



## CHAPTER 1

# Introduction

### 1.1 OVERVIEW

To engineer an inclusive and sustainable growth for India, the social infrastructure like education, health and social protection are being given utmost priority by the Government. Under the Prime Minister's New 15 Point Programme for Welfare of Minorities, on high priority is enhancing of opportunity for education.

Schemes for Infrastructure Development in Minority Institutes, aims to facilitate education of minorities by augmenting and strengthening infrastructure in the minority institutions. This is in order to expand facilities for formal education to children of minority communities.

Article 30 of the Constitution states that all minorities, whether based on religion or language, shall have the right to establish and

administer educational institutions of their choice. The Central Government has notified six minority communities viz. Muslim, Christian, Sikh, Buddhists, Parsi and Jain.

As per 2011 Census of India, the demographic facts for different communities are given as under:

- Hindus: 79.8% (966.3 million)
- Muslims: 14.23% (172.2 million)
- Christians: 2.30% (28.7 million)
- Sikh: 1.72% (20.8 million)
- Buddhists: 0.7% (8.5 million)
- Jains: 0.37% (4.15 million)
- Parsis: 57,264
- Others: 0.9% (10.9 million)

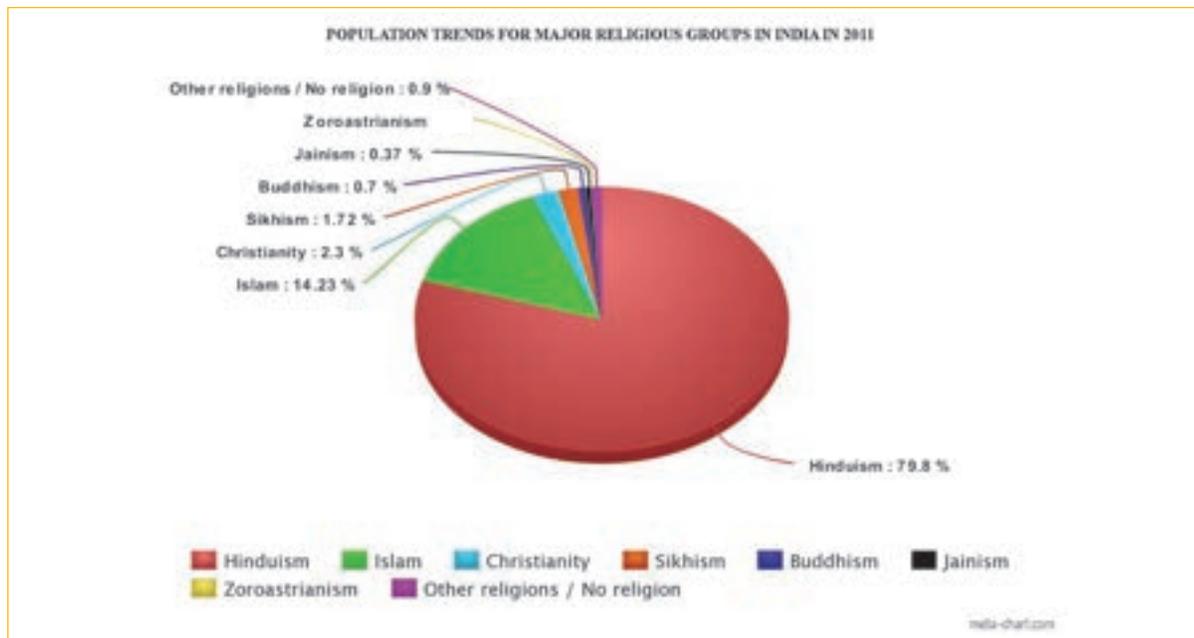


Fig. Demographic Facts as per India Census 2011.



## 1.2 HISTORICAL BACKGROUND

The long felt demand of the minority communities to establish a Commission for Minority Educational Institutions which would provide direct affiliation for minority professional institutions to Central Universities. It was underscored in a series of meetings held by the Ministry of Human Resource Development with educationists, eminent citizens and community leaders associated with minority education. Similar views were voiced by many experts in a meeting of the National Monitoring Committee for Minority Education held in August, 2004.

In view of the considerable preparatory work involved in making the National Commission's functioning effective, on and from the next academic session, recourse was taken to create the National Commission on 11<sup>th</sup> November 2004 through the promulgation of the National Commission for Minority Educational Institutions Ordinance, 2004. To replace the said Ordinance by an Act of the Parliament, the National Commission for Minority Educational Institutions Bill was introduced. The National Commission for Minority Educational Institutions (NCMEI) was established through the promulgation of an Ordinance which was replaced by NCMEI Act in December 2004. The Ministry of Human Resource Development constituted the Commission on 16<sup>th</sup> November 2004 with its Headquarters in New Delhi.

## 1.3 ABOUT THE COMMISSION

### Vision

Empower minority communities to establish and administer educational institutions of their choice and ensure proper implementation of constitutional safeguards for protection and promotion of educational rights of minorities.

### Mission

- To facilitate decision relating to all questions on status of a Minority Educational Institution (MEI) and declare its status as such.
- To resolve disputes regarding affiliation of the Minority Educational Institutions (MEIs) to a University, deprivation and violation of rights of minorities to establish and administer educational institutions of their choice.
- To advise on issues referred to it by the Government relating to education of minorities and make recommendations for effective implementation of schemes relating to MEIs.

On 26<sup>th</sup> November 2004, the Government issued notification to appoint Justice M.S.A. Siddiqui as the first Chairman and 2 other Members of the Commission.

The Chairperson and the Members are nominated by the Central Government. A person is qualified for appointment as the Chairperson if he/she is a member of a minority community and has been a Judge of a High Court. A person is qualified for appointment as a Member if he/she is a member of a minority community and is a person of eminence and integrity.

The salaries and allowances payable to the Chairperson and Members and administrative expenses including salaries, allowances and pensions payable to the Secretary, officers and other employees is paid out of grants provided by the Central Government.

No act or proceeding of the Commission shall be questioned or shall be invalid on the ground merely for the existence of any vacancy or defect in the constitution of the Commission.



From the said provision of the Act, it is clear that the vacancy in the Commission does not make the proceedings of the Commission invalid. Hence, vacancy of the Chairperson shall have no effect on the proceedings of the Commission or shall not be invalid on the ground merely for the existence of vacancy of the Chairperson.

The Central Government has notified six minority communities viz. Muslim, Christian, Sikh, Buddhist, Parsi and Jain.

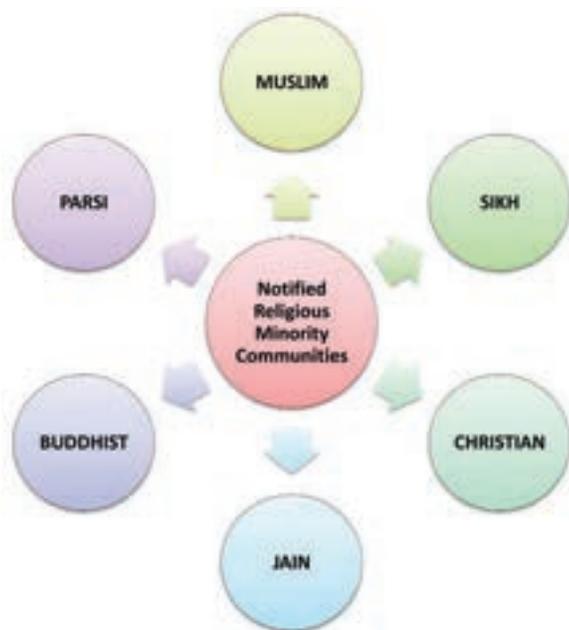


Fig. Six minority communities notified by Central Government.

No linguistic minority has been notified by the Central Government till date. As such, only six religious minorities are covered under the NCMEI Act. It is clear that the linguistic minorities are outside the purview of the Commission, as such, the Commission does not entertain any application from any linguistic minority.

Any person, who desires to establish a MEI, may apply to the Competent Authority for the grant of No Objection Certificate (NOC) for the said purpose. The applicant shall, on

receipt of a NOC or where the Competent Authority has deemed to have granted the NOC, be entitled to commence and proceed with the establishment of a MEI in accordance with rules and regulations under the NCMEI Act, 2004.

The Commission is a quasi-judicial body and has been endowed with the powers of a Civil Court. Commission has been established by the Central Government for protecting and safeguarding the rights of minorities to establish and administer educational institutions of their choice.

Commission has adjudicatory functions and recommendatory powers. The mandate of the Commission is very wide. Its functions include, inter-alia to resolve disputes regarding affiliation of MEIs to a university, to address complaints regarding deprivation and violation of rights of minorities to establish and administer educational institutions of their choice and to advise the Central Government and the State Governments on any question relating to the education of the minorities.

**1.4 NCMEI ACT, 2004:** The National Commission for Minority Educational Institutions Act, 2004 (2 of 2005) was notified on 6<sup>th</sup> January 2005. The National Commission for Minority Educational Institutions has been constituted under the Act. The Act defines “Minority Educational Institution means a college or an educational institution established and administered by a minority or minorities.”

The main functions of the Commission are to:

- (a) advise the Central Government or any State Government on any question relating to the education of minorities that may be referred to it;



- (b) enquire, *suo-motu*, or on a petition presented to it by any MEI, or any person on its behalf, into complaints regarding deprivation or violation of rights of minorities to establish and administer educational institutions of their choice and any dispute relating to affiliation to a University and report its finding to the appropriate Government for its implementation;
- (c) intervene in any proceeding involving any deprivation or violation of the educational rights of the minorities before a court with the leave of such court;
- (d) review the safeguards provided by or under the Constitution or any law for the time being in force, for the protection of educational rights of the minorities and recommend measures for its effective implementation;
- (e) specify measures to promote and preserve the minority status and character of institutions of their choice;
- (f) decide all questions relating to the status of any institution as a MEI and declare its status as such;
- (g) make recommendations to the appropriate Government for effective implementation of programmes and schemes relating to MEIs; and
- (h) do such other acts and things as may be necessary, incidental or conducive to the attainment of all or any objective of the Commission.

**1.5 NCMEI (AMENDMENT) Act, 2006:** On the basis of suggestions received from various quarters for making the Commission proactive and its functioning more specific, the recommendations were made to the

Government to carry out amendment in the Act of 2004. The Government introduced the National Commission for Minority Educational Institutions (Amendment) Bill 2005, in the Parliament. Meantime, in the wake of 93<sup>rd</sup> constitutional amendment passed by the Parliament incorporating Article 15 (5) in the Constitution, made specific provision for the educational advancement of the Scheduled Castes, Scheduled Tribes and Socially and Educationally Backward Classes, it became expedient to bring out amendment in the NCMEI Act through an Ordinance. Accordingly, an Ordinance was notified by the Government on 23<sup>rd</sup> January, 2006, which was later replaced by the National Commission for Minority Educational Institutions (Amendment) Act, 2006 passed by the Parliament and notified on 29<sup>th</sup> March, 2006.

#### KEY ELEMENTS OF THE AMENDMENT

The amendment under the National Commission for Minority Educational Institutions Amendment Act, 2006

- Bring all affiliating universities within the ambit of the Act, to offer a wider choice to the MEIs with regard to affiliation.
- New Sections were incorporated to maintain the sanctity of the commission's proceedings and to broaden the powers of the Commission to enquire into the matters relating to deprivation of educational rights of minorities by utilizing services of any officer of the Central or State Governments.
- The Commission was empowered to decide on questions relating to Minority Status of educational institutions and to cancel the Minority Status of those institutions which failed to adhere to the approved norms.



- Deemed provision with reference to obtaining NOC by the MEIs from the State Governments was also incorporated, where under, the MEI could proceed with the establishment of the same if the State Government does not communicate its decision regarding NOC within 90 days.
- The Commission was also granted appellate jurisdiction in matters of refusal by the State Governments to grant NOC, for establishing a MEI.
- The said amendment inserted that the jurisdiction of all courts, except the Supreme Court and High Courts exercising writ jurisdiction, was barred to entertain any direct applications or other proceeding in respect of any order of the Commission.

**“Bar of jurisdiction** – No court (except the Supreme Court and a High Court exercising jurisdiction under articles 226 and 227 of the Constitution) shall entertain any suit, application or other proceedings in respect of any order made under this Chapter.”

## 1.6 NCMEI AMENDMENT Act 2010

Subsequently, various suggestions were received regarding the provision under Section 12B (4) of the NCMEI Act, like deletion of the provision of consultation with the State Government. Many suggestions were received about making amendment in Section 2(g) regarding the definition of MEIs where universities were excluded. It was also suggested that there is a need to remove the ambiguity in the provision of Section 10, concerning grant of NOC for establishing of a MEI. The suggestions were examined in the Commission and it was felt that the requirement for consultation with the State Government to decide on an appeal by the Commission as per Section

12B of the Act was against the principles of natural justice. A view was taken that the consultation with the State Governments took away the substantive right of appeal of the aggrieved party.

