

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

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

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

14.08.2024

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 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.
4. In the interest of justice, list on 22.10.2024.

**DR. SHAHID AKHTER
MEMBER**

VB

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

**Nazia Girls Junior High School, Laliyana, Meerut, UP
V/s**

**Additional Chief Secretary, Department of School Education, Govt. of
Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh**

Case No. 66 of 2022

14.08.2024

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

1. Additional District Magistrate (City), Meerut has sent physical inspection report alongwith covering letter by hand dated 24.05.2024 which was received before the Commission's office on dated 27.05.2024, 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 15.10.2024.

**DR. SHAHID AKHTER
MEMBER**

VB

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

**St. Joseph's Nursery and Primary School, Koothavakkam, OMR,
Thiruporur, District Kancheepuram, Tamil Nadu**

V/s

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

Case No. 156 of 2022

14.08.2024

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

1. Despite sending reminder letter by post to Chief Secretary of Tamil Nadu and reminder letter by post and email to the members of Physical Inspection Committee, no response / physical inspection report received from them till now.
2. Learned counsel for the petitioner submitted that the members of the physical inspection committee have already inspected their institution.
3. Secretary of the Commission is directed to write a reminder letter to the Chief Secretary, Government of Tamil Nadu with a request to direct the Physical Inspection Committee to send Physical 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. In the interest of justice, list on 22.10.2024.

**DR. SHAHID AKHTER
MEMBER**

VB

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

**H.A. English School, Near Ashiana Colony, Bisra, Sundargarh, Orissa
V/s
Director, Secondary Education, 6th Floor, HOD Building, Unit-V,
Bhubaneswar, Khordha, Odisha-751001**

Case No. 54 of 2023

14.08.2024

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, 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 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.
4. In the interest of justice, list on 22.10.2024.

**DR. SHAHID AKHTER
MEMBER**

VB

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

St. Anne's Academy Matriculation School, Vembarpatti P.O., Dindigul District, Tamil Nadu

V/s

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

Case No. 65 of 2023

14.08.2024

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

1. On dated 16.07.2024, Director of Private Schools on behalf of the respondent filed counter affidavit alongwith covering letter dated 04.07.2024 by post, which is taken on record.
2. Learned Counsel for the petitioner submitted that the same counter affidavit is already on record and he has already filed the rejoinder and does not want to file rejoinder again.
3. 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.
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 22.10.2024.

**DR. SHAHID AKHTER
MEMBER**

VB

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

**Samford International Academy, Dahitand, Jaridhih, Jainamore,
Bokaro, Jharkhand**

V/s

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

Case No. 121 of 2023

14.08.2024

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, 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 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.
4. In the interest of justice, list on 22.10.2024.

**DR. SHAHID AKHTER
MEMBER**

VB

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

**Don Bosco School Sashipur, Darrangamela, District Tamulpur,
Assam**

V/s

**Joint Secretary, Higher Education Department, Govt. of Assam,
Assam Secretariat, Block C, Secretariat Complex, Dispur, Guwahati,
Assam-781006**

Case No. 170 of 2023

14.08.2024

Present : Mr. Tariq Adeeb, 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. 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.
3. Learned Counsel for the petitioner again prayed to file the updated recognition / affiliation order issued by the State Competent Authority. Time prayed for is allowed.
4. In the interest of justice, list on 22.10.2024.

**DR. SHAHID AKHTER
MEMBER**

VB

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

**Loyola English Medium School, Teneghat, Gomia, Bokaro,
Jharkhand**

V/s

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

Case No. 274 of 2023

14.08.2024

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. Secretary of the Commission is directed to write a reminder letter to the Chief Secretary, Government of Jharkhand with a request to direct the Physical Inspection Committee to send Physical Inspection Report positively before the next date of hearing.
3. 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.
4. In the interest of justice, list on 22.10.2024.

**DR. SHAHID AKHTER
MEMBER**

VB

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

**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

14.8.2024

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

Collector, Surat vide his letter dated 29.6.2024 has sent Physical Inspection Report along with some documents, which was received before the Commission's office on 16.7.2024. The same is taken on record.

Learned counsel for the petitioner has submitted that certified copies of all the relevant documents are already on record.

List the case for final arguments on 16.10.2024.

**DR. SHAHID AKHTER
MEMBER**

MD

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

**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

14.8.2024

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

A communication dated 9.7.2024 from Deputy Director, Schedule Caste Welfare, Surat has been received before the Commission's office on 16.7.2024, which is taken on record.

Collector, Surat vide his letter dated 29.6.2024 has sent Physical Inspection Report along with some documents, which was received before the Commission's office on 16.7.2024. The same is also taken on record.

Learned counsel for the petitioner has submitted that certified copies of all the relevant documents are already on record.

List the case for final arguments on 17.10.2024.

**DR. SHAHID AKHTER
MEMBER**

MD

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

St. Anthony's School, Phulwaria, Kusumghati P.O., Godda District, Jharkhand- 814 147.

Vs.

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

Case No. 82 of 2023

14.8.2024

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 physical inspection report positively before the next date of hearing.

In the interest of justice, list on 23.10.2024.

**DR. SHAHID AKHTER
MEMBER**

MD

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

Grace Modern Junior High School, 110, Agha Colony, Civil Lines, Sitapur, Uttar Pradesh- 261 001.

