Springfields High School, Survey No. 169, (18-13), Moghal Campus, Bandlaguda Khalsa Village, Charminar Mandal, Hyderabad District, Telangana – 500 005.

V/s.

Secretary, Minorities Welfare Department, "D" Block, Ground Floor, Telangana State, Hyderabad – 500 022.

### CASE NO. 336 OF 2023

Date: 20.11.2024

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

Despite sending afresh reminder letter by post and also by email to the members of physical inspection committee, no physical inspection report received from 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 email to the members of the physical inspection committee for sending the inspection report in the prescribed format, duly signed by all the members of the physical inspection committee positively before the next date of hearing.

List the matter on 12.02.2025.

DR. SHAHID AKHTER MEMBER

Springfields School, Malakpet, Hyderabad District, Telangana – 500 036.

V/s.

Secretary, Minorities Welfare Department, "D" Block, Ground Floor, Telangana State, Hyderabad – 500 022.

#### CASE NO. 337 OF 2023

Date: 20.11.2024

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

The Collector, Hyderabad Dist., Government of Telangana, has addressed a letter dated 05.10.2024 to the District Educational Officer, Hyderabad and District Minority Welfare Officer, Hyderabad, and a copy thereof sent to the Commission, which was received in the Commission on 30.10.2024 and today the same is taken on record.

Despite sending afresh reminder letter by post and also by email to the members of physical inspection committee, no physical inspection report received from 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 email to the members of the physical inspection committee for sending the inspection report in the prescribed format, duly signed by all the members of the physical inspection committee positively before the next date of hearing.

List the matter on 12.02.2025.

### DR. SHAHID AKHTER MEMBER

Springfield School, H.No. 22-4-406, Inside Kaman Alija Kotla, Charminar (V), Charminar (M), Hyderabad Dist., Telangana – 500 002.

V/s.

Secretary, Minorities Welfare Department, "D" Block, Ground Floor, Telangana State, Hyderabad – 500 022.

#### CASE NO. 338 OF 2023

Date: 20.11.2024

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

The Collector, Hyderabad Dist., Government of Telangana, has addressed a letter dated 05.10.2024 to the District Educational Officer, Hyderabad and District Minority Welfare Officer, Hyderabad, and a copy thereof sent to the Commission, which was received in the Commission on 30.10.2024 and today the same is taken on record.

Despite sending afresh reminder letter by post and also by email to the members of physical inspection committee, no physical inspection report received from 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 email to the members of the physical inspection committee for sending the inspection report in the prescribed format, duly signed by all the members of the physical inspection committee positively before the next date of hearing.

List the matter on 12.02.2025.

#### DR. SHAHID AKHTER MEMBER

Springfields Primary School, Inside Kaman Alija Kotla, Charminar Mandal – I, Hyderabad Dist., Telangana – 500 002.

V/s.

Secretary, Minorities Welfare Department, "D" Block, Ground Floor, Telangana State, Hyderabad – 500 022.

CASE NO. 339 OF 2023

Date: 20.11.2024

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

Despite sending afresh reminder letter by post and also by email to the members of physical inspection committee, no physical inspection report received from 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 email to the members of the physical inspection committee for sending the inspection report in the prescribed format, duly signed by all the members of the physical inspection committee positively before the next date of hearing.

List the matter on 12.02.2025.

DR. SHAHID AKHTER MEMBER

Spring Field Upper Primary School, D. No. 16-10-271/272, Opp. Race Course, Malakpet, Hyderabad, Telangana – 500 036.

V/s.

Secretary, Minorities Welfare Department, "D" Block, Ground Floor, Telangana State, Hyderabad – 500 022.

CASE NO. 340 OF 2023

Date: 20.11.2024

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

Despite sending afresh reminder letter by post and also by email to the members of physical inspection committee, no physical inspection report received from 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 email to the members of the physical inspection committee for sending the inspection report in the prescribed format, duly signed by all the members of the physical inspection committee positively before the next date of hearing.

List the matter on 12.02.2025.

DR. SHAHID AKHTER MEMBER

Springfields Upper Primary School, D.No. 8-5-2/18, Moghal Campus, Bandlaguda Mandal – II, Hyderabad District, Telangana – 500 005.

V/s.

Secretary, Minorities Welfare Department, "D" Block, Ground Floor, Telangana State, Hyderabad – 500 022.