Mere reading of the provision in Section 10(1) of the Act, gave an impression that NOC was required for establishment of a MEI in all cases. However, as per the provisions of various laws which regulates establishment of such institutions, especially relating to technical and professional colleges, it was not mandatory to get the NOC from the competent authority under the State Government. Therefore, appropriate amendment in Section 10(1) was felt necessary.

## 1.7 SPIRIT BEHIND EVOLUTION OF THE NCMEI ACT :

The National Commission for Minority Educational Institutions Act, 2004, was only concerned regarding recognition of MEIs to be affiliated with a scheduled university of its choice. At this stage, the functions of the NCMEI were limited to only three things, namely,

- an advisory function under sub clause (a) to look into specific complaints relating to deprivation or violation of rights of minorities to establish and administer educational institutions of their choice and any disputes related to affiliation to scheduled universities under sub-clause (b) and residuary clause to do all such other acts as may be necessary to attain the objectives of the NCMEI Act under sub-clause (c).
- A remarkable change came about by the Amendment Act of 2006. By this amendment, a person who desired to establish a MEI is required to apply



to the Competent Authority for a 'NOC' for the said purpose, under Section 10. Concomitantly, under Section 11, functions and powers of the NCMEI were expanded beyond the original sub-clauses (a) to (c) referred to hereinabove, to include, under sub-clause (f), decisions relating to the status of any institution as a MEI and declaration of its status as such. The same Amendment Act of 2006, also conferred powers of appeal against the orders of the Competent Authority to the NCMEI under Section 12A, as well as over the other authorities that is established by the Central or State Government, which has rejected the applications for the grant of minority status to an educational institution, under Section 12B. Power has

been vested with NCMEI to cancel MSC granted by any authority.

- The Amendment Act of 2010 added the expression "subject to the provisions contained in any other law for the time being in force..." to Section 10(1) of the 2004 Act.

**1.8** Considering the steady increase in the workload of the Commission and to make the Commission more representative, a provision for an additional Member over and above the existing two Members was also felt necessary. Accordingly, on the recommendations of the Commission, the NCMEI Act, 2004 was amended to provide for the same. The Government amended the NCMEI Act by 20 of 2010 w.e.f. 1.9.2010, to increase the number of members from two to three.



## CHAPTER 2

# Constitution of the Commission

### 2.1 COMPOSITION PROFILE

The Commission was established through an Ordinance (No. 6 of 2004) notified on 11<sup>th</sup> November 2004. This was followed by the introduction of a Bill to replace the Ordinance and passing of the National Commission for Minority Educational Institutions Act, 2004 (2 of 2005) which was notified on 6<sup>th</sup> January 2005. The Parliament passed the NCMEI (Amendment) Act 2006 which was notified on 29<sup>th</sup> March 2006. The Act was further amended to the National Commission for Minority Educational Institutions (Amendment) Act, 2010.

The Government issued notification on 26<sup>th</sup> November 2004, to appoint Justice M.S.A. Siddiqui as the first Chairperson. The Government appointed Justice M.S.A. Siddiqui as the Chairperson of the Commission for a further term of 5 years and he assumed charge on 18.12.2009. Dr. Mohinder Singh and Dr. Cyriac Thomas assumed charge as Members on 8<sup>th</sup> April 2010 and 12<sup>th</sup> April 2010 respectively for a term of five years. Shri Zafar Agha took the charge of third Member on 26.3.2012.

Dr. Mohinder Singh, Member submitted his resignation on 30.9.2014, on personal and domestic grounds and in his place for the remaining part of the tenure, Dr. Naheed Abidi, (Padma Shri) was appointed as a Member upto 7.4.2015. Five year tenure of Dr. Cyriac Thomas came to an end on 11.4.2015. Two Members joined the Commission against the vacant posts. Dr. Baltej Singh Mann on 4<sup>th</sup> December, 2015 and Dr. Naheed Abidi joined for the second term on 7<sup>th</sup> December, 2015.

Shri Zafar Agha, Member completed his tenure on 25.3.2017. The post of the Chairman was vacant during 2017-18 and one post of the Member since 26.3.2017. There were only two Members in position namely Dr. Baltej Singh Mann and Dr. Naheed Abidi.

The Commission which started functioning from Shastri Bhavan, New Delhi moved to Jeevan Tara Building located at Sansad Marg, New Delhi in August 2005. Presently, the Commission is functioning from its office at Jeevan Tara Building, 5, Sansad Marg, New Delhi. Initially Government sanctioned 22 posts for providing necessary administrative and office support. Later, 11 additional posts were sanctioned by the Government. At present, Commission has a total strength of 33 which includes, inter-alia, one post each of Secretary, Deputy Secretary, Sr. PPS, Under Secretary and Section Officer.

The posts of Secretary, Deputy Secretary, Under Secretary, Section Officer and personal assistant have been filled on deputation from the Central Government. Some supporting staff have been engaged on contract basis through EdCIL (an undertaking of Government of India, Ministry of Human Resource Department). During the year, 8 persons have been appointed through EdCIL.

### 2.2 RIGHTS TO ESTABLISH A MINORITY EDUCATIONAL INSTITUTION

1. Any person who desires to establish a Minority Institution may apply to the Competent Authority for the grant of NOC, for the said purpose.



2. The Competent authority shall :-
  - on perusal of documents, affidavits or other evidence, if any and
  - after giving an opportunity of being heard to the applicant, decide every application filed under sub-section (1) as expeditiously as possible and grant or reject the application, as the case may be:
  - provided that where an application is rejected, the Competent Authority shall communicate the same to the applicant.
3. Where within a period of ninety days from the receipt of the application under sub-section (1) for the grant of no objection certificate:-
  - The Competent authority does not grant such certificate or
  - Where an application has been rejected and the same has not been communicated to the person who has applied for the grant of such certificate, it shall be deemed that the Competent Authority has granted a NOC to the applicant.

After obtaining Minority Status Certificate (MSC), the institutions have the following rights in terms of Article 30 (1) of the Constitution and Section 2(g) of the NCMEI Act.

- i. To choose its governing body in whom the founders of the institution have faith and confidence to conduct

and manage the affairs of the institution.

- ii. To appoint teaching and non-teaching staff.
- iii. To admit students of its community. Non-minority students cannot be forced upon it. Neither the policy of reservation on admission nor any quota or percentage of admissions can be enforced by the State.
- iv. To charge a reasonable fee.

It has been held by the Supreme Court in Case of P.A. Inamdar Vs. State of Maharashtra [2006 (6) SCC 537] that:

- a) The policy of reservation in admission cannot be made applicable to a minority institution.
- b) The policy of reservation in employment cannot be made applicable to a minority institution.

Further, the MEI covered under Article 30(1) of the Constitution including Madarsa, is exempted from the purview of the Right of Children to Free and Compulsory Education Act, 2009.

## 2.3 SUMMARY OF THE NCMEI ACT, 2004

### Key Definitions

- “Competent authority” means the authority appointed by the appropriate Government to grant no objection certificate for the establishment of any educational institution of their choice by the minorities.



- “Educational rights to minorities” means the rights of minorities to establish and administer educational institutions of their choice.
- “Minority”, for the purpose of this Act, means a community notified as such by the Central Government.
- “Minority Educational Institution” means a college or an educational institution established and administered by a minority or minorities.

The Functions of the Commission as per Section 11 of the Act are as follows to:-

- (a) advise the Central Government or any State Government on any question relating to the education of minorities that may be referred to it;
- (b) enquire, suo-motu, or on a petition presented to it by any Minority Educational Institution or any person on its behalf into complaints regarding deprivation or violation of rights of minorities to establish and administer educational institutions of their choice and any dispute relating to affiliation to a University and report its finding to the appropriate Government for its implementation;
- (c) intervene in any proceeding involving any deprivation or violation of the educational rights of the minorities before a court with the leave of such court;
- (d) review the safeguards provided by or under the Constitution or any law for the time being in force, for the protection of educational rights of the minorities and recommend measures for its effective implementation;
- (e) specify measures to promote and pre-

serve the minority status and character of the institutions of their choice established by minorities;

- (f) decide all questions relating to the status of any institution as a Minority Educational Institution and declare its status as such;
- (g) make recommendations to the appropriate Government for the effective, implementation of programmes and schemes relating to the Minority Educational Institutions; and
- (h) do such other acts and things as may be necessary, incidental or conducive to the attainment of all or any of the objects of the Commission.

Section 11(f) is a very wide provision which empowers the NCMEI to decide all questions relating to the status of an institution as a MEI and to declare its status as such. The expression “all questions” as well as the expression “relating to”, entrusts the NCMEI with the power to decide any question that may arise, which may relate directly or indirectly, with respect to the status of an institution as a MEI.

Article 30 of the Constitution of India grants a fundamental right to all minorities, whether based on religion or language, to establish and administer educational institutions of their choice

## 2.4 POWERS OF THE COMMISSION

The Powers of the Commission as per section 12 of the Act are as follows:-

- (a) If any dispute arises between a MEI and a University relating to its affiliation to such University, the decision of the Commission thereon shall be final.



- (b) The Commission shall, for the purpose of discharging its functions under the Act, have all the powers of a civil court trying a suit.
- (c) Every proceeding before the Commission shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 and for the purpose of section 196, of the Indian Penal Code (45 of 1860). The Commission shall be deemed to be a civil court for the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973 (2 of 1974).
- (d) Any person aggrieved by the order of refusal to grant no objection certificate by the competent authority for establishing a Minority Educational Institution, may prefer an appeal against such order to the Commission.
- (e) The Commission, after hearing the parties, shall pass an order as soon as may be practicable 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.
- (f) An order made by the Commission shall be executable by the Commission as a decree of a civil court and the provisions of the Code of Civil Procedure, 1908 (5 of 1908), so far as may be, shall apply as they apply in respect of a decree of a civil court.
- (g) An authority established by the Central Government or any State Government, 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.
- (h) On receipt of an appeal, the Commission may, after giving the parties an opportunity of being heard, to decide on the minority status of the educational institution and shall proceed to give such direction as it may deem fit and all such directions shall be binding on the parties.
- (i) The Commission may, after giving a reasonable opportunity of being heard to a MEI to which minority status has been granted by an authority or Commission, as the case may be, cancel such status under the circumstances on grounds laid down in the Act.
- (j) The Commission has the power to investigate into the complaints relating to deprivation of the educational rights of minorities.
- (k) The Commission, while enquiring into the complaints of violation or deprivation of educational rights of minorities shall call for information or report from the Central Government or any State Government or any other authority or organization subordinate there to.

### **In Conclusion, the Commission shall:**

- (a) summon and enforce the attendance of any person from any part of India and examining him on oath,
- (b) require the disclosure and production of any document,
- (c) receive evidence on affidavits,
- (d) subject to the provisions of sections 123 and 124 of the Indian Evidence



Act, 1872, (1 of 1872) requisitioning any public record or document or copy of such record or document from any office,

- (e) examine witnesses or documents and
- (f) any other matter which may be prescribed.

*\* An authority means any authority or officer or commission which is established under any order of the appropriate Government, for the purpose of granting a certificate of minority status to an educational institution.*

The Commission also has powers to call for information while enquiring into complaints of violation or deprivation of educational rights of minorities. Where an enquiry establishes violation or deprivation of educational rights of the minorities by a public servant, Commission may recommend to the concerned Government or to an authority to initiate disciplinary proceedings or such other legal or administrative action against the concerned person or persons as it may deem fit.

**Bar of jurisdiction:** Only Supreme Court exercising writ jurisdiction under Article 32 and High Courts under Articles 226 and 227 of the Constitution of India can entertain any suit, application or proceedings in respect of any order made by the Commission.

## 2.5 GROUNDS FOR CANCELLATION OF MINORITY STATUS CERTIFICATE

The MSC granted by the Commission or by any authority can be cancelled under Section 12C of the Act on violation of any of the conditions enumerated therein.

If a MSC has been obtained by unfair means or if there is any suppression of any

material fact or any fundamental change of circumstances warranting cancellation of the earlier order, the authority concerned would be within its powers to cancel the MSC after giving an opportunity of being heard to the management of the institution concerned, in conformity with the principles of natural justice.

It is a well settled fact that any administrative order involving civil consequences has to be passed strictly in conformity with the principles of natural justice (See AIR 1978 S.C. 851). If any order relating to cancellation of minority status granted to a MEI has been passed without giving an opportunity of being heard to such educational institution, it gets vitiated.

## 2.6 FINANCIAL AND ADMINISTRATIVE POWERS OF CHAIRPERSON

The Chairperson shall exercise such financial and administrative powers as may be vested in him by the rules made under this appropriate section.

The Chairperson, Members, Secretary, Officers and other employees of the Commission are deemed to be public servants within the meaning of Section 21 of the Indian Penal Code.

The Commission receives grant from the Central Government after due appropriation made by the Parliament. The grant is utilized for meeting the expenses of the Commission. The budget during 2107-18 was Rs 5 crores.

The Commission prepares the Annual Statement of Accounts in the form prescribed by the Central Government and the accounts are audited by the Comptroller and Auditor General of India.