Vs.

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

Case No. 173 of 2024

14.8.2024

Present: Mr. Vinay Kumar Mishra, Advocate for the petitioner.
None for the respondent.

In compliance of Commission's earlier order dated 2.5.2024, learned counsel for the petitioner has filed written submission before the Commission's office on 2.5.2024, which is taken on record.

He wants to file some additional document before the court of the Commission. He is directed to file the same before the Commission's office today itself.

In the interest of justice, list on 5.11.2024.

**DR. SHAHID AKHTER
MEMBER**

MD

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

**Vibgyor Roots and Rise, Doddanekundi Village,
Mahadevapura Post, K.R. Puram Hobli, Bangalore,
Karnataka- 560 037.**

Vs.

**Additional Chief Secretary, Education Department (Higher
Education), Government of Karnataka, Sixth Floor, Multi
Storeyed Building, Bengaluru, Karnataka- 560 001.**

Case No. 175 of 2024

14.8.2024

Present: Mr. Junais P., 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.

Learned counsel for the petitioner has prayed for time to
comply with the Commission's earlier order dated 2.5.2024.
Time prayed for is allowed.

In the interest of justice, list on 23.10.2024.

**DR. SHAHID AKHTER
MEMBER**

MD

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

Vibgyor High, No. 52/6, 53/5D, 53/5C, 24th Main Road, 2nd Sector, H.S.R. Layout, Haralakunte Village, Gegur Hobli, Bengaluru, Karnataka- 560 102.

Vs.

Additional Chief Secretary, Education Department (Higher Education), Government of Karnataka, Sixth Floor, Multi Storeyed Building, Bengaluru, Karnataka- 560 001.

Case No. 176 of 2024

14.8.2024

Present: Mr. Junais P., 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.

Learned counsel for the petitioner has prayed for time to comply with the Commission's earlier order dated 2.5.2024. Time prayed for is allowed.

In the interest of justice, list on 23.10.2024.

**DR. SHAHID AKHTER
MEMBER**

MD

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

**Vibgyor High, B/H TGB Hotel, Dummas Road, Magdalla,
Surat, Gujarat- 395 007.**

Vs.

**The Deputy Director, Director of Schools, Government of
Gujarat, Old Secretariat, Block 9/1, Gandhinagar, Gujarat-
382 010.**

Case No. 183 of 2024

14.8.2024

Present: Mr. Junais P., 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.

In the interest of justice, list on 23.10.2024.

**DR. SHAHID AKHTER
MEMBER**

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

14.8.2024

**Carmel College of Nursing, Erumathala P.O., Nalammile,
Aluva, Ernakulam, Kerala- 683 112.**

Vs.

**Director Directorate of Minority welfare Government of
Kerala, 4th Floor, Vikas Bhavan, Thiruvananthapuram,
Kerala, 695 033.**

Present: None.

An application has been received by post on 1.8.2024 from Carmel College of Nursing, Erumathala P.O., Nalammile, Aluva, Ernakulam, Kerala- 683 112 for grant of minority status certificate. It be registered.

2. It transpires from the records that the petitioner has not applied for grant of No Objection Certificate before the 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.

6. Office has reported that the petitioner has not attached affidavit, Unique ID, Governing Body Resolution with the petition. Also, the Memorandum of Association of the petitioner society does not reflect the beneficiary clause.

7. As the petitioner institution has not applied to the competent authority for grant of No Objection Certificate, this application is not maintainable at this stage. Accordingly, the petition is dismissed in default. Petitioner may be informed accordingly.

**DR. SHAHID AKHTER
MEMBER**

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

14.8.2024

**St. John's School, Sabrahad, Shahganj, Jaunpur, Uttar Pradesh-
223 101.**

Vs.

**Additional Chief Secretary, Department of Secondary
Education, Govt. of U.P. Bahu Khandi, Secretariat, Lucknow,
Uttar Pradesh.**

Present: None.

An application has been received by post on 1.8.2024 from St. John's School, Sabrahad, Shahganj, Jaunpur, Uttar Pradesh-223 101 for grant of minority status certificate. It be registered.

2. It transpires from the petition that the petitioner vide application dated 11.10.2023 has applied for grant of No Objection Certificate to the State Competent Authority i.e. Additional Chief Secretary, Department of Secondary Education, Govt. of U.P. Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh on 26.10.2023, which was received by the respondent on 30.10.2023. 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.

3. The petitioner has already filed the proof of delivery of track consignment to the respondent.

4. The petitioner has filed copy of affiliation certificate dated 9.1.2023 issued by ICSE certifying that the petitioner institution is affiliated to the said council.

5. It also transpires from the petition that the petitioner Institute is an unaided institution (Higher Secondary). During the academic year 2022-23, out of total 742 students, 6 students were from the Christian minority community, in the year 2023-24, out of total 734 student, 9 students were from the Christian minority community and in the year 2024-25, out of total 788 students, 10 students are from the Christian minority community.

6. 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 and also petition before this Commission for grant of Minority Status Certificate.

7. Office has reported that the petitioner has not attached original Governing Body Resolution, unamended MOA and unamended Rules & Regulations of the petitioner society with the application. Also, there is ambiguity in beneficiary clause 'to provide special education to Christian youth'.

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

9. List on 23.10.2024.

**DR. SHAHID AKHTER
MEMBER**