Convent of Jesus and Mary Girls High School, 22, Camp, Fatehgunj, Vadodara, Gujarat – 390 002.

V/s.

Deputy Director, Directors of Schools, Old Sachivalaya, Block 9/1, Gandhinagar, Gujarat – 382 010.

CASE NO. 218 OF 2023

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

On 21.11.2024, learned counsel for the petitioner filed clarification affidavit before the Commission's office.

List the matter for further arguments on 04.03.2025.

DR. SHAHID AKHTER MEMBER

Date: 28.11.2024

St. Peters School, Village – Pattapani, P.O. Bailparao, Tehsil – Kaladungi, Nainital District, Uttarakhand – 263 140.

V/s.

Incharge Secretary, Higher Education Government of Uttarakhand, Room No. 7, Ground Floor, Late Soban Singh Jeena Bhawan (SBI Bank Building), Secretariat, Uttarakhand – 248 001.

CASE NO. 252 OF 2023

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

None for the respondent.

Though this case is listed for final arguments but it has been observe that Certificate of Registration of the petitioner society has been expired on March 2024.

Learned counsel for the petitioner submitted that today he will file updated Certificate of Registration of the petitioner society before the Commission's office. Let the same be filed today before the Commission's office.

List the matter for final arguments on 14.01.2025.

DR. SHAHID AKHTER MEMBER

Date: 28.11.2024

Constant Lievens School of Nursing, Mandar Village, Katchacho

P.O. & P.S., Mandar, Ranchi, Jharkhand - 835 214.

Director, Primary Education, Department of School Education & Literacy S.E. & L. Department, Post - Dhurwa, District Ranchi,

Jharkhand - 834 004.

CASE NO. 349 OF 2023

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

None for the respondent.

Despite sending reminder letter to members of physical inspection committee, no physical inspection report received from

them in terms of orders dated 19.09.2024.

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 in terms of orders dated 19.09.2024, then send afresh reminder letter by post and also by e-mail to the members of the physical inspection committee for sending the original physical 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 on 19.02.2025.

DR. SHAHID AKHTER **MEMBER**

Date: 28.11.2024

Hidayah Junior College, 17-1-376/166 & 167, Santosh Nagar, New Santosh Nagar Colony, Saidabad Mandal, Hyderabad – II District,

Telangana - 500 008.

V/s.

Secretary, Minorities Welfare Department, "D" Block, Ground Floor,

Telangana Secretariat, Hyderabad – 500 022.

CASE NO. 352 OF 2023

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

Date: 28.11.2024

None for the respondent.

The Collector, Revenue Dept., Hyderabad Dist., Government of

Telangana, has addressed a letter dated 15.10.2024 to the District

Minority Welfare Officer, Hyderabad and Telangana Sate Board of

Intermediate Education, Nampally 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 members of the 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 again 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 original

physical inspection report duly signed by all the members of the physical

inspection committee positively before the next date of hearing.

List the matter on 20.02.2025.

DR. SHAHID AKHTER MEMBER

Hidayah Junior College, 12-2-419, Murad Nagar, Murad nagar, Asif

Nagar Mandal, Hyderabad District Telangana - 500 028.

V/s.

Secretary, Minorities Welfare Department, "D" Block, Ground Floor,

Telangana Secretariat, Hyderabad – 500 022.

CASE NO. 356 OF 2023

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

None for the respondent.

The Collector, Revenue Dept., Hyderabad Dist., Government of

Telangana, has addressed a letter dated 15.10.2024 to the District

Minority Welfare Officer, Hyderabad and Telangana Sate Board of

Intermediate Education, Nampally 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 members of the 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 again 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 original

physical inspection report duly signed by all the members of the physical

inspection committee positively before the next date of hearing.

List the matter on 20.02.2025.

DR. SHAHID AKHTER MEMBER

Date: 28.11.2024

Hidayah Islamic School, H.No. 17-1-22/A, Housing Board Colony, Santosh Nagar, Saidabad Mandal, Hyderabad District Telangana –

500 059.

V/s.

Secretary, Minorities Welfare Department, "D" Block, Ground Floor,

Telangana Secretariat, Hyderabad – 500 022.

CASE NO. 354 OF 2023

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

None for the respondent.

The Collector, Revenue Dept., Hyderabad Dist., Government of Telangana, has addressed a letter dated 15.10.2024 to the District Minority Welfare Officer, Hyderabad and Telangana Sate Board of Intermediate Education, Nampally 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 members of the 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 again 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 original physical inspection report duly signed by all the members of the physical inspection committee positively before the next date of hearing.

List the matter on 20.02.2025.

DR. SHAHID AKHTER MEMBER

Date: 28.11.2024

Hidayah Junior College, 18-1-350/5/A, T S, Chandrayana Gutta,

Hyderabad - II District Telangana - 500 058.

V/s.