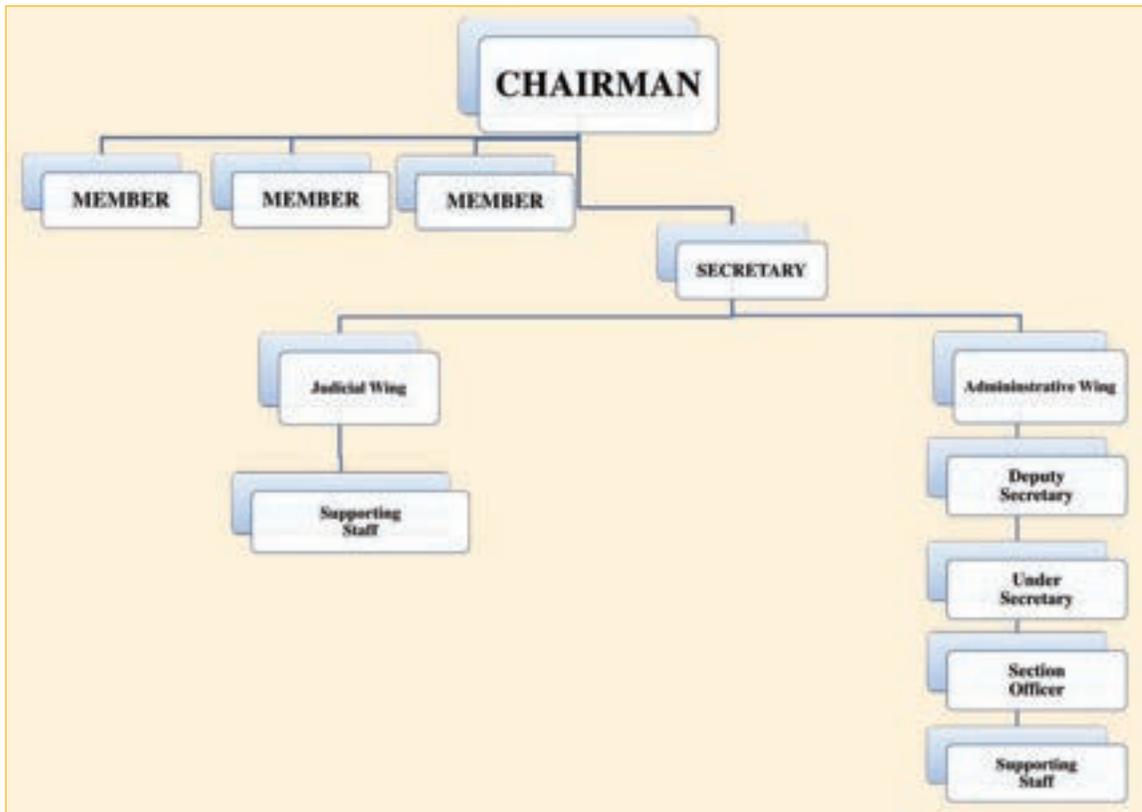
## 2.7 Section 16, of the National Commis-



sion for Minority Educational Institutions (NCMEI) Act, 2004, obligates the Commission to lay its Annual Report, giving full account of its activities for the previous financial year and forward a copy of the same to the Central Government.

This is the 13<sup>th</sup> Annual Report of the Commission for the financial year 2017-18. The report provides a comprehensive account of all activities of the commission.

### Organisation Chart





## CHAPTER 3

# Sittings of the Commission

In terms of Section 12(3) of the NCMEI Act, every proceeding before the Commission shall be deemed to be a judicial proceeding within the meaning of section 193 and section 228 and for the purpose of section 196 of Indian Penal Code. The Commission is deemed to be a civil court for the purpose of Section 195 Chapter XXVI of the Code of Criminal Procedure, 1973. Being a quasi-judicial body, Commission conducts formal court sittings. A formal court room is available in the Commission's premises for the purpose.

During the year 2017-18, the Commission conducted a total of 162 court sittings and heard 3369 cases as per details given below:

### 3.1 DETAILS OF COURT SITTINGS FROM 01.04.2017 TO 31.03.2018

S. No.	Date of Sittings	Number of Cases
1	03.04.2017	31
2	05.04.2017	27
3	06.04.2017	20
4	10.04.2017	23
5	11.04.2017	35
6	12.04.2017	26
7	21.04.2017	24
8	17.04.2017	24
9	18.04.2017	22

S. No.	Date of Sittings	Number of Cases
10	19.04.2017	18
11	20.04.2017	22
12	21.04.2017	23
13	24.04.2017	16
14	25.04.2017	21
15	26.04.2017	25
16	27.04.2017	27
17	01.05.2017	18
18	02.05.2017	28
19	03.05.2017	23
20	04.05.2017	36
21	08.05.2017	17
22	09.05.2017	22
23	11.05.2017	24
24	12.05.2017	2
25	15.05.2017	24
26	16.05.2017	19
27	17.05.2017	24
28	18.05.2017	3
29	22.05.2017	20
30	23.05.2017	26



S. No.	Date of Sittings	Number of Cases	S. No.	Date of Sittings	Number of Cases
31	24.05.2017	22	56	08.08.2017	17
32	25.05.2017	26	57	09.08.2017	18
33	29.05.2017	22	58	10.08.2017	24
34	30.05.2017	27	59	17.08.2017	14
35	31.05.2017	22	60	18.08.2017	14
36	03.07.2017	20	61	21.08.2017	16
37	04.07.2017	22	62	22.08.2017	31
38	05.07.2017	20	63	23.08.2017	19
39	06.07.2017	21	64	24.08.2017	21
40	10.07.2017	31	65	28.08.2017	13
41	11.07.2017	27	66	29.08.2017	16
42	12.07.2017	16	67	30.08.2017	16
43	13.07.2017	25	68	31.08.2017	17
44	17.07.2017	20	69	08.09.2017	14
45	18.07.2017	21	70	05.09.2017	13
46	19.07.2017	18	71	06.09.2017	14
47	20.07.2017	26	72	07.09.2017	16
48	24.07.2017	16	73	11.09.2017	22
49	25.07.2017	47	74	12.09.2017	19
50	26.07.2017	20	75	13.09.2017	17
51	27.07.2017	21	76	14.09.2017	64
52	31.07.2017	19	77	18.09.2017	16
53	01.08.2017	20	78	19.09.2017	19
54	02.08.2017	19	79	20.09.2017	16
55	03.08.2017	19	80	21.09.2017	17



S. No.	Date of Sittings	Number of Cases	S. No.	Date of Sittings	Number of Cases
81	25.09.2017	17	106	13.11.2017	15
82	26.09.2018	20	107	14.11.2017	14
83	27.09.2017	20	108	15.11.2017	23
84	28.09.2017	21	109	16.11.2017	15
85	03.10.2017	16	110	20.11.2017	17
86	04.10.2017	22	111	21.11.2017	17
87	05.10.2017	15	112	22.11.2017	15
88	09.10.2017	23	113	23.11.2017	11
89	10.10.2017	20	114	27.11.2017	18
90	11.10.2017	15	115	28.11.2017	15
91	12.10.2017	20	116	29.11.2017	14
92	16.10.2017	15	117	30.11.2017	16
93	17.10.2017	19	118	04.12.2017	16
94	23.10.2017	22	119	05.12.2017	17
95	24.10.2017	16	120	06.12.2017	19
96	25.10.2017	19	121	07.12.2017	19
97	26.10.2017	18	122	11.12.2017	23
98	30.10.2017	15	123	12.12.2017	25
99	31.10.2017	19	124	13.12.2017	50
100	01.11.2017	23	125	14.12.2017	23
101	02.11.2017	22	126	03.01.2018	64
102	06.11.2017	16	127	04.01.2018	15
103	07.11.2017	17	128	08.01.2018	16
104	08.11.2017	13	129	09.01.2018	20
105	09.11.2017	14	130	10.01.2018	18



S. No.	Date of Sittings	Number of Cases
131	11.01.2018	22
132	15.01.2018	16
133	16.01.2018	26
134	17.01.2018	20
135	18.01.2018	27
136	01.02.2018	2
137	05.02.2018	17
138	06.02.2018	15
139	07.02.2018	20
140	08.02.2018	20
141	12.02.2018	20
142	13.02.2018	30
143	20.02.2018	24
144	21.02.2018	22
145	22.02.2018	21
146	26.02.2018	20
147	27.02.2018	20
148	05.03.2018	22

S. No.	Date of Sittings	Number of Cases
149	06.03.2018	17
150	12.03.2018	22
151	13.03.2018	17
152	14.03.2018	19
153	15.03.2018	20
154	16.03.2018	20
155	19.03.2018	28
156	20.03.2018	28
157	21.03.2018	32
158	22.03.2018	23
159	23.03.2018	20
160	26.03.2018	20
161	27.03.2018	21
162	28.03.2018	26
<b>Total</b>	<b>162</b>	<b>3369</b>

In conclusion, the Commission conducted 162 number of sittings in 2017-18 as compared to 177 during the previous year (2016-17) and heard 3369 number of cases as compared to 4530, in 2016-17.

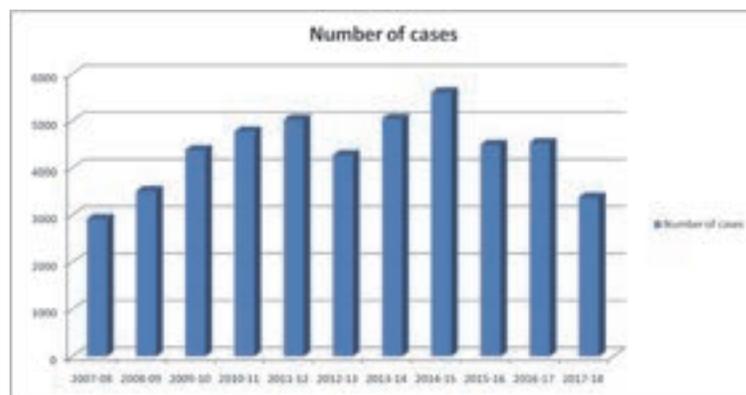


Fig. Number of Cases heard by the Commission, since 2007-08.

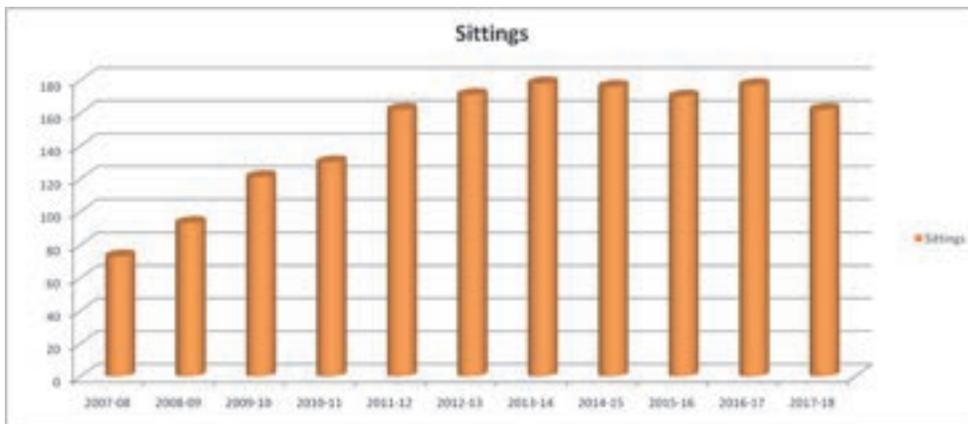


Fig. Number of Sittings conducted by the Commission, since 2007-08.

The details of Court sittings conducted and number of cases heard during the last 11 years are as under :-

Year	Sitting	Cases
2007-08	73	2916
2008-09	93	3506
2009-10	121	4377
2010-11	130	4774
2011-12	162	5022
2012-13	171	4269
2013-14	178	5042
2014-15	176	5602
2015-16	170	4487
2016-17	177	4530
2017-18	162	3369
<b>Total</b>	<b>1613</b>	<b>47894</b>

During the court sittings, cases where notices were issued were taken up. In addition to above mentioned sittings, the Commission also took fresh petitions on a daily basis and passed orders. For fresh petitions, the

presence of petitioner or respondent is not necessary. The Commission lists requisite number of cases in each sitting to ensure expeditious disposal while ensuring that backlog cases of previous years are given priority.

Maximum numbers of 19 sittings were held in the month of May, 2017, while 18 sittings were held in the month of Nov, 2017. Further, largest number of 405 cases were heard in May, 2017, followed by July, 2017 numbering 390 cases, April, 2017 numbering 384 cases, March, 2018 -- 335 cases and September, 2017 – 325 cases. All efforts are made to ensure that maximum number of sittings take place while ensuring that maximum number of cases are listed in each of the sittings. Each Friday of the week is the judgment writing day, hence, normally, no sitting takes place on Friday.

With a view to expedite disposal of cases, no quorum has been fixed by the Commission for the court sittings. Even if only Chairman or one of the Members is present, the court proceedings are conducted and cases taken up for decision.

