Safa Public School, Mawana, Meerut District, Uttar Pradesh – 250 401.

V/s.

- 1. Additional Chief Secretary, Department of School Education, Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow.
- 2. Additional Chief Secretary, Department of Basic Education, Government of Uttar Pradesh.

CASE NO. 249 OF 2022

Date: 05.09.2024

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

On 11.07.2024, physical inspection report received from the Additional District Magistrate (City), Meerut, Uttar Pradesh, which is taken on record.

Learned counsel for the petitioner filed copy of updated Unique ID of the petitioner society before the Commission's office on 27.08.2024 by hand, which is also taken on record. He has submitted that certified copies of all the relevant documents are already on record.

List for final arguments on 14.11.2024.

DR. SHAHID AKHTER MEMBER

St. Peter Academy, Chhatarpur Road, Mamna, Mahoba Dist., Uttar Pradesh.

V/s. Additional Chief Secretary, Department of Secondary Education, Government of Uttar Pradesh, Lucknow, Uttar Pradesh.

CASE NO. 76 OF 2023

Date: 05.09.2024

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

Learned counsel for the petitioner filed seven documents before the Commission's office on 23.08.2024 by hand. Today the same is taken on record.

Sh. Niranjan Prasad, Under Secretary, Government of U.P. has addressed a letter dated 09.05.2024 to Education Director (Madhyamik), Prayagraj, Uttar Pradesh and a copy thereof sent to the Commission, which is also taken on record.

Some variance was observed in the physical inspection report and application for grant of minority status certificate.

A bare reading of the physical inspection report makes it clear that during the academic year 2021-22, out of total 294 students, 31 students belong to Muslim minority community, 38 students belong to Christian minority community, 02 student belongs to Sikh minority community and 178 students are from the Hindu community. In the year 2022-23, out of total 350 students, 47 students belong to Muslim minority community, 15 students belong to Christian minority community, 02 student belongs to Sikh minority community and 315 students are from the Hindu community.

As per the information supplied by the petitioner with regard to students strength during the academic year 2021-22, out of total 109 students, 14 students belong to Muslim minority community, 02 students belong to Christian minority community and 93 students are from the Hindu community. In the academic year 2022-23, out of total 184 students, 19 students belong to Muslim minority community, 11 students belong to Christian minority community and 154 students are from the Hindu community.

Learned counsel for the petitioner is directed to clarify the said inconsistency.

List the case for further arguments on 14.11.2024.

DR. SHAHID AKHTER MEMBER

St. Joseph's English Medium School, Dumar P.O., Puthi P.S., Katihar District, Bihar – 855 107.

V/s.

Director, Primary Education, Ground Floor, Vikas Bhawan, New Secretariat, Bailey Road, Patna, Bihar – 800 015.

CASE NO. 94 OF 2023

Date: 05.09.2024

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

Learned counsel for the petitioner filed copy of updated Unique ID of the petitioner society before the Commission's office on 29.08.2024 by hand, which is also taken on record. He has submitted that certified copies of all the relevant documents are already on record.

Some variance was observed in the physical inspection report and application for grant of minority status certificate.

A bare reading of the physical inspection report makes it clear that during the academic year 2021-22, out of total 565 students, 23 students belong to Muslim minority community, 15 students belong to Christian minority community, 12 student belongs to Sikh minority community and 515 students are from the Hindu community. In the year 2022-23, out of total 614 students, 22 students belong to Muslim minority community, 12 students belong to Christian minority community, 12 student belongs to Sikh minority community and 568 students are from the Hindu community.

As per the information supplied by the petitioner with regard to students strength during the academic year 2021-22, out of total 515 students, 42 students belong to Muslim minority community, 06 students belong to Christian minority community, 28 students belong to Sikh minority community and 439 students are from the Hindu community. In the academic year 2022-23, out of total 736 students, 51 students belong to Muslim minority community, 08 students belong to Christian minority community, 34 students belong to Sikh minority community and 643 students are from the Hindu community.

Learned counsel for the petitioner is directed to clarify the said inconsistency.

List the case for further arguments on 14.11.2024.

DR. SHAHID AKHTER MEMBER

S & S Law College, Village Datoda, Tehsil Mhow, Khandwa Road, Indore, M.P. – 452 020.

V/s.

Secretary, Backward Classes and Minority Welfare Department, Government of M.P.

CASE NO. 112 OF 2023

Date: 05.09.2024

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

Despite sending letter by post to the members of physical inspection committee, no reply/ response received by them till now.