Secretary, Minorities Welfare Department, "D" Block, Ground Floor,

Telangana Secretariat, Hyderabad – 500 022.

CASE NO. 353 OF 2023

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

None for the respondent.

The Collector, Revenue Dept., Hyderabad Dist., Government of

Telangana, has addressed a letter dated 15.10.2024 to the District

Minority Welfare Officer, Hyderabad and Telangana Sate Board of

Intermediate Education, Nampally Hyderabad, and addressed another

letter dated 05.09.2024 to the District Education Officer, Hyderabad

Dist. and the District Minority Welfare Officer, Hyderabad Dist., copies thereof sent to the Commission, which were received in the Commission

on 28.10.2024 and 06.11.2024. Today both the letters are taken on

record.

Despite sending afresh reminder letter by post and also by email

to members of the 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 again 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 original

physical inspection report duly signed by all the members of the physical

inspection committee positively before the next date of hearing.

List the matter on 20.02.2025.

DR. SHAHID AKHTER **MEMBER**

Date: 28.11.2024

Christ CMI, Gopasandra, Samanahalli, Muthanallur, Bangalore Dist., Karnataka – 560 009.

V/s.

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

CASE NO. 19 OF 2024

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

In compliance of the Commission's orders dated 24.09.2024, learned counsel for the petitioner filed clarification affidavit before the Commission's office on 12.11.2024. Today the same is taken on record.

List the matter for further arguments on 15.01.2025.

DR. SHAHID AKHTER MEMBER

Date: 28.11.2024

St. Mary's High School (E.M), RS No. 314, Kamavarapukota (V&M), West Godavari District, Andhra Pradesh – 534 449

V/s.

Secretary, Government of A.P., Minorities Welfare Department, 3rd Floor, A.P.

CASE NO. 20 OF 2024

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

On 19.11.2024, a communication dated 05.11.2024 alongwith physical inspection report has been received from the District Minorities Welfare Officer, Eluru Dist., Eluru, which is taken on record.

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

List the matter for final arguments on 04.03.2025.

DR. SHAHID AKHTER MEMBER

Date: 28.11.2024

St. Assisi Matric Hr. Sec. School, St. Mary's Nagar, Maranthai,

Tenkasi, Tirunelveli Dist., T.N. - 627 851.

V/s.

Principal Secretary, Government of T.N., Fort St. George,

Secretariat, Chennai, Tamil Nadu - 600 009.

CASE NO. 21 OF 2024

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

None for the respondent.

Despite sending reminder letter by post and also by email to members of the 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 again 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 original physical inspection report duly signed by all the members of

the physical inspection committee positively before the next date of

hearing.

Learned counsel for the petitioner has prayed for time to file

updated recognition order issued by the competent authority. Time

prayed for is allowed.

List the matter on 20.02.2025.

DR. SHAHID AKHTER **MEMBER**

Date: 28.11.2024

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

Present: Mr. Juanis P., 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 Safa Public School, Mawana, Meerut District, Uttar Pradesh, run by the Safa Educational and Welfare Trust, 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, Safa Public School, Mawana, Meerut District, 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 or 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

Date: 28.11.2024

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

28.11.2024

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, 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 already submitted that the members of the Physical Inspection Committee have 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 report positively before the next date of hearing.

Learned counsel for the petitioner has prayed for time to file updated recognition order issued by the competent authority. Time prayed for is allowed.

In the interest of justice, list on 20.2.2025.

DR. SHAHID AKHTER MEMBER

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

28.11.2024

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, 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 already submitted that the members of the Physical Inspection Committee have 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 report positively before the next date of hearing.

Learned counsel for the petitioner has prayed for time to file updated recognition order issued by the competent authority. Time prayed for is allowed.

In the interest of justice, list on 20.2.2025.

DR. SHAHID AKHTER MEMBER

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

28.11.2024

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, 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 already submitted that the members of the Physical Inspection Committee have 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 report positively before the next date of hearing.

Learned counsel for the petitioner has prayed for time to file updated recognition order issued by the competent authority. Time prayed for is allowed.

In the interest of justice, list on 20.2.2025.

DR. SHAHID AKHTER MEMBER

St. Joseph's High School, Sarel, Nagercoil, Kanyakumari District, Tamil Nadu- 629 203.

Vs.

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

Case No. 127 of 2024

28.11.2024

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 already submitted that the members of the physical inspection committee have 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 20.2.2025.

DR. SHAHID AKHTER MEMBER

St. Thomas School, Umari Manoharpur, Handia, Prayagraj, Uttar Pradesh- 221 503.

Vs.

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

Case No. 129 of 2024

28.11.2024

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 already submitted that the members of the physical inspection committee have 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 20.2.2025.

DR. SHAHID AKHTER MEMBER

St. Ann's Senior Secondary School, Near Doon Helidrome, Tarla Nagal, Sahastradhara Road, Dehradun, Uttarakhand- 248 001.
Vs.