All cases which are listed on a particular day are taken up and heard on that day itself and appropriate orders are passed. Adequate notice period is given to the respondents. In



case of pleading for urgency by petitioners, Commission gives early date of hearing. Commission also takes into consideration the inconvenience expressed by the petitioners/parties to appear on a particular date and accordingly, adjournments are granted to enable the petitioners/ parties to plead their cases effectively in consonance with the principle of natural justice. Commission has never insisted on engagement of a counsel to represent the petitioner. In other words, any petitioner who wishes to argue his / her case personally is given the liberty to do so.

The Commission's endeavour has been to provide a cost-free forum to the members of the minority communities for redressal of their grievances relating to their educational rights enshrined in the Constitution. Therefore, the Commission has not prescribed any court fee. Since a large number of petitioners are not conversant with the formalities and procedures of a court, the Commission has even accepted petitions which are not in conformity with the law of pleadings.

### **3.2 LEGAL CHALLENGE**

The Division Bench of Allahabad High Court held that the Commission holds original jurisdiction to declare minority status of an educational institution, while the Division Bench of Calcutta High Court held that granting of Minority Status is not within the scope/power and jurisdiction of the National Commission for MEI, as it holds singularly and merely appellate powers.

In respect of educational institutions of West Bengal, Calcutta High Court vide its order dated 01.04.2016 in W.P. No. 24847 (W) of 2015 Milli Al-Ameen College (for Girls) & Anr. Vs. The State of West Bengal & Ors. and connected matters, restrained the Commission from exercising any powers for grant of MSC in the first instance.

In short, since the two different High Courts of Allahabad and Calcutta have taken diagonally opposite views on the Original as well as Appellate powers of the Commission and being aggrieved by the decisions of the Calcutta High Court, the Commission has filed a Special Leave Petitions before the Supreme Court of India, against the judgment.

NCMEI has clearly deliberated in the petitions that the Commission enjoy both the Original and Appellate jurisdiction to decide on minority status of an educational institution. The power under Section 11(f), NCMEI Act, 2004 empowers the NCMEI to decide any question that may arise with regard to the right to establish and/or administer educational institutions by a minority. It also includes the power to declare such institution as a minority educational institution, which is established and administered as such, so that it can avail the fundamental right guaranteed under Article 30 of the Constitution.

Since the SLPs before the Supreme Court of India are pending on account of this, the cases of West Bengal could not be heard and decided in the Commission. These cases have been notified and renotified.



## CHAPTER 4

# Highlights of the Year

The Commission was constituted by Ministry of Human Resource Development on 16<sup>th</sup> November, 2004, with its Headquarters in New Delhi. The Commission completed 13 years of its existence in November, 2017.

### 4.1 STATUS OF MINORITY STATUS CERTIFICATES

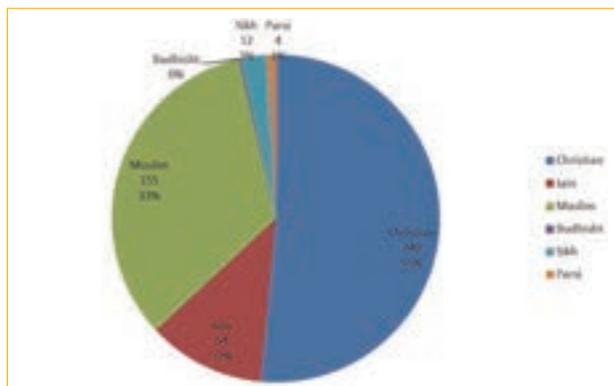
The application form for applying to the Commission to seek MSC has been revised to include details of existing students and teachers / faculties from Minority Communities in the MEI and is available on the Commission's website. For the ease of the applicants/ petitioners, a checklist of the mandatory documents is required to be attached with the application form and the same is available on the NCMEI website. The details of the revised Format is annexed at **Annexure I**.

- Since inception, 13,395 Minority Status Certificates have been issued till 31.03.2018. The Commission issued 466 MSCs to MEIs during the year 2017-18. A State-wise list showing the MSCs issued by the Commission during the year is detailed in **Annexure II**. This reveals that a maximum of 159 MSCs were issued to Tamil Nadu

while no MSC has been issued to 12 States which inter alia includes the State of West Bengal, whose cases could not be heard and decided by the Commission. Being aggrieved by decisions of the Calcutta High Court, the Commission has filed SLPs before the Supreme Court of India which are pending.

- Community wise details of MSCs issued by the Commission during the year 2017-18 is annexed at **Annexure III**. Out of a total of 466 MSCs issued during the year, more than 50% belong to Christian community followed by the Muslim community.

Community	No. of MSC issued during 2017-2018
Christian	240
Jain	54
Muslims	155
Buddhist	1
Sikh	12
Parsis	4
TOTAL	466





- The details of State-wise MSC issued by the Commission since 2005 upto 31.03.2018 are present at **Annexure IV**. The data reveals that maximum number of MSCs have been issued to Kerala by the Commission which stood at 4,659 certificates while no MSC has been issued to 3 States namely Lakshadweep, Mizoram and Nagaland.

#### **4.2 DUE VERIFICATIONS FOR GRANT OF MSCs**

The Commission holds random verification of the society/trust running a MEI in order to enhance transparency in the decision making with regard to award of MSCs. The issue is taken up with the Chief Secretary of the concerned State for conducting investigation/verification on the existence of the educational institution.

Further, pursuant to Niti Aayog instructions 2016, all petitioners are asked to furnish the unique-id allocated by the Niti Aayog's NGO darpan, website ([www.ngo.india.gov.in](http://www.ngo.india.gov.in)). This provides the name and address of the society which runs the MEI and also details of the office bearers of the society. This facilitates cross verification of corresponding details provided by the applicant in its application form for seeking MSC.

In fact, to expedite the processing of grant of MSC, the Commission has been granting MSC to the MEIs subject to furnishing of unique number provided by Niti Aayog's NGO darpan. As a proactive initiative, the Commission has written to all those petitioner Institutions to submit the unique ID of the petitioner society as given by the Niti Aayog NGO darpan, so that the MSCs could be issued to the MEIs. Resultantly, number of petitioners have responded to the Commission and furnished unique ID of Niti NGO Darpan

portal and accordingly MSCs have been issued.

#### **4.3 NEW POLICY INITIATIVES TOWARDS E-GOVERNANCE**

e-Governance is easy, effective and economical. Several policy initiatives have been taken by the Commission during the year to take the e-Governance forward to enhance transparency of the Commission's activities. These policies are envisaged to provide necessary support to all the petitioners in leveraging emerging technologies, so as to deliver services electronically in an efficient, transparent and affordable manner.

- (i) **Dynamic NCMEI Website:** For the furtherance of the vision of the Ministry, M/s Akiko Sherman InfoTech, an empanelled vendor of NICSI, was engaged by the Commission for developing a dynamic website of the Commission. The new website has been equipped with the application format for MSC and Appeal details on Rights of MEIs, procedure for filing application for MSC detailing inter-alia, a comprehensive check-list and provisions of appeal for canceling of MSC. The website also includes aims and objectives of the society/trust, details of the nodal officers and Competent Authorities declared by State Governments.

The Online case search facility for all the petitioners through multiple options such as State-wise/UT-wise, year-wise and community-wise is now available on the website.

- Daily Cause List /Court Orders / Judgments are uploaded on the NCMEI Website on regular basis



- MSCs issued to the MEIs along with Community wise details are uploaded on the website since 1<sup>st</sup> August, 2010.

**(ii) Implementation of e-Office:** In order to digitize the administrative work of the office, e-office has been successfully launched in April, 2017 and all files of administration division are now dealt in e-office. All new receipts are scanned and uploaded on e-office. The files relating to judicial work have also started being processed on e-office.

**(iii) Public Finance Management System (PFMS) :** Commission started using the PFMS system from September, 2017. This is a financial management platform which helps in effectiveness and economy of fund utilization through better cash management, bringing transparency in public expenditure and real-time monitoring of fund availability.

This system is an important tool for improving governance.

**(iv) Digitization of Records:** Keeping in view the vision of Hon'ble Prime Minister about Digital India, it was decided to digitise all the files, wherein MSCs were granted by the Commission to the MEIs. For this purpose, the Commission engaged M/s. Enhira Software of Mumbai for scanning of old files with notes and correspondence portions.

The commission has digitalized about 10,000 old files/ records in which MSCs have been granted upto 2017 and weeded out old files upto 2015.

Old digitalized files have been uploaded on the website to ensure transparency. These files provide multiple information of MEIs which have been issued MSCs by the Commission.

#### 4.4 DEVELOPMENT AND IMPLEMENTATION OF e-COURT MODULE

For the furtherance of the vision of the Ministry, the Commission has embarked upon digitization of its court procedures and proceedings and towards this endeavour, has initiated and developed e-Court module to provide efficient and time-bound citizen centric service delivery. It helps to enhance judicial productivity both qualitatively and quantitatively in order to make the justice delivery system affordable, accessible, cost effective and transparent for citizens.

M/s Akiko Sherman Infotech, an empanelled vendor of NICSI was engaged by the Commission for developing e-court programme which has been tried and tested and few real time cases/ petitions have also been tested. The Commission would go live by April, 2018 and on-line applications / petitions would be accepted and processed for grant of MSC.

In order to start e-court, the Commission has put all the computers in the office on the LAN for which leased line has been taken from Power Grid and MTNL.

**e-Court Project:** e-Court is an Open Source Court Management System (OP-CMS) which is configurable and easily customizable with multi-tenancy support. It is designed to deploy in cloud infrastructure to manage multiple cases seamlessly. e-Court is a generic application, which addresses all major functional areas of the Commission. An Integrated



CMS Suite consists of Hearing, Notices, MSC, Reports and Deficiency Suite.

Users can access all information and avail online service related to the status of the Minority Certificate of their MEI. The Online search facility would enhance transparency and effectiveness in dealing with grant of MSC to the MEI.

The applicant/petitioner under e-Court can file "On-line" form on the NCMEI website and check the progress of processing of the application. The applicant/petitioner is intimated through SMS and e-Mail facilities i.e notifications are sent to the applicants through SMS and e-mail on their registered numbers.

#### 4.5 SWACHH BHARAT MISSION

With the aim to make India clean by 2<sup>nd</sup> October, 2019, Hon'ble Prime Minister has



*Fig. Link for Applying MSC online on NCMEI Website.*

desired that all Central Government Ministries and its attached offices should observe Swachhta Pakhwada in a calendar year.

A meeting with the employees was held in the conference room to create awareness on the Swachtha program and the importance of cleanliness in everyday life was highlighted. Several ideas came up, resultantly, number of initiatives were taken and a cleanliness drive was conducted in the premises removing all the dust and other rubbish.

#### 4.6 VIGILANCE OBSERVANCE WEEK:

Vigilance observance week was observed by the Commission wherein the the Hon'ble Members and the employees took the Integrity Pledge on 30<sup>th</sup> October, 2017 at 11.00 a.m.



*Hon'ble Members along with the Staff taking the integrity pledge on Vigilance Day*



## CHAPTER 5

# Tours and Visits

Hon'ble Members of the Commission undertake visits of the States and MEIs to interact with the key stakeholders and members of the Minority Community with a view to apprise and create awareness among them about their Constitutional rights as well as the role and responsibilities of the Commission. Visits/ tours provide opportunities to the Members to appreciate and understand the constraints faced by the various stakeholders and to provide them with a platform for discussion and resolution of their problems. Issues pertaining to deprivation of rights of MEIs are also flagged and Minority Communities are informed of various Minority Welfare Projects of Government of India.

This opportunity is also made use by interacting with some of the political, legal and

concerned functionaries in the State Governments to ensure that an appropriate share for the minorities, in infrastructure development schemes is allocated for them and that the benefits of the schemes flow to the minorities.

State level workshop/conference on the theme of "Educational Empowerment of Minorities: Challenges and Opportunities" were also organized from time to time where grievances of the MEIs were also heard regarding violation of minority rights.

The tours and visits of the Hon'ble Chairman and Members of the Commission have in fact, facilitated in sensitizing the officials of the State Governments about the rights of minorities enshrined in Article 30(1) of the Constitution of India.

