Pakiza School – 2, Habib Colony, Opp. Government Urdu School, Khajrana, Indore, Madhya Pradesh – 452 016.

V/s.

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

CASE NO. 259 OF 2023

Date: 19.11.2024

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

A communication dated 03.10.2024 alongwith physical inspection report has been received from the Collector, Dist. Indore, which is taken on record.

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

List the matter for final arguments on 19.02.2025.

DR. SHAHID AKHTER MEMBER

Pakiza School – 3, 30-31 Sector K, Near 5000, Multi Green Park Colony, Dhar Road, Indore, Madhya Pradesh – 452 002.

V/s.

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

CASE NO. 258 OF 2023

Date: 19.11.2024

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

A communication dated 03.10.2024 alongwith physical inspection report has been received from the Collector, Dist. Indore, which is taken on record.

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

List the matter for final arguments on 19.02.2025.

DR. SHAHID AKHTER MEMBER

Pakiza School – 1, 10, Manik Bagh Road, Near Vatika Greens Garden, Opp. Choithram Hospital, Indore, Madhya Pradesh.

V/s.

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

CASE NO. 260 OF 2023 Date: 19.11.2024

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 by them till now.

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

On 22.10.2024, letter dated 26.09.2024 addressed to the District Education Officer, Dist. Indore, M.P. returned back unserved. Today some connected matters (i.e. Case No. 258 of 2023 and 259 of 2023) are listed wherein letters issued to the District Education Officer, Dist. Indore, M.P. is different from this case.

In the present case, Section Officer of the Commission has sent above-said letter to the concerned officer at the wrong address. She is warned to be careful in future.

Office is directed to send reminder letter by post and also by e-mail to the members of the physical inspection committee at the correct address. Direct them to send 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 19.02.2025.

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: 19.11.2024

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

Lourdes Convent School (Primary – English Medium), Compound, Indoor Stadium, Athwalines, Surat Dist., Gujarat – 395 007.

V/s.

Director, Primary Education, Dr. Jivraj Mehta Bhawan, 2nd Floor, 12/1, Gandhinagar, Gujarat – 382 010.

CASE NO. 219 OF 2023

Date: 19.11.2024

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

A communication dated 14.10.2024 alongwith physical inspection report has been received from the Collector, Dist. Surat, Gujarat, which is taken on record.

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

List the matter for final arguments on 19.02.2025.

DR. SHAHID AKHTER MEMBER

St. Joseph International School, Mother Virgin Garden, Kodikottai, Rameshwaram (Road), Maviduthikottai, District Sivagangai, Tamil Nadu.

V/s.

Principal Secretary, School Education Department, Government of Tamil Nadu.

CASE NO. 220 OF 2023

Date: 19.11.2024

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 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 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 11.02.2025.

DR. SHAHID AKHTER MEMBER

Dominic Savio Hr. Sec. School, London Mission Road, Tirupattur, Vellore District, T.N.

V/s.

Principal Secretary, School Education Department, Secretariat, Chennai, T.N.

CASE NO. 447 OF 2020

Date: 19.11.2024

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

Despite sending afresh letter to Chief Secretary of Government of Tamil Nadu and afresh reminder letter 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 visited and inspected several times to the petitioner institution.

This is an oldest case of the Commission.

Office is again directed that if the above-said inspection report is not received, then send afresh letter to the Chief Secretary of Government of Tamil Nadu in terms of orders dated 10.07.2024 and also 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, failing which, the petition shall stand ex-parte against the respondent.

Copy of the said letter be furnished to learned counsel for the petitioner for pursuing the matter.

List the matter on 11.02.2025.

DR. SHAHID AKHTER MEMBER

Tiny Tots Senior Secondary School, Ranjit Avenue, Behind Govt. Polytechnic Sahadat Ganj, Lucknow Road, Faizabad, Uttar Pradesh – 224 001.

V/s.

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

CASE NO. 190 OF 2023

Date: 19.11.2024

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

A communication dated 09.09.2024 has been received from the Additional District Magistrate (Administration), Ayodhya, stating therein that in the present case, after physical inspection by the Minority Welfare Officer, Ayodhya, the report is forwarded.

The District Minority Welfare Officer, Ayodhya, vide his letter dated 06.09.2024 intimated that the inspection of the petitioner institution has not be conducted due tonon-submission of relevant documents by him. Copy of the said letter dated 06.09.2024 was also received by post on 12.09.2024.

The petitioner is directed to submit relevant documents to members of the physical inspection committee for necessary action in the matter.

Office is directed to send afresh reminder letter by post and also by e-mail to the members of the physical inspection committee for sending the 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. Copy of this order be also sent with the aforementioned afresh reminder letter.

List the matter on 11.02.2025.