Learned counsel for the petitioner has stated that members of the physical inspection committee have already inspected petitioner institution.

Office is directed that if the above-said inspection report is not received, then send reminder letter by post and also by e-mail to the members of the physical inspection committee for sending the inspection report duly signed by all the members of the physical inspection committee positively before the next date of hearing.

List the matter on 14.11.2024.

DR. SHAHID AKHTER MEMBER

Carmel School, Churamanpur Village, Buxar P.O., Buxar Dist., Bihar – 802 116.

V/s.

Director, Secondary and Senior Secondary Education, Ground Floor, Vikas Bhawan, New Secretariat, Daily Road, Patna, Bihar – 800 015.

CASE NO. 115 OF 2023

Date: 05.09.2024

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

Despite sending reminder letter by post to the members of physical inspection committee, no reply/ response received by them till now.

Learned counsel for the petitioner has stated that members of the physical inspection committed have already inspected petitioner institution.

Office is directed that if the above-said inspection report is not received, then send afresh reminder letter by post and also by e-mail to the members of the physical inspection committee for sending the inspection report duly signed by all the members of the physical inspection committee positively before the next date of hearing.

List the matter on 14.11.2024.

DR. SHAHID AKHTER MEMBER

S.S.A. Inter College, Saidpur, Ghazipur, Uttar Pradesh.

V/s.

Additional Chief Secretary, Secondary Education Department, Government of U.P.

CASE NO. 177 OF 2023

Date: 05.09.2024

Present: Mr. Shubham Singh, Advocate for the petitioner. None for the respondent.

Despite service of notice by post and also by e-mail, there is no appearance and no reply received on behalf of the respondent till date.

In the facts and circumstances of the case, just and proper that physical inspection report alongwith the recommendations may be obtained from the Committee constituting 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 provide a copy of the letter to learned counsel for the petitioner. Also send copy of the said letter to the respondent for information.

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 the matter on 14.11.2024.

DR. SHAHID AKHTER MEMBER

Idara Madarsa Jame-UI Uloom, Doharighat-Mau, Uttar Pradesh.

V/s.

Additional Chief Secretary/ Principal Secretary/ Secretary, Minority Welfare and Waqf Department, Government of U.P.

CASE NO. 210 OF 2023

Date: 05.09.2024

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

On 16.07.2024, physical inspection report received from the District Minority Welfare Officer, Mau, today which is taken on record.

Learned counsel for the petitioner filed copy of updated Unique ID of the petitioner society before the Commission's office on 27.08.2024 by hand, which is also taken on record. He has submitted that certified copies of all the relevant documents are already on record.

List for final arguments on 19.11.2024.

DR. SHAHID AKHTER MEMBER

Model Divine Mahila College, Plot No. 258, Street – Baghpat-Meerut Road, VPO – Pilana, Baghpat Dist., U.P. – 250 615.

V/s.

Additional Chief Secretary/ Principal Secretary/ Secretary, Department of Higher Education, Government of U.P., Indira Bhawan, Ashok Marg, Lucknow, U.P.

CASE NO. 211 OF 2023

Date: 05.09.2024

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

On 03.06.2024, physical inspection report received from the District Magistrate, Baghpat, today which is taken on record.

It transpires from the physical inspection report that column nos. 8, to 12 have been left blank by the members of physical inspection committee.

Office is directed to send reminder letter by post and also by e-mail to the members of the physical inspection committee with a direction to send complete information in the format as prescribed by the Commission. Also direct them the said report should be signed by all the members of the physical inspection committee.

List on 14.11.2024.

DR. SHAHID AKHTER MEMBER

St. Vianney School, Satmi, Bansi P.O., Purandaha P.S., Dhamdaha (Via), Purnea Dist., Bihar – 854 205.

V/s.

Director, Secondary & Senior Secondary Education, Ground Floor, Vikas Bhawan, New Secretariat, Bailey Road, Patna, Bihar – 800 015.

CASE NO. 214 OF 2023

Date: 05.09.2024

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

On 28.05.2024, physical inspection report received from the Deputy Director, Minority Welfare, Purnea. Today 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 for final arguments on 19.11.2024.

DR. SHAHID AKHTER MEMBER

Jesus and Mary School, Village-Satawansa, Saidpur P.O., Madawara Tehsil, Lalitpur Dist., U.P. – 284 003.

V/s.