### 5.1 DETAILS OF THE TOURS UNDERTAKEN BY THE HONOURABLE MEMBERS OF THE COMMISSION TO VARIOUS PLACES DURING THE YEAR 2017-18 ARE AS UNDER:-

#### Details Of The Tours Undertaken And Meetings Attended By Hon'ble Member Dr. Baltej Singh Mann

S.No	Date	Venue	Organiser	Reports
1.	7.4.2017 to 9.4.2017	Village Seechewal, Punjab	Seechewal Trust	Meeting with Sant Balbir Singh Seechewal, Renowned social activist. Also visited his Minority Welfare Projects



S.No	Date	Venue	Programme	Reports
2.	13.4.2017 to 16.4.2017	Himachal Pradesh (Visit to Barog and Shimla)	Govt. of HP	Meeting with representatives of minority education institutions of Shimla arranged by the Competent authority of HP State Government at Barog and Shimla Agenda: Deprivation of rights of minority educational institutions and to inform them of various minority welfare projects of Government of India)
3.	22.9.2017	Rajasthan Jaipur	State Competent authority	Addressed state level workshop on the theme of “educational empowerment of minorities: challenges and opportunities”. Grievances were also heard regarding violation of minority rights. I also visited two minority educational institutions and motivated the students.
4.	29.9.2017 (28.9.2017 to 1.9.2017)	Punjabi University Patiala	Punjabi University Patiala	Met with the Vice Chancellor, Faculty and students to underline the role of Minority Education Institutes to educate and empower minority students.
		Shri Guru Granth Sahib University, Patiala	Shri Guru Granth Sahib University, Patiala	Visited Shri Guru Granth Sahib University and interacted with the Vice Chancellor and Faculty to review Minority students empowerment
5.	30.9.2017	Patiala	Panchnad Shodh Sansthan,	Had interactions with the delegation of Panchnad Shodh Sansthan at Circuit



S.No	Date	Programme	Report	
			House, Patiala and sought their support to popularise the minority educational institutions	
6.	1.10.2017	Sonipat, Haryana	Guru Tegh Bahadur Memorial Trust-Badkhalsa	Visited Village Badkhalsa, Sonipat, Haryana and addressed gatherings in the Seminar organized to observe 350 <sup>th</sup> Prakash utsav of Guru Gobind Singh Ji. He gave clarion call to the minority youth to get skills for getting a jobs.
7.	18.10.2017 to 20.10.2017	Patiala	All India Radio	Recording of interview with All India Radio, Patiala on the theme of 'Minority Education and Empowerment'
8.	24.11.2017	Mandi Gobindgarh, Punjab	Desh Bhagat University Campus	Addressed International seminar on ' National Resurgence'
9.	06.12.2017 to 08.12.2017	Madhya Pradesh Bhopal	SML Chaturvedi National University of Journalism, Bhopal	Addressed a National Seminar on the theme of ' Economic Rise of Bharat'
10.	16.12.2017	Ghaziabad, UP	Convocation HLM College, Duhai, Gaziabad	Exhorted the students to come forward to eradicate social evils in the country
11.	17.12.2017 to 19.12.2017	Patna, Bihar	Jesus & Mary Academy, Patna city	Addressed students and faculty and motivated them to build leadership skills
12.	24.12.2017 to 27.12.2017	New Delhi	Guru Nanak Public School, Rajouri Garden	Distributed prizes to the achievers of a minority education institution



S.No	Date	Programme		Report
13.	30.12.2017	Jodhpur, Rajasthan	Jai Narain Vyas University, Jodhpur	Addressing the Conference of Indian Economists Association, Dr. BSM emphasized the need for promotion of home grown economists. "Sabka Sath Sabka Vikas" Also visited Maulana Azad University and two other minority education institutions.
14.	19.01.2018 to 22.1.2018	Hyderabad (Telangana) and Nanded (Maharashtra)	Competent Authority	Visited Minority Education Institutions- Guru Nanak Institution, Hyderabad and Sikh minority education institutions at Nanded
15.	19.2.2018	Chandigarh	Samkalp IAS and GGS Management	Visited Samkalp IAS and Guru Gobind Singh College(Agenda : Strengthening Coaching of Minority students in Punjab, Haryana and UT Chandigarh)
16.	24.2.2018	New Delhi Hotel Claridge	Centre for Research	Addressed a seminar on 'Job creation in India through minority education institutions'
17.	26.2.2018	New Delhi	Organised by National Commission for Protection of Child Rights	Attended Consultation Meet with Members of National Monitoring Committee for Minorities Education
18.	7.3.2018 to 11.3.2018	Kerala Thiruvananthapuram and Kochi	State Level Conference	Educational Empowerment of Minorities: Challenges and Opportunities Also Visited two minority education institutions' at Kochi
19.	29.3.2018 to 31.3.2018	Kapurthala	Hindu Kanya College, Kapurthala	Presided over prize Distribution function and also interacted with faculty and students



*Hon'ble Member Dr. Baltej Singh Mann Meeting with Sant Balbir Singh Seechwal during the visit to his Minority Welfare Projects*



*Hon'ble Member Dr. Baltej Singh Mann at a Meeting with the representatives of Minority Educational Institutions of Shimla*



*Hon'ble Member Dr. Baltej Singh Mann addressing the students and faculty in a Minority Education Institution at Jaipur*



*Hon'ble Member Dr. Baltej Singh Mann, met with the Vice Chancellor, Faculty and students at Punjabi University on 29<sup>th</sup> September, 2017.*



Member BSM visited Village Badkhalsa, Sonipat, Haryana on 1.10.2017 to address the Seminar organized to observe 350<sup>th</sup> Prakash utsav of Guru Gobind Singh Ji  
Left: Gathering of the Minority population listening to Hon'ble Member BSM at Sonipat



Hon'ble Member Dr. Baltej Singh Mann recording his interview with All India Radio, Jalandhar/Patiala on the theme of Minority Education and Empowerment



Hon'ble Member Dr. Baltej Singh Mann addressing the delegates of International Conference at Desh Bhagat University Campus Mandi Gobindgarh, Punjab



Hon'ble Member Dr. Baltej Singh Mann addressing the delegates of National Seminar organized by "Gyan Sangam" at Bhopal



*Hon'ble Member Dr. Baltej Singh Mann addressing the Convocation at HLM College, Ghaziabad, UP*



*Hon'ble Member Dr. Baltej Singh Mann with the faculty of HLM College, Ghaziabad, UP*



*Hon'ble Member Dr. Baltej Singh Mann with representatives of Minority Educational Institutions at Church, Patna*



*Hon'ble Member Dr. Baltej Singh Mann with representatives of Minority Educational Institutions at Church, Patna*



*Hon'ble Member Dr. Baltej Singh Mann Addressing the Conference of Indian Economists Association, Jodhpur, Rajasthan*



*Hon'ble Member Dr. Baltej Singh Mann with the delegates at Conference of Indian Economists Association, Jodhpur, Rajasthan*



*Hon'ble Member Dr. Baltej Singh Mann being honoured by Minority Community at Nanded, Maharashtra*



*Hon'ble Member Dr. Baltej Singh Mann visited Crèche being run by Minority Community, Chandigarh*



*Hon'ble Member Dr. Baltej Singh Mann paid a visit to the Coaching centre by Samkalp IAS, Chandigarh for Minority Students*



*Hon'ble Member Dr. Baltej Singh Mann Visited Guru Gobind Singh College, Chandigarh and interacted with principals of Minority Education Institutions*



*Hon'ble Member Dr. Baltej Singh Mann addressing a seminar on the theme of "Job creation in India" at The Claridges, New Delhi*



*Hon'ble Member Dr. Baltej Singh Mann at the Consultation Meeting with Members of National Monitoring Committee for Minorities Education organised by National Commission for Protection of Child Rights, Delhi*



*Hon'ble Member Dr. Baltej Singh Mann addressing the gathering at State Level Conference, Kerala*



*Hon'ble Member Dr. Baltej Singh Mann addressing a seminar at MES College, Marampally, Kerala*



*Hon'ble Member Dr. Baltej Singh Mann addressing at the Annual Prize Distribution function at Hindu Kanya College, Kapurthala*





**Details of Tours Undertaken And Meetings Attended By Hon'ble Member  
Dr. Naheed Abidi (Padma Sri, Yash Bharti awardee)  
DURING 2017-18**

S.No.	Name of Institute	Date of Tour	Venue	Report
1.	Dr. Z.H. Institute of Technology & Management, Agra (approved by AICTE & affiliated to UPTU, Lucknow)	April 14 <sup>th</sup> -15 <sup>th</sup> , 2017	Seminar Hall of Institute, Agra	Dr. Naheed Abidi was invited as "Guest of Honor" to attend the seminar organized on the topic of "Importance of Constitution in our democracy". During the seminar, Dr. Abidi emphasized the importance of Constitution and mentioned that our Constitution is the soul of Indian Democracy. She explained the importance of Articles 30 & 31 of the constitution with respect to Minority Education and role of NCMEI in this respect.
2.	National Seminar on Constitutional and Legal Status of Urdu in India, organized by National Council for Promotion of Urdu Language.	April 29 <sup>th</sup> -30 <sup>th</sup> , 2017	Seminar Halls, India International Centre (IIC), Lodhi Road, New Delhi.	Attended 'National Seminar on Constitutional and Legal Status of Urdu in India' on invitation of Director-NCPUL Prof. Syed Ali Karim. The seminar spanned over two days with three working sessions held in seminar halls of IIC. Hon'ble Justice Fakhruddin presided over the inaugural session. Introductory remarks were given by the Director-NCPUL himself followed by a keynote address by Prof. Faizan Mustafa. Chief guests of the session



S.No.	Name of Institute	Date of Tour	Venue	Report
3.	District Magistrate, Varanasi Administration	May 26 <sup>th</sup> , 2017	Circuit House Lawns, Varanasi	<p>were Prof. Tahir Mahmood and Dr. M. Hamidullah Bhat. First working session dealt with the topic 'Promotion of Urdu and Employment Opportunities for Urdu Knowing Persons'. This session was presided by Dr. Janak Raj Jai and Dr. Zaheer I. Qazi, noted scholars presented their papers as well. The 2<sup>nd</sup> working session discussed the topic 'Relevance of Urdu in Executive and Judicial/ Quasi-Judicial Institutions'. This session was presided over by Dr. (Ms.) Reeta Vasishta and Mr. P. A. Inamdar, noted scholars presented their papers in relevance to the session's topic. The 3<sup>rd</sup> working session dealt with topic 'Availability of Legal Literature and Central/State Laws in Urdu'. This session was presided over by Justice M.S.A. Siddique and Mr. Ehtesham Abidi (Advocate). This was followed by presentation of papers relevant to the topic by noted scholars of the field.</p> <p>District Magistrate, Varanasi invited Dr. Naheed Abidi along with Prominent citizens of the city for a detailed discussion on ' Development Prospects of</p>



S.No.	Name of Institute	Date of Tour	Venue	Report
4.	Conference at Rizwana Begum Memorial Degree College, Naudar, Chandauli, UP	June 5 <sup>th</sup> - 7 <sup>th</sup> , 2017	College campus, Naudar, Chandauli	<p>Varanasi'. The discussion was held in the presence of Shri Yogi Aditya Nath Ji, Chief Minister, Uttar Pradesh. This was followed by a state dinner at 8:30 PM.</p> <p>Rizwana Begum Memorial Degree College, Naudar, Chandauli vide letter dt. 16.05.2017 invited Dr. Naheed Abidi to attend the three days Educational Seminar from June 5<sup>th</sup> to 7<sup>th</sup>, 2017 as Chief Guest. Several educationists, scholars &amp; personnel belonging to educational institutions attended the seminar. Dr. Abidi emphasized that the Minorities should promote technical education other than religious education as well. She stressed on the importance of technical education for upliftment of social status of minorities.</p>
5.	International Rozalftar, organized by Muslim Rashtriya Manch at Parliament House Annexe, New Delhi	June 19 <sup>th</sup> , 2017	Main Convention Hall Parliament House Annexe, New Delhi	<p>Dr. Naheed Abidi attended the program organized by Muslim Rashtriya Manch in response to an invitation. The welcome speech was given by Shri Indresh Kumar (RSS Leader), Presidential address was given by Shri Rajnath Singh, Union Home Minister, and Chief guest was Mrs. Najma Heptulla, Hon'ble Governor of Manipur. Guests</p>



S.No.	Name of Institute	Date of Tour	Venue	Report
				of Honour were Shri Chaudhary Birender Singh, Union Minister of Steel, Mrs. Anupriya Patel (MoS, Health and Family Welfare) and Shri Manoj Tiwari (M.P. and Delhi BJP President). Guests were welcomed in the Main Convention Hall which was followed by Iftaar, Salaat (Namaaz) and Dinner.
6.	Conference on Women's Education and Empowerment" organized by Sacred Educational & Welfare Society, Lucknow, Uttar Pradesh	June 21 <sup>st</sup> to 23 <sup>rd</sup> , 2017	Sacred Academy Campus, Lucknow	On request of Mr. M.S. Faridi, Secretary SACRED Academy, Lucknow, Dr. Abidi attended the Conference as Chief Guest on the Topic "Women's Education and Empowerment" in Lucknow, Uttar Pradesh
7.	Invitation of Hon'ble President of India Shri Pranab Mukherjee for Iftar Party at Rashtrapati Bhawan. New Delhi	June 23 <sup>rd</sup> , 2017	Rashtrapati Bhawan Cultural Centre, New Delhi	Attended Iftar Party held at Rashtrapati Bhawan, New Delhi Hosted by President of India.
8.	142 <sup>nd</sup> CBFC Workshop-cum-Board Meeting in Thiruvananthapuram, Kerala	July 28 <sup>th</sup> , 2017	Thiruvananthapuram, Kerala	The meeting included a film screening on direct orders of the Hon'ble Kerala High Court amongst various other issues discussed.