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: 19.11.2024

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

It is stated against column No. 8 of the physical inspection report that details of students for the last two year could not be presented by the institution.Physical Inspection Committee mentioned adverse remarks against column no. 13 of the physical inspection report.

Learned counsel for the petitioner prayed time to file written submission. Time prayed for is allowed. Let the same be filed before the date fixed for hearing.

List the matter on 11.02.2025.

DR. SHAHID AKHTER MEMBER

Dyal Group of Institutions, Village Bakkas, Sultanpur Road, Next to India Canal, Tehsil – Mohanlalganj, Lucknow District, Uttar Pradesh – 226 501.

V/s.

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

CASE NO. 148 OF 2023

Date: 19.11.2024

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

In compliance of the Commission's orders dated 10.09.2024,

learned counsel for the petitioner filed clarification affidavit and baptism

certificate on 14.11.2024, which are taken on record.

List the case for arguments on 10.12.2024.

DR. SHAHID AKHTER MEMBER

Somerville International School, A – 07, Sector 132, Expressway, Noida, Dist. Gautam Budh Nagar, Uttar Pradesh – 201 301.

V/s.

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

CASE NO. 248 OF 2023

Date: 19.11.2024

Present: Mr. Jose Abraham, 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 Somerville International School, A - 07, Sector 132, Expressway, Noida, Dist. Gautam Budh Nagar, Uttar Pradesh, run by the Lott Carey Baptist Mission in India, 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, Somerville International School, A – 07, Sector 132, Expressway, Noida, Dist. Gautam Budh Nagar, 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 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

St. Anne's Matriculation Higher Secondary School, No. 495, T.H. Road, Ramana Nagar, B.D. Office, Minjur, Ponneri T.K., Thiruvallur Dist., Tamil Nadu – 601 203.

V/s.

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

CASE NO. 827 OF 2023

Date: 19.11.2024

Present: Mr. Jose Abraham, 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 St. Anne's Matriculation Higher Secondary School, No. 495, T.H. Road, Ramana Nagar, B.D. Office, Minjur, Ponneri T.K., Thiruvallur Dist., Tamil Nadu,run by The Madras Society of Sister's of St. Anne's (Madras Province), 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, St. Anne's Matriculation Higher Secondary School, No. 495, T.H. Road, Ramana Nagar, B.D. Office, Minjur, Ponneri T.K., Thiruvallur Dist., Tamil Nadu, 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 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

Al-Izmah School, 31/2A, VilluniVayalAdaikadavan, Peruvurani, District Thanjavur, Tamil Nadu.

Vs.

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

Case No. 261 of 2023 19.11.2024

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

Despite sending letter by post to the District Education Officer (Private Schools), Thanjavur, Tamil Nadu, English translation of the order annexed with letter dated 8.3.2024 of District Educational Officer (Private Schools), Thanjavur has not been received from the said office.

Office is directed to send letter to the respondent with the request to direct the District Education Officer (Private Schools), Thanjavur to file English translation of the order annexed with letter dated 8.3.2024 of District Educational Officer (Private Schools), Thanjavur.

Office is also directed to supply a copy of the said communication to the learned counsel for the petitioner for filing English translation of the said document before the next date of hearing.

In the interest of justice, list on 11.2.2025.

DR. SHAHID AKHTER MEMBER

Markaz Public School, Kottamudi, Paloor Post, Madikeri, Kodagu, Karnataka- 571 214.

Additional Chief Secretary, Education Department (Higher Education), Government of Karnataka, Bengaluru, Karnataka.

Vs.

Case No. 262 of 2023

19.11.2024

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

Learned counsel for the petitioner has submitted that in compliance of the Commission's earlier order dated 10.7.2024, he has filed a clarification affidavit before the Commission's office on 18.11.2024 but the said document is not placed in the file.

Office is directed that if the said document is received then place the same in the case file before the next date of hearing.

List the case for further arguments on 20.2.2025.

DR. SHAHID AKHTER MEMBER

Delhi Marthoma Public School, A Block, Karpooripuram, Near Govindpuram, Ghaziabad District, Uttar Pradesh- 201 013.

Vs.

Additional Chief Secretary, Department of Secondary Education, Government of Uttar Pradesh, Bahu Khandi, Secretariat, Lucknow, Uttar Pradesh- 226 001.

Case No. 333 of 2023

19.11.2024

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

District Collector, Ghaziabad vide letter dated 10.9.2024 has sent Physical Inspection Report which was received by post before the Commission's office on 19.9.2024. The same is taken on record.

An email dated 11.9.2024 has been received from District Minority Officer, Ghaziabad attaching therewith copy of the physical inspection report, which is taken on record.

A communication dated 9.10.2024 has been received on 15.10.2024 from District Minority Welfare Officer, Ghaziabad, which is taken on record.

