

## Procedure for Minority Status Certificate and Appeal U/S 12 (A) & 12 (B)

### An application for grant of Minority Status Certificate may be made to:

- The State Government as per the provisions contained in the National Commission for Minorities Act, 1992 (19 of 1992), where an authority established by the Central Government or any State Government, as the case may be

**or**

- The National Commission for Minority Educational Institutions (NCMEI), prior to which the Educational Institution/school has to apply before the State Competent Authority for grant of No Objection Certificate under section 10 of the NCMEI Act 2004. In case, the State Competent Authority does not take any action within 90 days then it is deemed that the State Competent Authority has granted No Objection Certificate to the applicant Institution.

### Procedure for filing application to obtain Minority Status Certificate from NCMEI

- (i) Application for Minority Status Certificate can be made to the Commission online at URL <http://ncmei.gov.in/admnis/applicant/login.aspx> or offline in the prescribed format (Annexure-1 as per format at <http://www.ncmei.gov.in/WriteReadData/LINKS/msc%20new%20format1af9d9b4-4736-4010-83ab-1c627af9b0f8.pdf>)
- (ii) Documents required along with the application.
  - If previously applied to the NCMEI for grant of Minority Status Certificate, attach copy of the final order of the Commission.
  - NOC/Copy of application for NOC alongwith proof of service to Competent authority in case of deemed NOC
  - Affidavit (as per format <http://ncmei.gov.in/WriteReadData/LINKS/affidavit%20format0a5fdf4b-1eda-4515-9bfc-f591560c59b5.pdf>)
  - Trust/ Society are required to attach:
    - Copy of registration certificate
    - Copy of MOA / Trust Deed
    - Copy of amended MOA / Trust Deed (if any)
  - Institution established and administered by an individual from minority community, the following documents are to be attached:
    - Permission letter from the concerned government
    - Identity proof
    - Residence proof
    - ITR for last three years (if applicable)
    - Documentary evidence (title or possession) of the institution

- NITI Aayog Unique ID in case of registered Society/Trust
- List of founding members/trustees and present members/trustees
- Copy of Affiliation/ Recognition letter issued by affiliating Board/University/ UGC. In case of professional institutions, recognition certificate by the regulatory body (Copy of Affiliation/ Recognition letter should clearly indicate the Validity period of Affiliation/ Recognition).

**Note :** - At the time of hearing the court may ask for any additional document to satisfy the claim of the institution that it is a minority institution.

Applicants are requested to submit complete application form as per the checklist

### CHECK LIST

1.Sets Submitted:(Five)	Yes	No
2.Format:(New w.e.f. 01.11.2019)	Yes	No
3.Affidavit Attached	Yes	No
4.Niti Aayog Unique ID	Yes	No
5.Certificate of Registration Certificate	Yes	No
6.MOA of Society/Trust Deed	Yes	No
7.Amended MOA Trust Deed	Yes	No
8.List of founding members/trustees	Yes	No
9.List of present members/trustees	Yes	No
10. Institution established and administered by an individual from minority community, the following documents are to be attached:		
o Permission letter from the concerned government	Yes	No
o Identity proof	Yes	No
o Residence proof	Yes	No
o ITR for last three years (if applicable)	Yes	No
o Documentary evidence (title or possession) of the institution	Yes	No
11.Copy of application sent to Competent Authority (CA) for grant of NOC u/s 10 of NCMEI Act 2004.	Yes	No
12.Proof of Delivery of application sent to CA	Yes	No
13.Copy of Affiliation / Recognition letter	Yes	No
14. Validity period of Affiliation / Recognition		
15. Other Relevant Documents (specify)		
16. Declaration Signed	Yes	No

**Procedure for filing an appeal against the order of competent authority under Section 12A of NCMEI Act, 2004 and as per National Commission for Minority Educational Institutions (Procedure for Appeal) Rules, 2006)**

- Any person aggrieved by the order of refusal to grant NOC under sub-section (2) of section 10 of NCMEI Act by the Competent Authority for establishing a MEI, may prefer an appeal against such order to the Commission within thirty days from the date of the order communicated to the applicant,
- The Commission may entertain an appeal after the expiry of the said period of thirty days, if it is satisfied that there was sufficient cause for not filing it within that period.
- An appeal is to be made to the Commission in prescribed format (Annexure-2: <http://ncmei.gov.in//admnis/admin/showimg.aspx?ID=43>) alongwith the certified copy of the order against which the appeal has been filed .
- The Commission, after hearing the parties, pass an order and give such directions as may be necessary or expedient to give effect to its orders or to prevent abuse of its process or to secure the ends of justice.

***Incomplete applications will not be entertained.***

**Procedure for filing an appeal against the order of Authority of the State/UT Governments under Section 12B of NCMEI Act, 2004 and as per National Commission for Minority Educational Institutions (Procedure for Appeal) Rules, 2006)**

- Without prejudice to the provisions contained in the National Commission for Minorities Act, 1992 (19 of 1992), where an authority established by the Central Government or any State Government, as the case may be, for grant of minority status to any educational institution rejects the application for the grant of such status, the aggrieved person may appeal against such order of the authority to the Commission within thirty days from the date of the order communicated to the applicant:
- Provided that the Commission may entertain an appeal after the expiry of thirty days, if it is satisfied that there was sufficient cause for not filing it within that period.
- An appeal to the Commission shall be made in prescribed format (**Annexure-2: <http://ncmei.gov.in//admnis/admin/showimg.aspx?ID=43>**) alongwith the certified copy of the order against which the appeal has been filed.
- On receipt of the appeal under Section 12B (3) of the NCMEI Act, 2004, the Commission may, after giving the parties to the appeal an opportunity of being heard, decide on the minority status of the educational institution and proceed to give such direction as it may deem fit and, all such directions shall be binding on the parties.

***Incomplete applications will not be entertained.***