S.No.	Name of Institute	Date of Tour	Venue	Report
9.	5 <sup>th</sup> Annual Convocation of National Law University, Dwarka, New Delhi	August 12 <sup>th</sup> , 2017	NLU Auditorium, New Delhi	Attended 5 <sup>th</sup> Annual Convocation of National Law University, Delhi. Hon'ble Justice J.S. Khehar, Chief Justice of India and NLU Visitor was the Chief Guest. He delivered the convocation address as well.
10.	Independence Day Ceremony (Morning)	August 15 <sup>th</sup> , 2017	The Red Fort, New Delhi	Attended Independence Day Ceremony at Lal Qila (Red Fort)
11.	'At Home' Reception at the Ceremonial Hall, Rashtrapati Bhawan (Evening)	August 15 <sup>th</sup> , 2017	Ceremonial Hall, Rashtrapati Bhawan Cultural Centre, New Delhi	Attended the 'At Home' Reception on invitation of the Hon'ble President of India organized in the Ceremonial Hall of Rashtrapati Bhawan Cultural Centre in the evening.
12.	National Commission for Minority Educational Institutions (NCMEI) and Rajasthan State Commission for Minorities collaboration workshop	September 22 <sup>nd</sup> , 2017	Commission Hall, Jaipur	A state level workshop on 'Educational Empowerment of Minorities: Challenges and Opportunities' was organized by NCMEI and Rajasthan State Commission for Minorities at Jaipur. Dr. Abidi addressed the workshop as one of the Chief dignitaries as Member, NCMEI. The agenda of the workshop included inter alia, explanation of basic features of the NCMEI Act and the relevant provisions as enshrined in the constitution of India. Discussion on the RTE Act of 2009 and its applicability on minority



S.No.	Name of Institute	Date of Tour	Venue	Report
13.	Hasan's Society for Muslim Girls Upliftment & Self Employment	October 7 <sup>th</sup> , 2017	Hasan's Society, Sunny Villa 96 Great Azad Enclave, Dhorra, Aligarh	<p>educational institutions, cases of deprivation and violations and programmes and schemes for welfare of minorities also took place. This was followed by interaction with stake holders (state officers and selected Presidents and Principals of Minority educational institutions) of the state.</p> <p>Presided over a program including debate (lecture) on the Topic 'Status of Minority Institutions in UP' organized by Hasan Society. Mr. Naved Hasan, Secretary of the society delivered the Inaugural speech, Dr. Sabra Khatoon, Er. Virendra Singh, Dr. Haris Mansoor and Dr. Shadab Bano delivered the speeches. Dr. Abidi in her Presidential address explained the role of NCMEI in protecting the educational rights of the Minority educational Institutions in the light of Article 30 &amp; 31 of the Indian Constitution.</p>
14.	Cyberlaws.Net & Pawan Duggal Associates, Advocates	November 15 <sup>th</sup> , 2017	Scope Convention Center, Scope Complex, Lodhi Road, New Delhi	<p>On the invitation of Cyberlaws.Net &amp; Pawan Duggal Associates, Dr. Naheed Abidi attended the 'International Conference on Cyber law, Cybercrime &amp; Cyber Security'. Hon'ble Chief Justice of India Mr.</p>



S.No.	Name of Institute	Date of Tour	Venue	Report
15.	Shri Syadwad Mahavidyalaya, Prabhudas Jain Ghat, Bhadaini, Varanasi, UP.	November 16 <sup>th</sup> to 17 <sup>th</sup> , 2017	Shri Syadwad Mahavidyalaya Campus, Bhadaini, Varanasi	<p>Justice Dipak Mishra was the Chief Guest. Guest of Honour was Mr. Steven Wilson, Head of EUROPOL Cybercrime Center.</p> <p>On request of Bimal Kumar Jain, Manager –Syadwad Mahavidyalaya, Dr. Naheed Abidi attended a workshop organized for the said institution. As the Chief Guest, she spoke about the rights of minority educational institutions and efforts of the government for uplifting of educational status of minorities. Dr. Abidi also explained the importance of Minority Status Certificate and role of NCMEI in this regard.</p>
16.	Noorul Uloom Education Society (NUES), Aligarh, Uttar Pradesh	Nov.24 <sup>th</sup> to 25 <sup>th</sup> , 2017	School campuses of NUES	<p>Noorul Uloom Educational Society which administers about 12 Minority institutions in urban as well as rural areas invited Hon'ble Member Dr. Naheed Abidi for interaction. Dr. Abidi visited the society and appreciated their efforts. Prof. Tajuddin, Member Executive, Prof. Iqtedarul Hasan Zaidi, Treasurer and Prof. Nafees Ahmad Sb., Secretary of Noorul Uloom Education Society explained the impact of the society in respect of Minority Education.</p>



S.No.	Name of Institute	Date of Tour	Venue	Report
17.	A.K. Lodi Memorial Society, Baragambhir Singh, Sonarpur, Varanasi, U.P.	December 16 <sup>th</sup> to 18 <sup>th</sup> , 2017	Society premises, Sonarpur, Varanasi	On invitation of Smt. Jannatun Nisa, Secretary - A. K. Lodhi Memorial Society, Dr. Abidi participated as the Chief Guest in the seminar on the topic 'Proper Method of teaching in Primary Education'. Several educationists delivered their speeches. Dr. Abidi in her speech emphasized on imparting technical education knowledge to the new generation.
18.	National Commission for Minorities (NCM)	December 19 <sup>th</sup> , 2017	Vigyan Bhawan, New Delhi	Dr. Naheed Abidi in response to an invitation attended the 10 <sup>th</sup> Annual Lecture of National Commission for Minorities (NCM). The chief guest at the programme was Hon'ble Vice President of India Shri Venkaiah Naidu. He delivered a lecture on the topic 'Contribution of Minorities in Nation Building' in the august presence of Shri Mukhtar Abbas Naqvi, Union Minister of Minority Affairs.
19.	Dr. S. Kalbe Sadiq, Secretary –Tauheed-ul-Muslimeen Trust, Lucknow	December 24 <sup>th</sup> , 2017 (10-11am)	Lucknow, U.P.	Dr. Abidi visited Lucknow as a State Guest. During her stay, she met Dr. S. Kalbe Sadiq, who is a noted scholar and Secretary of the Tauheed-ul-Muslimeen Trust. The said Trust administers several minority



S.No.	Name of Institute	Date of Tour	Venue	Report
20.	Shri Balendu Dwivedi Zila Adhikari, Alpsankyak Ayog, Lucknow	December 24 <sup>th</sup> , 2017 (11.30-2pm)	Lucknow U.P.	<p>institutions. Dr. Abidi explained the role of NCMEI in protecting the rights of the Minority Institutions, whilst Dr. Kalbe Sadiq explained the functioning of the Trust for promoting Technical Education.</p> <p>Dr. Abidi met Shri. Balendu Dwivedi, where he presented her, his authored book "Madaripur Junction" in presence of Mr. M.S. Fareedi, Secretary, AIM Educational Group. She enlightened Shri. Balendu on the various provisions of the NCMEI Act and how it can be of assistance towards upliftment of Minorities in the State.</p>
21.	SSC Academy, Shaikh-ul-Alam Sabiriya Chishtiya Education and Welfare Society	December 24 <sup>th</sup> , 2017 (3pm-5.30pm)	Haq Plaza, Abrar Nagar, Khurram Nagar, Lucknow.	<p>Dr. Abidi attended the awareness program on invitation of the SCC Academy on the topic "Muslim Women Empowerment through the Constitution of India".</p>
22.	Shia Women's Association	December 25 <sup>th</sup> , 2017 (10am-2pm)	Imambarah Aliganj, Lucknow	<p>Dr. Abidi attended a gathering of like-minded Shia women and discussed importance of their role in upliftment of shia community.</p>
23.	Maulana Ali Nasir Sayed Abaqati	December 25 <sup>th</sup> , 2017 (4pm)	Lucknow	<p>Dr. Abidi met Maulana Agha Roohi and discussed the pros of promoting education</p>



S.No.	Name of Institute	Date of Tour	Venue	Report
24.	Musavi (better known as Maulana Agha Roohi)  Shri Ram Naik, Hon'ble Governor, Govt. of UP.	December 26 <sup>th</sup> , 2017	Raj Bhawan, Lucknow	<p>(along with religious education) in Madarsas and how NCMEI aids minority institutions to attain all round educational goals.</p> <p>Dr. Abidi met the Hon'ble Governor Shri Ram Naikji, and he gifted her a book authored by himself named 'Charaiwati Charaiwati'. She gifted a couple of her books 'Devalayasyah Deepah' and 'Sanskrit Sahithya me Raheem' to the Hon'ble Governor. Dr. Abidi also provided him with insights into the functioning of NCMEI towards upliftment and protection of Educational Rights of Minorities in the state and across the country.</p>
25.	Smt. Reeta Bahuguna Joshi, Minister, Women's Welfare, Family Welfare, Mother and Child Welfare & Tourism, Govt. of UP.	December 26 <sup>th</sup> , 2017	Lucknow	<p>Dr. Abidi had a meeting with Smt. Dr. Reeta Bahuguna, where she also explained her the functioning of NCMEI and how it has helped minority education institutions for girls to stand on their own for women welfare both in the state and countrywide.</p>
26.	Shri Mahaveer Digambar Jain Uchcharar	December 29 <sup>th</sup> , 2017	Lalitpur, Jhansi	<p>Dr. Naheed Abidi being invited as a Chief Guest graced the Shatabdi Samaroh (Centenary cel-</p>



S.No.	Name of Institute	Date of Tour	Venue	Report
	Mahavidyalaya, Sadhumal, Lalitpur, Jhansi			eboration) event. She presided over the closing session and delivered a lecture explaining the benefits of NCMEI. The inaugural session was presided over by the District Magistrate, Lalitpur.
27.	New Delhi World Book Fair 2018, National Book Trust (NBT), India	January 6 <sup>th</sup> , 2018	Pragati Maidan, New Delhi.	Attended the Inaugural function of NBT organized by World Book Fair along with Shri Prakash Javadekar, Minister of HRD who also lighted the lamp officially starting the Book Fair. His Excellency Mr. Tomasz Kozlowski, Ambassador of European Union to India; Ms. Sunita Narain, distinguished environmentalist and Ms. Kallia Papadaki, Greek Author and recipient of European Union Prize for Literature, 2017; Shri Madhuranjan Kumar, JS-MHRD and Shri Baldeo Bhai Sharma, Chairman NBT India were also present.
28.	65 <sup>th</sup> Central Advisory Board of Education (CABE) Meeting	January 15 <sup>th</sup> to 16 <sup>th</sup> , 2018	Vigyan Bhawan, New Delhi	Dr. Abidi attended the meeting spanned over two days with Shri Prakash Javadekar, HRD Minister, Shri Satya Pal Singh, MoS – HRD and other distinguished dignitaries like Education Ministers of 20 States, representatives of



S.No.	Name of Institute	Date of Tour	Venue	Report
				28 States and Union Territories, Members of CABE, heads of autonomous organizations, Vice Chancellors of Universities etc. The participants deliberated on several aspects of different level of education and how efforts can be made to improve educational levels of the students. The Education Ministers of the States, CABE Members actively participated in the discussions.
29.	The Republic Day Parade	January 26 <sup>th</sup> , 2018	Rajpath, New Delhi	Attended the 69 <sup>th</sup> Republic Day function at Rajpath, New Delhi
30.	Beating Retreat Programme.	January 29 <sup>th</sup> , 2018	Vijay Chowk, New Delhi	Dr. Abidi attended the Beating Retreat programme.
31.	70 <sup>th</sup> Death Anniversary of Mahatma Gandhi	January 30 <sup>th</sup> , 2018	Rajghat, New Delhi	Attended the 70 <sup>th</sup> Death Anniversary of Mahatma Gandhi & Martyrs' Day ceremony. The Hon'ble President, Hon'ble Prime Minister and Defense Minister, Chief of the States and staff were present there to pay their respects.
32.	Jorbagh Shahe Mardan Muslim Mahila Sashaktikaran Movement	February 17 <sup>th</sup> to 18 <sup>th</sup> , 2018	Jorbagh, New Delhi	Dr. Naheed Abidi discussion was based on Women Empowerment through education and skill development and the role of minority education institutions in providing the same.