Additional Chief Secretary, Basic Education Department, Government of U.P., Bapu Bhawan, 7th Floor, Lucknow, U.P.

CASE NO. 215 OF 2023

Date: 05.09.2024

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

On 01.07.2024, physical inspection report received by post from the members of the physical inspection committee. Today the same is taken on record.

Learned counsel for the petitioner filed seven documents before the Commission's office on 23.08.2024 by hand. Today the same is taken on record.

List the matter for final arguments on 20.11.2024.

DR. SHAHID AKHTER MEMBER

Child Care Bishop Conrad School, Near Golden Green Park, Harunagla, Bareilly, Uttar Pradesh – 243 006.

V/s.

Additional Chief Secretary, Secondary Education Department, Government of U.P., Bapu Bhawan, Lucknow, U.P.

CASE NO. 271 OF 2023

Date: 05.09.2024

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

Some variance was observed in the physical inspection report and application for grant of minority status certificate.

A bare reading of the physical inspection report makes it clear that during the academic year 2021-22, out of total 1043 students, 306 students belong to Muslim minority community, 16 students belong to Christian minority community, 47 students belong to Sikh minority community and 1034 students are from the Hindu community. In the year 2022-23, out of total 1416 students, 368 students belong to Muslim minority community, 19 students belong to Christian minority community, 11 students belong to Sikh minority community and 1005 students are from the Hindu community.

As per the information supplied by the petitioner with regard to students strength during the academic year 2021-22, out of total 1403 students, 306 students belong to Muslim minority community, 16 students belong to Christian minority community, 47 students belong to Sikh minority community and 1034 students are from the Hindu community. In the academic year 2022-23, out of total 1160 students, 303 students belong to Muslim minority community, 18 students belong to Christian minority community, 18 students belong to Christian minority community.

Learned counsel for the petitioner is directed to clarify the said inconsistency.

List the case for further arguments on 14.11.2024.

DR. SHAHID AKHTER MEMBER

Shibli Public School, Village and Post Raja Ka Tajpur, Tehseel Chandpur, District Bijnor, Uttar Pradesh.

V/s.

Additional Chief Secretary, Department of Basic Education, Government of Uttar Pradesh.

CASE NO. 34 OF 2023

Date: 05.09.2024

Present: Mr. Faiyyaz Ahmad Ansari, Advocate for the petitioner. None for the respondent.

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 Shibli Public School, Village and Post Raja Ka Tajpur, Tehseel Chandpur, District Bijnor, Uttar Pradesh, run by the Millat Academy, 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 Muslim minority community.

Consequently, Shibli Public School, Village and Post Raja Ka Tajpur, Tehseel Chandpur, District Bijnor, Uttar Pradesh, 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 for undertaking to the fact that the petitioner institution shall not deny admission of eligible candidate of the Muslim 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.

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

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

DR. SHAHID AKHTER MEMBER

Kingston High School, No. 50/2&3, Veerannapalya, Arabic College Post, Bengaluru, Karnataka- 560 045.

Vs.

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

Case No. 312 of 2023

5.9.2024

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

The notice dated 1.4.2024 sent to the District Education Officer, Bengaluru, Karnataka has been returned back unnerved. The same is taken on record.

Despite sending letter by post and e-mail to the members of the Physical Inspection Committee, no response/Physical inspection report has been received 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 14.11.2024.

DR. SHAHID AKHTER MEMBER

A1 Global Institute of Engineering & Technology, Markapur, Prakasam District, Andhra Pradesh- 523 316.

Vs.

Secretary, Department of Minorities Welfare, Government of Andhra Pradesh, 3rd Floor, Andhra Pradesh Secretariat, Velangagpudi, Amravati, Andhra Pradesh- 521 185.

Case No. 314 of 2023

5.9.2024

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

Collector & District Magistrate, Prakasam District vide his letter dated 20.7.2024 has sent physical inspection report along with some documents which was received before the Commission's office on 6.8.2024. The same is taken on record.

District Education Officer, Sahibganj vide email dated 30.7.2024 has forwarded a copy of the physical inspection report, which 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 21.11.2024.

DR. SHAHID AKHTER MEMBER

Radiance Academy, Railway Crossing Saidpur Road, Gulaothi, Bulandshahr, Uttar Pradesh- 245 408. Vs.

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

Case No. 06 of 2024

5.9.2024

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

District Basic Education Officer, Bulandshahar vide his letter dated 10.5.2024 has sent physical inspection report, which was received before the Commission's office on 27.5.2024. The same is taken on record.