#### CASE NO. 341 OF 2023

Date: 20.11.2024

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

The Collector, Hyderabad Dist., Government of Telangana, has addressed letters dated 23.09.2024 and 03.10.2024 to the District Educational Officer, Hyderabad and District Minority Welfare Officer, Hyderabad, and copies thereof sent to the Commission, which were received in the Commission on 28.10.2024 and 06.11.2024 and today the same are taken on record.

Despite sending afresh reminder letter by post and also by email to the members of physical inspection committee, no physical inspection report received from 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 email to the members of the physical inspection committee for sending the inspection report in the prescribed format, duly signed by all the members of the physical inspection committee positively before the next date of hearing.

List the matter on 12.02.2025.

### DR. SHAHID AKHTER MEMBER

Springfields Primary School, Tolichowki, Golconda Mandal, Hyderabad District, Telangana – 500 008.

V/s.

Secretary, Minorities Welfare Department, "D" Block, Ground Floor, Telangana State, Hyderabad – 500 022.

CASE NO. 342 OF 2023

Date: 20.11.2024

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

Despite sending afresh reminder letter by post and also by email to the members of physical inspection committee, no physical inspection report received from 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 email to the members of the physical inspection committee for sending the inspection report in the prescribed format, duly signed by all the members of the physical inspection committee positively before the next date of hearing.

List the matter on 12.02.2025.

DR. SHAHID AKHTER MEMBER

Springfields High School, Moghal Campus, Bandlaguda Mandal, Hyderabad District, Telangana – 500 005.

V/s.

Secretary, Minorities Welfare Department, "D" Block, Ground Floor, Telangana State, Hyderabad – 500 022.

#### CASE NO. 343 OF 2023

Date: 20.11.2024

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

The Collector, Hyderabad Dist., Government of Telangana, has addressed a letter dated 23.09.2024 to the District Educational Officer, Hyderabad and District Minority Welfare Officer, Hyderabad, and a copy thereof sent to the Commission, which was received in the Commission on 06.11.2024 and today the same is taken on record.

Despite sending afresh reminder letter by post and also by email to the members of physical inspection committee, no physical inspection report received from 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 email to the members of the physical inspection committee for sending the inspection report in the prescribed format, duly signed by all the members of the physical inspection committee positively before the next date of hearing.

List the matter on 12.02.2025.

### DR. SHAHID AKHTER MEMBER

Springfields School, Tolichowki, Golconda (M), Hyderabad District, Telangana – 500 008.

V/s.

Secretary, Minorities Welfare Department, "D" Block, Ground Floor, Telangana State, Hyderabad – 500 022.

#### CASE NO. 344 OF 2023

Date: 20.11.2024

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

The Collector, Hyderabad Dist., Government of Telangana, has addressed a letter dated 03.10.2024 to the District Educational Officer, Hyderabad and District Minority Welfare Officer, Hyderabad, and a copy thereof sent to the Commission, which was received in the Commission on 28.10.2024 and today the same is taken on record.

Despite sending afresh reminder letter by post and also by email to the members of physical inspection committee, no physical inspection report received from 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 email to the members of the physical inspection committee for sending the inspection report in the prescribed format, duly signed by all the members of the physical inspection committee positively before the next date of hearing.

List the matter on 12.02.2025.

### 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, 7<sup>th</sup> Floor, Lucknow, U.P.

CASE NO. 215 OF 2023

Date: 20.11.2024

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

Pleadings are complete. Learned counsel for the petitioner is heard. Reserved for orders.

### DR. SHAHID AKHTER MEMBER

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

V/s.

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

CASE NO. 276 OF 2023

Date: 20.11.2024

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

At the request of learned counsel for the petitioner, last and final opportunity is granted to him to comply with the Commission's order dated 11.07.2024.

List on 27.02.2025.

DR. SHAHID AKHTER MEMBER

St. Joseph's School, 16-2-741, Asmangadh Palace, Malakpet, Hyderabad District, Telangana – 500 036.

V/s.

Secretary, Minorities Welfare Department, "D" Block, Ground Floor, Telangana State, Hyderabad – 500 022.

CASE NO. 187 OF 2023

Date: 20.11.2024

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

The Collector, Hyderabad Dist., Government of Telangana, has addressed a letter dated 07.10.2024 to the District Educational Officer, Hyderabad and District Minority Welfare Officer, Hyderabad, and a copy thereof sent to the Commission, which was received in the Commission on 30.10.2024 and today the same is taken on record.

Despite sending reminder letter by post and also by email to the members of physical inspection committee, no physical inspection report received from 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 afresh reminder letter by post and also by email to the members of the physical inspection committee for sending the inspection report in the prescribed format, duly signed by all the members of the physical inspection committee positively before the next date of hearing.