A communication dated 16.10.2024 has also been received on 23.10.2024 from District Minority Welfare Officer, Ghaziabad, 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 20.2.2025.

DR. SHAHID AKHTER MEMBER

St. Thomas English Medium High School, Gram Kusarwah, Jaisingh Nagar, Shahdol District, Madhya Pradesh- 484 771. Vs.

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

Case No. 334 of 2023

19.11.2024

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

Collector and District Magistrate, Shahdol, Madhya Pradesh vide letter dated 13.9.2024 has sent Physical Inspection Report, which was received before the Commission's office on 19.9.2024. The same is taken on record.

It is mentioned against Col. No. 8 of the Physical Inspection Report that during the year 2023-24, out of total 135 students, 22 students were from the Muslim minority community, 01 student was from the Jain minority community, 112 students were Hindu and no student was from the Christian minority community. During the year 2024-25, out of total 206 students, 37 students were from the Muslim minority community, 02 students were from Jain minority community, 167 students were Hindu and no student was from the Christian minority community.

Learned counsel for the petitioner has prayed for time to take instructions from his client. Time prayed for is allowed.

In the interest of justice, list on11.2.2025.

DR. SHAHID AKHTER MEMBER

Holy Cross College of Nursing, Kamagere, Kollegal Taluk, Chamarajnagar District, Karnataka- 571 443.

Vs.

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

Case No. 115 of 2024

19.11.2024

Present: Mr. Jose Abraham, Advocate for the petitioner. Mr. Arjun Sharma, Advocate for the respondent.

Mr. Arjun Sharma appeared on behalf of the respondent and prayed for time to file reply and Vakalatnama. Time prayed for is allowed.

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 reminderletter again by post and email 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 11.2.2025.

DR. SHAHID AKHTER MEMBER

Holy Cross School of Nursing, Kamagere, Kollegal Taluk, Chamarajnagar District, Karnataka- 571 443.

Vs.

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

Case No. 116 of 2024

19.11.2024

Present: Mr. Jose Abraham, Advocate for the petitioner. Mr. Arjun Sharma, Advocate for the respondent.

Mr. Arjun Sharma appeared on behalf of the respondent and prayed for time to file reply and Vakalatnama. Time prayed for is allowed.

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 reminderletter again by post and email 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 11.2.2025.

DR. SHAHID AKHTER MEMBER

Ayesha Tarin Modern Public School, Anoopshahr Road, P.O. CDF, Aligarh, Uttar Pradesh- 202 122.

Vs.

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

Case No. 117 of 2024

19.11.2024

Present: Ms. Gurneet Kaur, 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 reminderletterby 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 27.2.2025.

DR. SHAHID AKHTER MEMBER

S.D.P.S. International School, Khandwa Road, Opposite Bilawali Talab, Indore, Madhya Pradesh- 452 020.

Vs.

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

Case No. 118 of 2024

19.11.2024

Present: Mr. Junais P., 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 email to the members of the Physical Inspection Committee for sending the report positively before the next date of hearing, if the inspection report is not received till sending the reminder letter.

In the interest of justice, list on 11.2.2025.

DR. SHAHID AKHTER MEMBER

Holy Child School, Village Chhohan, P.O. Sahle Chak, Tehsil Kalanaur, Chhohan, Gurdaspur District, Punjab-143 526. Vs.

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

Case No. 171 of 2024

19.11.2024

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

On 16.7.2024 a communication has been received from the Director, School Education (S.E.), Directorate of School Education (Secondary), Punjab, Punjab School Education Board Complex, SAS Nagar, wherein it is stated that due to low percentage of minority students in accordance with the department's policy, the NOC of the petitioner has been rejected. Copy of the rejection letter dated 2.2.2024 addressed to the petitioner is also annexed with the said communication.

Accordingly, learned counsel for the petitioner seeks leave to withdraw the petition with liberty to file a fresh petition for the same relief. Leave and liberty is granted.

The petition is disposed of as withdrawn.

DR. SHAHID AKHTER MEMBER

St. Mary's School, Dhanori, Tehsil Swar, Rampur, Uttar Pradesh-244 924.

Vs.

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

Case No. 207 of 2024

19.11.2024

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

Mr. Vinod Kumar appeared on behalf of the respondent on 11.9.2024 and filed Physical Inspection Report along with covering letter dated 10.9.2024 of District Inspector of Schools, Rampur before the Commission's office. The same is taken on record today. The said report is signed only by District Inspector of Schools, Rampur.

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 in the prescribed format duly signed by all the three members of the Physical Inspection Committee positively before the next date of hearing.

In the interest of justice, list on 11.2.2025.

DR. SHAHID AKHTER MEMBER