.2025.

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). During the academic year 2021-22, out of 286 students, 47 students were from the Christian minority community, in the year 2022-23, out of 328 students, 47 students were from the Christian minority community and in the year 2023-24, out of 348 students, 50 students were from the Christian minority community.

6. Office has reported that the name of the Society mentioned in MOA is "Congregation of Sisters of Our Lady of Seven Dolours where is it is different in Registration Certificate/ Unique ID.

7. It transpires from the record that the name of Society mentioned in Memorandum of Association & Rules & Regulation is "The Congregation of the Sisters of Our Lady of Seven Dolours". However, in Certificate of Registration, amended MOA & Rules & Regulations, the name of the society is mentioned as "The Society of Congregation of Mother of Sorrows, Servants of Mary".

8. 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.

9. The petition is disposed of as withdrawn. Office is directed to return original petition, envelope and postage charges to the learned counsel for the petitioner after retaining its copy. Record of Case No. 520 of 2018 be tagged with the record of this case.

**DR. SHAHID AKHTER
MEMBER**