Incharge Secretary, Higher Education, Uttarakhand Govt., Room No. 7, Ground Floor, Late Soban Singh Jeena Bhawan (SBI Bank Building), Uttarakhand Secretariat, Uttarakhand- 248 001.

Case No. 130 of 2024

28.11.2024

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

Additional Officer (Admn.), Dehradun vide his letter dated 18.9.2024 has sent Physical Inspection Report along with some documents, which was received before the Commission's office on 23.10.2024. The same is taken on record.

An email dated 16.10.2024 has been received from District Social Welfare Officer, Dehradun enclosing therewith a copy of physical inspection report, which is taken on record.

A communication dated 17.9.2024 has been received from Assistant Secretary, Higher Education, Government of Uttarakhand, which was received by post before the Commission's office on 23.9.2024. The same is taken on record. It is stated in the said communication that the petitioner's application dated 24.11.2023 has not been received in the said department and no decision has been taken as the petitioner institution is not a higher educational institution.

Vide Notification dated 27.5.2019 issued by Principal Secretary, Higher Education, Uttarakhand, Incharge Secretary, Higher Education, Uttarakhand Government was notified as competent authority under Section 10 of the NCMEI Act, 2004 for granting NOC to higher educational institutions. The State has not notified competent authority under Section 10 of the NCMEI Act, 2004 for granting NOC to schools.

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

List the case for final arguments on 22.1.2025.

DR. SHAHID AKHTER MEMBER

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

28.11.2024

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

None for the respondent.

Learned counsel for the petitioner has filed application under Order VIII Rule 9 of Section 151 C.P.C. read with Section 12 of the NCMEI Act, 2004 to accept the Rejoinder Affidavit along with Rejoinder Affidavit before the Commission's office on 21.11.2024, which are taken on record. Learned counsel for the petitioner has also filed envelope and postage charges for sending notice to the respondent.

Office is directed to issue notice of the above application by registered AD and email to the respondent.

Collector, Kakinada District vide letter dated 26.9.2024 has sent Physical Inspection Report, which was received before the Commission's office on 15.10.2024. The same is taken on record.

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

List the case for final arguments on 5.3.2025.

DR. SHAHID AKHTER MEMBER

Sharda University Greater Noida, Plot No. 32, 34 Knowledge Park - III, Greater Noida, Uttar Pradesh - 201 310.

Vs.

Additional Chief Secretary, Higher Education, Room no. 3 ,Naveen Bhawan , U.P. Secretariat, Lucknow-226001.

Case No. 241 of 2024

28.11.2024

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

None for the respondent.

Learned counsel for the petitioner has filed application under Order VIII Rule 9 of Section 151 C.P.C. read with Section 12 of the NCMEI Act, 2004 to accept the Rejoinder Affidavit along with Rejoinder Affidavit before the Commission's office on 18.11.2024, which are taken on record.

Office is directed to issue notice of the above application by registered AD and email to the respondent.

The objects of the Trust Deed dated 16.12.1995 of Sharda Education Trust clearly proves that the beneficiaries of the petitioner institution are members of the Jain minority community whereas aims & objects of supplementary Trust Deed dated 31.01.2006 of the said trust says that it is meant to serve the whole society.

The Special Secretary, Higher Education Department, Government of Uttar Pradesh has addressed a letter dated 8.10.2024 to Regional Education Officer (Higher), Meerut and a copy thereof sent to the Commission.

It is stated in the application of Shri Pradeep Kumar Gupta, Managing Trustee of the said trust that the aims and objects of the amended Trust Deed of the said Trust may be read along with the aims and objects of the original Trust Deed dated 16.12.1995 of the said Trust.

Learned counsel for the petitioner has submitted that the amended Trust Deed mentions as "This Deed is executed in original Trust Deed Dated 16th December 1995 duly registered on 16.12.1995 its book IV Volume No. 15 at pages 181 to 188 as document No. 1341 at the office of Sub Registrar, Agra & read this document along with original Trust Deed.

In this case Commission has not constituted physical inspection Committee in the case. 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 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 23.1.2025.

Global School of Excellence, Khillikheda, Obaidulla Ganj, District Raisen, Madhya Pradesh- 464 993.

Vs.

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

Case No. 267 of 2024

28.11.2024

Present: Mr. Ifthekhar Ahmad, Advocate for the petitioner.

None for the respondent.

Learned counsel for the petitioner has filed application under Order VI Rule 17 of Section 151 C.P.C. read with Section 12 (2) of the NCMEI Act, 2004 seeking permission to amend the original application for minority status certificate along with notarized/ certified copies of seven documents, which are taken on record. Learned counsel for the petitioner has also filed envelope and postage charges for sending notice to the respondent.

Office is directed to issue notice of the above application by registered AD and email to the respondent.

In the interest of justice, list on 13.2.2025.

DR. SHAHID AKHTER MEMBER