S.No.	Name of Institute	Date of Tour	Venue	Report
33.	National Commission for Protection of Child Rights (NCPCR) & National Monitoring Committee for Minorities Education (NMCME)	February 26 <sup>th</sup> 2018	NCPCR, Chandralok Bldg. New Delhi	Dr. Naheed Abidi attended the consultation meeting that was held by NCPCR and NMCME before sending its final recommendation to the Ministry and to discuss feedback received to ensure elementary education of minority community children.
34.	Muslim Minorities Educational Society,	February 28 <sup>th</sup> to 1 <sup>st</sup> March, 2018	Ramgarh, Dariyapur, Chandauli, U.P.	Attended two days' awareness programme organized by Muslim Minorities Educational Society. Topic of discussion was Muslim Women Empowerment through the Constitution of India. In her presidential address on 1 <sup>st</sup> March, Dr. Abidi emphasized the importance of Muslim women Empowerment through education to Minorities.
35.	City Girls International College	March 5 <sup>th</sup> to 7 <sup>th</sup> , 2018	Qazi Sadullapur, Jaitpura, Varanasi, Uttar Pradesh	Hon'ble Member Dr. Abidi attended the Annual Function of City Girls Inter College. Several cultural programmes were organized. Dr. Abidi distributed prizes to winners. In her presidential address Dr. Abidi inspired the students to achieve distinguished position in all fields.
36.	Official NCMEI Conference	March 8 <sup>th</sup> to 9 <sup>th</sup> , 2018	Thiruvandapuram, Kerala	Hon'ble Member attended the State Level Conference



S.No.	Name of Institute	Date of Tour	Venue	Report
37.	Visit to: 1. MES College, Marampalli, 2. St. Teresa College, Arnakulam.	March 10 <sup>th</sup> , 2018	Kochi, Kerala	<p>at Thiruvananthapuram, Kerala where various officials from Govt. department like School Education, Higher Education, Technical Education, Minority Welfare and other depts. of Govt. of Kerala. Were present. Among the dignitaries present were Mr. K.T. Jaleel, Minister Govt. of Kerala, Mr. A. Shalijahar, IAS Secretary, Minority Education Welfare, and Mr. P.K. Haseefa, Chairman, Kerala State Commission for Minority. Dr. Abidi, explained the role of Commission in upliftment the educational Status of Minorities.</p> <p>1.The seminar at MES College was presided by Mr. M. A. Mohammad (Chairman, Managing Committee). The interaction was with NCMEI Officials along with Dr. Moinuddin Kutty A.B, Director, Minority Welfare Dept., Govt. of Kerala. Mr. Zakir Hussain (Treasurer, Managing Committee) and Mr. K.K. Aboobaker (Member, Managing Committee) addressed the seminar. Padma Shri Dr. Naheed Abidi explained the importance of education referencing Holy phrases of the Quran and Hadees.2. The</p>



S.No.	Name of Institute	Date of Tour	Venue	Report
				seminar at St. Teresa's College was presided by Sr. Christabelle CSST (Vice president of College). Prof. K.V. Thomas, Member of Parliament, was also felicitated during the seminar. The interaction was with NCMEI Officials along with Dr. Moinuddin Kutty A.B, Director, Minority Welfare Dept., Govt. of Kerala.
38.	Irshadiyya Charitable Trust	March 29 <sup>th</sup> , 2018	Irshadiya Public School, Kothamangalam, Kerala	Several Managers, Members of Managing Committees, Teachers of Minority Educational Institution attended the programme. Dr. Naheed Abidi, attended in capacity of Chief Guest and explained the role of NCMEI in protection of educational rights of minorities in light of Article 30 of Constitution of India.
39.	V.M. Public School, Perumattom, Puthupppady (p. O), Muvattupuzha, Kerala	March 30 <sup>th</sup> , 2018	Muvattupuzha, Kerala	Meeting with representatives of Educational Institutions of Perumbaroor V.M. Public School, V.M. Educational & Charitable Trust, Ernakulam.
40.	Quadisiyya English Medium School, Kerala	March 30 <sup>th</sup> , 2018	Kollam, Kerala	Meeting with Mr. Fazal Nujumudeen (Principa) and Mr. Hassan Saqafi-al-Jouhary (Office Secretary) Quadisiyya English Medium School, Kerala



S.No.	Name of Institute	Date of Tour	Venue	Report
41.	Younus Group, Fathima Memorial Educational Trust	March 31 <sup>st</sup> , 2018	Younus Convention Centre, Kollam, Kerala	Attended 'Convocation Ceremony 2018' of Younus Group of Institutions, as Chief Guest. Mr. N.K. Pramchandran, MP along with other dignitaries and educationists attended the function. Dr. Abidi in her key note address called upon the graduands to acquire skills in their field & become inventors in their own right and thereby serve the Nation and Society.
42.	Woodlem Park Public School, Chunda, Cherukulam P.O, Anchal, Kollam (Dt), Kerala	April 1 <sup>st</sup> , 2018	Kollam, Kerala	Meeting with representatives of Educational Institutions of Woodlem Park Public School, Chunda, Cherukulam P.O, Anchal, Kollam (Dt), Kerala



*Dr. Naheed Abidi discussing script of her books with Dr. A.P.J. Abdul Kalam, President of India at Rashtrapati Bhawan.*



*Shri Pranab Mukherjee President of India presenting Padam Shri Award to Dr. Naheed Abidi*



*Shri Akhilesh Yadav, Chief Minister of Uttar Pradesh presenting Yash Bharti Award to Dr. Naheed Abidi*



*Dr Abidi meeting the officials from Dr. Z.H. Institute of Technology & Management, Agra*



*Dr. Naheed Abidi meeting the Hon'ble President Shri Pranav Mukherjee at Rashtrapati Bhawan, New Delhi*



*Dr. Abidi addressing the workshop at Jaipur. On the dais is Dr. Arun Chaturvedi, Minister (Social Justice & Empowerment, Minority Affairs & Waqf) and Shri Jasbir Singh, Chairman-Rajasthan State Minority Commission;*



*Dr. Naheed Abidi being felicitated by members of Shri Syadwad Mahavidyalaya, Varanasi.*



*Meeting with Chairman and founding members of Noorul Uloom Education Society, Aligarh, Uttar Pradesh*



*Meeting with Jannatun Nisa, Chairman and teachers of A.K. Lodi Memorial Society, Baragambir, Singh, Sonarpur, Varanasi.*



*Dr. Abidi listening intently to the Hon'ble Vice President Shri Venkaiah Naidu's lecture at the 10<sup>th</sup> NCM Annual Lecture series at Vigyan Bhawan, New Delhi*



*Dr. Naheed Abidi explaining the details of NCMEI Act to Maulana Kalbe Sadiq at Lucknow*



*Shri Balendu Dwivedi,  
Lucknow Jila Alpsankhyak  
Adhikari presenting his  
book 'Madaripur Junction'  
to Dr. Naheed Abidi after a  
brief meeting on working  
process of the State  
Minority Cell at VVIP Guest  
House, Lucknow*



*Meeting with Mr. Vijay Kumar Yadav, Varanasi Jila Alpsankhyak Adhikari, and other officers,  
at Varanasi, Uttar Pradesh*



*Dr. Naheed Abidi having discussion on her book with The Hon'ble Governor of Uttar Pradesh Shri Ram Naikji at Raj Bhawan, Lucknow*



*The Hon'ble Governor of Uttar Pradesh Shri Ram Naikji presenting his book to Dr. Naheed Abidi after having a brief discussion on workings of NCMEI at Raj Bhawan, Lucknow*



*Dr. Naheed Abidi having a discussion with Smt.Reeta Bahuguna, Cabinet Minister, Uttar Pradesh Government, at Lucknow regarding issues related to Minority.*



*Dr. Naheed Abidi having a discussion with Smt.Reeta Bahuguna, Cabinet Minister, Uttar Pradesh Government, at Lucknow.*



*Dr. Abidi being welcomed and presented with a memento at the Shatabdi Samaroh (Centenary celebration) event hosted by Shri Mahaveer Digambar Jain Uchchar Mahavidyalaya, Lalitpur – Jhansi.*



*Dr. Abidi delivering Chief Guest speech at the Shatabdi Samaroh (Centenary celebration) event hosted by Shri Mahaveer Digambar Jain Uchchar Mahavidyalaya, Lalitpur – Jhansi.*



*Dr. Naheed Abidi in attendance with other dignitaries at the Inaugural function of the National Book Trust organized at World Book Fair, at New Delhi*



*Dr. Naheed Abidi sharing a light moment with Shri Prakash Javadekar, HRD Minister, along with other officials at the 65<sup>th</sup> Central Advisory Board of Education (CABE) Meeting at Vigyan Bhawan, New Delhi*



*Dr. Abidi seated at the 70<sup>th</sup> Death Anniversary of Mahatma Gandhi & Martyrs' Day ceremony at Rajghat, New Delhi to pay her respects*



*Dr. Abidi seated at the 70<sup>th</sup> Death Anniversary of Mahatma Gandhi & Martyrs' Day ceremony at Rajghat, New Delhi to pay her respects*



*Dr. Abidi seated on the dais along with other NCMEI officials at the State Level NCMEI Conference held at Thiruvananthapuram, Kerala.*



*Dr. Abidi answering the queries of Kerala State representatives during the State Level NCMEI Conference held at Thiruvananthapuram, Kerala*



*Meeting with Chairman and Teachers of Green Field School, Dhorra, Aligarh*



*Meeting with Chairman and Teachers of Green Field School, Dhorra, Aligarh*



*Dr. Naheed Abidi in discussion with Dr. Al Qasmi, Chairman – Irshadiya Group of Institutions, Kothamangalam, Kerala*



*Dr. Naheed Abidi with the Chairman & Manager at the premises of the Irshadiyya Public School Kothamangalam, Kerala*



*Dr. Naheed Abidi along with students, Principal and founding members of V.M. Public School Ernakulam, Kerala*



*Dr. Naheed Abidi with the Principal and other founding members of V.M. Public School, Perumattom, Puthuppany (p. O), Muvattupuzha, Kerala*



*Mr. Fazal Nujumudeen (Principa) and Mr. Hassan Saqafi-al-Jouhary (Office Secretary) Quadisiyya English Medium School, Kerala presenting Momentum to Dr. Naheed Abidi*



*Dr. N Abidi being presented with a memento by the founding members of the Younus Group of Institutions, Kollam, Kerala*



*Dr. Naheed Abidi addressing students, parents, teachers and supporting staff at the Convocation Ceremony of the Younus Group of Institutions, Kollam, Kerala.*



*Students, parents, teachers and supporting staff present at the Younus Group of Institutions' Convocation Ceremony, Kollam, Kerala*



*Dr. Naheed Abidi along with the Chairman, Secretary, Principal, and Teachers of Woodlem Park Public School, Kerala*



Dr. Naheed Abidi watering a sampling planted by her as a welcome gesture at the Woodlem Park School, Kerala







യൂനുസ് ഗ്രൂപ്പ് ഓഫ് ഇൻസ്റ്റിറ്റ്യൂഷൻസ് കീഴിൽ പ്രവർത്തിക്കുന്ന മൂന്ന് എൻജിനീയറിങ് കോളേജുകളിലെ ബിരുദദാന ചടങ്ങ് എൻ.കെ. പ്രൊഫസർ എഫി ഉദ്ഘാടനം ചെയ്യുന്നു.

## ബിരുദദാന ചടങ്ങ് നടത്തി

കൊല്ലം • യൂനുസ് ഗ്രൂപ്പ് ഓഫ് ഇൻസ്റ്റിറ്റ്യൂഷൻസിനു കീഴിൽ പ്രവർത്തിക്കുന്ന മൂന്ന് എൻജിനീയറിങ് കോളേജുകളിലെ 2013-17 ബാച്ചിന്റെ ബിരുദദാന ചടങ്ങ് ചെമ്പർമാൻ എ യൂനുസ്കുഞ്ഞിന്റെ അധ്യക്ഷതയിൽ നടത്തി. എൻ.കെ.പ്രൊഫസർ എഫി ഉദ്ഘാടനം ചെയ്തു. ന്യൂനപക്ഷ വിദ്യാഭ്യാസ സ്ഥാപനങ്ങൾക്കു വേണ്ടിയുള്ള ദേശീയ കമ്മീഷൻ അഗ്രം ഡോ. നഹീദ് അബ്ദി മുഖ്യാതിമിയായിരുന്നു

കോള സഹായക ന്യൂനപ

ക്ഷ ക്ഷേമ ഡയറക്ടർ ഡോ. മൊയ്തീൻകുട്ടി, മേയർ വി.രാജേന്ദ്ര ബാബു, പ്രസ് കൂബ് പ്രസിഡന്റ് ജയചന്ദ്രൻ ഇലങ്കത്ത് എന്നിവർ വിവിധ മേഖലകളിൽ പ്രവർത്തന മികവ് തെളിയിച്ച വിദ്യാർഥികളെ ആദരിച്ചു.

കോളജ് പ്രിൻസിപ്പൽ ഡോ. എ.അബ്ദുൽമജീദ്, യൂനുസ് ഗ്രൂപ്പ് ഓഫ് ഇൻസ്റ്റിറ്റ്യൂഷൻസ് ഗ്രൂപ്പ് വൈസ് ചെയർമാൻ നൗഷാദ് യൂനുസ്, എക്സിക്യൂട്ടീവ് ഡയറക്ടർ ഹാഷിം യൂനുസ് എന്നിവർ പ്രസംഗിച്ചു.

## ഉത്സവവും പൊങ്കാലയും

പള്ളിമൺ • ഇളവൂർ കോളൂർ ഗവൺമെന്റ് ക്ഷേത്രത്തിലെ ചോതി ഉത്സവവും പൊങ്കാലയും ഇന്നും നാളെയും നടക്കും.

നാളെ രാവിലെ 6.45നു പൊങ്കാല, 8.30നു നവകവു കലശവും 10നു നൂറും പാലും സർപ്പപ്പാട്ടും വൈകിട്ട് അഞ്ചിനു കരോക്കെ ഗാനമേള, ഏഴിന് ആരാട്ട്, താലപ്പൊലി, 7.30നു പ്രഭാഷണം, സംഗീതാരാധന.