District Basic Education Officer, Bulandshahar vide his letter dated 29.8.2024 has forwarded a copy of the physical inspection report which was received before the Commission's office on 2.9.2024. 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 21.11.2024.

DR. SHAHID AKHTER MEMBER

Jai Krista Convent High School, Pahurbal P.O., Bakawand Block, Bastar District, Chhattisgarh- 494 222.

Vs.

Commissioner, Department of Development of Tribal and Scheduled Caste, Nava Raipur, Ground Floor, Indrawati Bhawan, Raipur District, Chhattisgarh- 492 015.

Case No. 07 of 2024

5.9.2024

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

Despite sending reminder letter by post and e-mail to the members of the Physical Inspection Committee, no response/Physical inspection report has been received 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 again 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 14.11.2024.

DR. SHAHID AKHTER MEMBER

Wisdom Valley International School, Ward 13- Vanarsi Das Bhanot, Thana Gorakhpur, District Jabalpur, Madhya Pradesh- 482 001.

Vs.

Secretary, Backward Classes and Minority Welfare Department, Government of Madhya Pradesh, Room No. 339, Mantralaya, Bhopal, Madhya Pradesh.

Case No. 08 of 2024

5.9.2024

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

An email dated 24.7.2024 has been received from Office of the Collector (OBC & Min. Department), Jabalpur, Madhya Pradesh, which is taken on record.

Despite sending reminder letter by post and e-mail to the members of the Physical Inspection Committee, no response/Physical inspection report has been received 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 again 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 14.11.2024.

DR. SHAHID AKHTER MEMBER

Hidayah Islamic School, H. No. 12-2-418/1/a/b, Opposite Choti Masjid, Murad Nagar, Asifnagar (V), Asifnagar (M), Hyderabad District, Telangana- 500 028.

Vs.

Secretary, Minorities Welfare Department, "D" Block, Ground Floor, Telangana Secretariat, Hyderabad- 500 022.

Case No. 09 of 2024

5.9.2024

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

District Collector, Hyderabad District vide his letter dated 26.6.2024 has sent physical inspection report which was received before the Commission's office on 10.7.2024. The same is taken on record.

A communication has been received on 27.5.2024 from District Minorities Welfare Officer, Hyderabad, which 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 26.11.2024.

DR. SHAHID AKHTER MEMBER

Hidayah Islamic School, H. No. 12-2-335/5, Murad Nagar, Hyderabad M. Corporation 3 (V), Asifnagar (M), Hyderabad District, Telangana- 500 028.

Vs.

Secretary, Minorities Welfare Department, "D" Block, Ground Floor, Telangana Secretariat, Hyderabad- 500 022.

Case No. 10 of 2024

5.9.2024

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

District Collector, Hyderabad District vide his letter dated 26.6.2024 has sent physical inspection report which was received before the Commission's office on 10.7.2024. The same is taken on record.

A communication has been received on 27.5.2024 from District Minorities Welfare Officer, Hyderabad, which 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 26.11.2024.

DR. SHAHID AKHTER MEMBER

Hidayah Degree College, H. No. 12-2-419/1/3 & 12-2-419/1/5, Murad Nagar, Mehdipatnam, Asifnagar (M), Hyderabad, Telangana- 500 028. Vs.

Secretary, Minorities Welfare Department, "D" Block, Ground Floor, Telangana Secretariat, Hyderabad- 500 022.

Case No. 11 of 2024

5.9.2024

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

District Collector, Hyderabad District vide his letter dated 26.6.2024 has sent physical inspection report which was received before the Commission's office on 10.7.2024. The same is taken on record.

A communication has been received on 27.5.2024 from District Minorities Welfare Officer, Hyderabad, which 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 26.11.2024.

DR. SHAHID AKHTER MEMBER

Hidayah Islamic School, H. No. 19-2-246/A, Chandulal Baradari, Bahadurpura (V), Bahadurpura (M), Hyderabad (District), Telangana-500 064.

Vs.

Secretary, Minorities Welfare Department, "D" Block, Ground Floor, Telangana Secretariat, Hyderabad- 500 022.

Case No. 12 of 2024

5.9.2024

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

A communication has been received on 27.5.2024 from District Minorities Welfare Officer, Hyderabad, which is taken on record.

Despite sending reminder letter by post and e-mail to the members of the Physical Inspection Committee, no response/Physical inspection report has been received 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 again 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 26.11.2024.

DR. SHAHID AKHTER MEMBER