List the matter on 12.02.2025.

DR. SHAHID AKHTER MEMBER

St. Teresa's of Avila School, Neyyattinkara, Thiruvananthapuram Dist., Kerala – 695 121.

V/s.

Director, Directorate of Minority Welfare, Government of Kerala, 4<sup>th</sup> Floor, Vikas Bhavan, Thiruvananthapuram, Kerala – 695 033.

CASE NO. 287 OF 2023

Date: 20.11.2024

Present: Mr. T.V. Hemachandren, Advocate for the petitioner. None for the respondent.

Though this case was listed for final arguments and No Objection Certificate has also been issued to the petitioner institution by the competent authority of the State Government under Section 10 of the NCMEI Act, 2004, a copy of which is annexed with the petition.

Learned counsel for the petitioner is directed to file copy of the application filed before the competent authority of the State Government for grant of NOC for the purpose of applying for minority status certificate under Section 10 of the NCMEI Act, 2004.

List the case for further arguments on 15.01.2025.

### DR. SHAHID AKHTER MEMBER

Mother Teresa Higher Secondary School, 576, W-Block, Keshav Nagar, Kanpur, Dist. Kanpur Nagar, Uttar Pradesh – 208 014.

V/s.

Additional Chief Secretary, Secondary Education Department, Government of Uttar Pradesh, Vidya Bhawan, Nishatganj, Lucknow, Uttar Pradesh – 226 001.

### CASE NO. 250 OF 2023

Date: 20.11.2024

Present: Mr. P. Kulambil, 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 Mother Teresa Higher Secondary School, 576, W-Block, Keshav Nagar, Kanpur, Dist. Kanpur Nagar, Uttar Pradesh run by the Rev. B. Singh Memorial Mother Teresa Educational Society, is eligible for grant of minority status on religious basis. The evidence also proves that the said educational institution was established with the main objective of sub-serving the interests of the Christian minority community.

Consequently, Mother Teresa Higher Secondary School, 576, W-Block, Keshav Nagar, Kanpur, Dist. Kanpur Nagar, Uttar Pradesh, is declared as unaided minority educational institution covered under Article 30 of the Constitution of India within the meaning of Section 2(g) of the National Commission for Minority Educational Institutions Act, 2004. subject to the condition that the petitioner would file an affidavit or undertaking to the fact that the petitioner institution shall not deny admission of eligible candidate of the Christian minority community subject to the eligibility of the students and availability of the accommodation in the petitioner institution. If the petitioner institution failed to comply the above order of this Commission within a period of three months from the date of order passed by this Commission then the petition filed by the petitioner for grant of MSC will be automatically deemed to be dismissed.

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

Asha Modern International School, 3.5 KM Janta Road, Saharanpur, Uttar Pradesh- 247 001.

Vs.

Additional Chief Secretary, Secondary Education Department, Government of Uttar Pradesh, Bapu Bhawan, 7<sup>th</sup> Floor, Lucknow, Uttar Pradesh- 226 001.

### Case No. 208 of 2024

20.11.2024

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

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 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 12.2.2025.

### DR. SHAHID AKHTER MEMBER

MD

Zion International Public School, Zion Avenue, Puthur, Mappedu, Chennai, Kanchipuram, Tamil Nadu- 600 126. Vs.

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

### Case No. 209 of 2024

20.11.2024

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

A letter dated 18.10.2024 has been received by post on 30.10.2024 from District Educational Officer (Secondary), Kanchipuram District stating therein that the petitioner institution belongs to the Chengalpattu District and the same has been transferred to the concerned District.

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 inspected the petitioner institution.

Office is directed to issue reminder letter by post and e-mail to the members of the Physical Inspection Committee of the concerned District for sending the physical inspection report positively before the next date of hearing.

In the interest of justice, list on 12.2.2025.

DR. SHAHID AKHTER MEMBER

MD

Rajagiri Christ Academy, Vill. Bizgaon, P.O. Subankhata, BTR, Baksa District, Assam- 781 372.

Vs.

- 1. Joint Secretary, Education Department (Higher), Assam Secretariat, Block C, Secretariat Complex, Dispur, Guwahati, Assam-781 006.
- 2. Secretary, School Education Department, Government of Assam, Dispur, Guwahati, Assam.

#### Case No. 260 of 2024

20.11.2024

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

An email dated 24.9.2024 has been received from Higher Education Department, Assam enclosing therewith a copy of letter dated 20.9.2024 of the Joint Secretary, Higher Education Department, Assam. The same is taken on record. It is stated in the said letter that the administration/ NOC etc. of these type of institutions are not under the purview of Higher Education Department and requested to take up the matter with School Education Department, Government of Assam.

As requested by the Joint Secretary, Higher Education Department, "Secretary, School Education Department, Assam" is impleaded as Respondent No. 2. Office is directed to issue notice to Respondent No. 2.

In the meeting convened by the Commission with the State Competent Authorities of Odisha, West Bengal, Assam and Bihar on 9.9.2024, representative of Government of Assam confirmed that the State has gone ahead with the process of appointment of Competent Authority and the details of the competent authority will be communicated to the Commission within a month. Minutes of the meeting dated 9.9.2024 have already been sent to the Government of Assam.

Office is directed to write a letter to the Chief Secretary, Government of Assam to appoint competent authority under Section 10 of the NCMEI Act, 2004 for granting NOC to the educational institutions and communicate the details thereof to the Commission at the earliest.

Since no proper reply has been received, 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 12.2.2025.

### St. Joseph's School, Gohpur P.O., Sonitpur, Assam- 784 168.

- Vs.
- 1. Joint Secretary, Education Department (Higher), Assam Secretariat, Block C, Secretariat Complex, Dispur, Guwahati, Assam-781 006.
- 2. Secretary, School Education Department, Government of Assam, Dispur, Guwahati, Assam.

#### Case No. 261 of 2024

20.11.2024

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

An email dated 24.9.2024 has been received from Higher Education Department, Assam enclosing therewith a copy of letter dated 20.9.2024 of the Joint Secretary, Higher Education Department, Assam. The same is taken on record. It is stated in the said letter that the administration/ NOC etc. of these type of institutions are not under the purview of Higher Education Department and requested to take up the matter with School Education Department, Government of Assam.

As requested by the Joint Secretary, Higher Education Department, "Secretary, School Education Department, Assam" is impleaded as Respondent No. 2. Office is directed to issue notice to Respondent No. 2.

In the meeting convened by the Commission with the State Competent Authorities of Odisha, West Bengal, Assam and Bihar on 9.9.2024, representative of Government of Assam confirmed that the State has gone ahead with the process of appointment of Competent Authority and the details of the competent authority will be communicated to the Commission within a month. Minutes of the meeting dated 9.9.2024 have already been sent to the Government of Assam.

Office is directed to write a letter to the Chief Secretary, Government of Assam to appoint competent authority under Section 10 of the NCMEI Act, 2004 for granting NOC to the educational institutions and communicate the details thereof to the Commission at the earliest.

Since no proper reply has been received, 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 12.2.2025.

Little Flower School, Ward No. 8, Attawa, Gandhi Nagar, Harraiya, Basti, Uttar Pradesh.

Vs.

- (i) Additional Chief Secretary, Secondary Education Department, Government of Uttar Pradesh, Bapu Bhavan, 7<sup>th</sup> Floor, Lucknow, Uttar Pradesh.
- (ii) Basic Shiksha Adhikari, Turkahiya, Basti, Uttar Pradesh- 272 001.

# Misc. Case No. 14 of 2024 20.11.2024

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

Learned counsel for the petitioner has filed copy of judgment passed by the Hon'ble Supreme Court of India in Writ Petition (C) No. 416 of 2012 in the case of Pramati Educational & Cultural Trust (R) & Ors. Vs. Union of India & Ors.

Despite sending notice to the respondents by registered AD and email, no response/ reply has been received from them.

This is a complaint under Section 12D and 12E of the NCMEI Act, 2004 regarding deprivation of educational rights of minorities against Basic Shiksha Adhikari, Basti, Uttar Pradesh for not implementing the judgment of the Hon'ble Supreme Court passed in Writ Petition (C) No. 416 of 2012 in the case of Pramati Educational & Cultural Trust (R) & Ors. Vs. Union of India & Ors. in letter and spirit.

Office is directed to issue notice to the respondents by registered AD and email to show cause as to why action should not be recommended against Basic Shiksha Adhikari, Basti, Uttar Pradesh for not implementing the judgment of the Hon'ble Supreme Court passed in Writ Petition (C) No. 416 of 2012 in the case of Pramati Educational & Cultural Trust (R) & Ors. Vs. Union of India & Ors. in letter and spirit.

Also, summon Respondent No. 2 to assist the Commission on the next date.

In the interest of justice, list on 12.2.2025.