## CHAPTER 6

# Petitions and Complaints

The Commission registers cases as and when petitions/ complaints are received . From 1<sup>st</sup> April, 2017 to 31<sup>st</sup> March, 2018, the Commission registered a total of 1088 petitions for grant of MSCs and disposed off 896 petitions including 466 MSCs issued to MIEs.

The Commission registered cases regarding;

- non-issue of No Objection Certificate (NOC) by the State Governments,
- delay in the issue of NOC, refusal and delay in the issue of minority status,
- refusal to open new college/school/ institution by minority,
- refusal for additional courses in MEIs,
- refusal/ delay in the release of grant-in-aid,
- refusal to give financial assistance,
- denial of permission to create posts of teachers in MEIs even when the number of students had increased,
- approval for appointment of teachers being denied,
- inequality in pay scales of minority school teachers vis-à-vis government school teachers,
- denial of teaching aids/other facilities like computer, library, laboratory, etc. to MEIs at par with government institutions,
- non-availability of books in Urdu medium in all subjects, for students from Urdu schools,
- non-appointment of Urdu knowing teachers, madarsa teachers to be paid at par with minority school teachers, madarsa employees to be paid adequately, non-release of grants to madarasas,
- non-payment of retirement benefits to teachers and non-teaching staff of minority schools,
- refusal of affiliation to MEIs by Universities,
- extension of Sarva Shiksha Abhiyan facilities to MEIs especially in far flung and remote rural areas, etc.

During the year, Commission also received some petitions/applications pertaining to issues and reliefs which were outside the purview of the Commission. These were forwarded to the concerned authorities for appropriate action under due intimation to the concerned petitioners.



Some of the cases considered /decided during the year are discussed below:

### 6.1 Case No. 1651 of 2015

**Subject:** Complaint for cancellation of minority status certificate granted to Orient Matriculation School, Colachel, Kanyakumari Distt., Tamil Nadu.

**Petitioner:** Prof. M. Farook, 301, Thiruvika Nagar Masapet, Vellore Distt., Tamil Nadu.

**Respondent:** Orient Matriculation School, Colachel, Kanyakumari Distt., Tamil Nadu.

A complaint was received from the petitioner seeking cancellation of the MSC of the Orient Matriculation School, Colachel, Kanyakumari Distt., Tamil Nadu which was registered as Case No. 1651 of 2015. The Commission considered the petition and several hearings were conducted in the matter directing the petitioner and complainant to file their replies. Now the case is next listed for hearing on 5.7.2018.

### 6.2 Case No. 152 of 2017

**Subject:** Petition for cancellation of minority status certificate granted to St. Xavier's High School, Loyola Hall, Memnagar, Naranpura, Ahmedabad.

**Complainant:** Biju Jose Vadaken, A-3, Neelam Park, Near Ishwarkrupa Flats, Haripura, Maninagar, Ahmedabad, Gujarat.

**Respondent:** Commissioner of Schools,

Commissionerate of Schools, Block-9, 1<sup>st</sup> Floor, Dr. Jivraj Mehta Bhavan, Gandhinagar-382 010 & Ors.

A complaint was received from the complainant for seeking cancellation of the MSC of the St. Xavier's High School, Loyola Hall, Memnagar, Naranpura, Ahmedabad, which was registered as Case No. 152 of 2017. The Commission considered the petition and several hearings were conducted in the matter directing the petitioner and complainant to file their replies. The case is next listed for hearing on 31.7.2018.

### 6.3 Case No. 1488 of 2015

**Subject:** Application for Minority status certificate.

**Petitioner:** Sai Sadan Education School, Plot No. 25/13, Village Bendri, Abhanpur, Distt. Raipur, Chhattisgarh- 492 001 & Ors.

**Respondent:** Commissioner, Schedule Tribal & Schedule Caste Development, Govt. of Chhattisgarh.

Petitions for grant of MSCs to six educational institutions established by the Ramratan Gita Trust were received in the Commission. The same were registered as Case No. 1487 of 2015, 1488 of 2015, 1527 of 2015, 1543 of 2015, 1552 of 2015 and 1605 of 2015. It transpired from the records that the founding trustee of the petitioner society is from the Hindu community. The Commission considered the petition and several hearings were conducted where even the petitioner was not present in a few hearings. The Commission subsequently, wrote to the Chief Sec-



retary of the concerned State asking for existence of the petitioner educational institutions. On the intervention of the Commission, the petitioner withdrew all the petitions.

#### 6.4 Case No. 1 of 2015

**Subject:** Appeal under Section 12 D and 12 E of the National Commission for Minority Educational Institutions Act, 2004.

**Appellant:** The Sholapur Social Association, 370/A, Muslim Paccha Peth, Solapur, Maharashtra-413 005.

**Respondent:** Under Secretary, Minority Development Department, Govt. of Maharashtra, Mantralaya, Mumbai & Ors.

An appeal under Section 12D and 12E was received from the appellant to quash and set aside the order dated 19.11.2014 passed by the Respondent, Under Secretary, Minority Development Department, Government of Maharashtra, which mentions that “New English School, Solapur” is transferred either from institution of majority people or from some minority institution to Muslim Religious Minority Institution. The said transferred school are not entitled to enjoy the benefits of minority status obtained by the Institution.

The Commission considered the petition and several hearings were conducted in the matter directing the respondent to appear in the matter. The respondent in his reply stated that the ‘New English School’ is presently run by appellant minority organization, however, it is not established by the minority organization.

The Commission after taking into account

concerned responses, passed the following order”

“Copy of the petition be sent to the respondents for sympathetic consideration. Nothing survives in the appeal, it is disposed of accordingly. Copy of this order be sent to the respondents.”

#### 6.5 Case No. 639 of 2017

**Subject:** Petition for not treating the institution as minority educational institution.

**Petitioner:** B.N. Degree College, Shahabad, Hardoi, Uttar Pradesh.

**Respondent:** Secretary, Basic Education Department, Govt. of Uttar Pradesh.

A petition was filed stating that the petitioner institution is not treated as MEI by the State Government. The case was registered as Case No. 1651 of 2015.

The petitioner institution was granted minority status certificate by the Commission on 29.8.2008 in Case No. 1020 of 2007. The Commission considered the petition and notice was sent to the respondent. On the intervention of the Commission, the Secretary, Education Department, Government of Uttar Pradesh vide letter No. Bha.Sa-02/15-11-2018 dated 22.3.2018, informed that a decision has been taken by the State Government to treat the petitioner institution as a MEI with immediate effect.

#### 6.6 Case No. 1513 of 2015

**Subject:** Complaint for cancellation of the minority status certificate.

**Complainant:** Neha Marvya (IAS), Chief Executive Officer, District



Panchayat, Ex- Officio Additional Director Education, Jabalpur, Madhya Pradesh.

**Petitioner:** The Board of Education Church of North India Jabalpur Diocese, Jabalpur, Madhya Pradesh and Ors.

A complaint was received from the complainant regarding cancellation of the MSC granted to the Christ Church Boy's Senior Secondary School, Jabalpur managed by the Board of Education, Church of North India, Jabalpur on the ground that they obtained the MSC on the basis of fake documents.

The Commission considered the petition and registered it as Case No. 1513 of 2015. Notices were issued to the parties and the case is now listed for hearing on 5.7.2018.

### 6.7 Case No. 154 of 2017

**Subject:** **Petition for not according permanent recognition for the B.Ed. and M.Ed. Courses by the Jiwaji university, Gwalior, M.P.**

**Petitioner:** Jain College, Piproli-Shivpuri Link Road, Lashkar, Gwalior, Madhya Pradesh.

**Respondent:** Jiwaji University, Vidhya Vihar, Citi Centre, Gwalior, Madhya Pradesh.

A petition was filed by the petitioner stating that the petitioner institution was not accorded permanent recognition for the B.Ed. and M.Ed. Courses, which was registered as Case No. 154 of 2017. The petitioner institution was granted MSC by the Commission on 24.5.2016 in Case No. 432 of 2015. The notice was issued to the respondent with a copy to the petitioner to show cause as to why it has not given permanent recognition to the petitioner for B.Ed. and M.Ed. courses.

The Commission considered the petition and notice was sent to the respondent. On the intervention of the Commission, the petitioner institution was granted permanent recognition for B.Ed. and M.Ed. courses by the Jiwaji University and the petition was disposed of.



## CHAPTER 7:

# Cases Regarding Deprivation of Rights of Minority Educational Institutions and Affiliation to Universities

It is well settled that under Article 30 (1) of the Constitution, a religious or linguistic minority has a right to establish and administer educational institutions of its choice. The right, however, is subject to the regulatory powers of the State for maintaining and facilitating excellence in educational standards. In the 11 Judges Bench decision of the Supreme Court in T.M.A. Pai Foundation vs. State of Karnataka (2002) 8 SCC 481, the Apex Court has explained the right to establish and administer an educational institution. The phrase employed in Article 30 (1) of the Constitution comprises of the following rights:

- to admit students,
- to set a reasonable fee structure,
- to constitute a governing body,
- to appoint staff (teaching and non teaching), and
- to take action, if there is dereliction of duty on the part of employees.

The Commission subscribes to the view that the MEIs should not fall below the standards of excellence expected from educational institutions under the guise of exclusive right of management. Regulatory measures for ensuring educational standards and maintaining excellence thereof are no

anathema to the protection conferred under Article 30 (1) of the Constitution.

The following cases were considered/decided by the Commission during the year :

### 7.1 Case No. 307 of 2015

**Subject:** Complaint regarding malicious discrimination against granting recognition to petitioner Madrassa.

**Complainant:** Jamia Islahul Banaat, Moh. Tolli, Manglour, Haridwar, Uttarakhand.

**Respondent:** Secretary, Minority Welfare Department, Government of Uttarakhand & Ors.

A complaint was received from the Manager, Jamia Islahul Banaat, Moh. Tolli, Manglour, Haridwar, Uttarakhand stating that the respondent discriminated the petitioner institution while granting recognition. The Commission considered the petition and hearings were conducted in the matter directing petitioner and the complainant to file replies. After intervention by the Commission, the petitioner institution was granted recognition by the Uttarakhand Madarsa Shiksha Parishad, Dehradun and the petition was accordingly disposed of.



## 7.2 Case No. 1425 of 2014

**Subject:** Petition for increasing the number of teachers in Daruttaleem Wassanat, Jajmau, Kanpur.

**Petitioner:** Mr. Rizwan Ullah, Daruttaleem Wassanat, DTS Junior High School/ Inter College, Jajmau, Kanpur.

**Respondent:** Director Education, Shiksha Arth (4), Anubhag, Allahabad, Uttar Pradesh.

A petition was received from Mr. Rizwan Ullah, Daruttaleem Wassanat, and was registered as Case No. 1425 of 2014. The petitioner requested to increase the number of teachers in the institution. Respondent stated that as per the UP Government letter dated 31<sup>st</sup> May, 1999, they cannot allow the institution to create new post or a new class since it is an aided institution.

The Commission considered the petition and several hearings were conducted in the matter. After hearing both the parties; the Commission passed the following order:

“Copy of the petition be sent to the respondent for sympathetic consideration. Nothing survives in the petition, it is disposed of accordingly. Inform the parties accordingly”.

## 7.3 Case No. 1154 of 2016

**Subject:** Petition for grant of NOC for affiliation with CBSE.

**Petitioner:** St. Jacob’s Public School, Ramamangalam P.O., Ernakulam Distt., Kerala.

**Respondent:** Central Board of Secondary Education, Shiksha Kendra, 2,

Community Centre, Preet Vihar, Delhi.

A petition for grant of NOC for affiliation with CBSE was received and registered as Case No. 1154 of 2016. NCMEI had issued a MSC on 5<sup>th</sup> January, 2016. Petition was filed against the respondent i.e. CBSE for violation of the Fundamental Right granted under Article 30 (1) of the Constitution of India by the respondent.

Reply was filed by the respondent stating that the Hon’ble High Court of Kerala directed the respondent to conduct an inspection of the school and process the application for affiliation. Further, the respondent added that affiliation, however, shall not be granted without production of NOC until further orders from the Court and that the petitioner’s school was asked to submit the NOC from the State which was not received by the petitioner. Therefore, the respondent added that petition may be dismissed. The petitioner filed a rejoinder, copy of which was handed over to the respondent for filing counter, if any.

Arguments were made and the Commission passed the following order:

“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 dismissed as withdrawn.”

## 7.4 Case No. 1146 of 2014

**Subject:** Petition for direction to the respondents to sanction posts of teaching and non teaching staff.

**Petitioner:** Hafiz Mohammad Ibrahim Inter College, Nihtaur, District



Bijnor through its Manager & Anr.

**Respondent:** The Secretary, Secondary Education, Govt. of Uttar Pradesh, Civil Secretariat, Uttar Pradesh & Ors.

A petition was filed by the Manager, Hafiz Mohammad Ibrahim Inter College, Nihtaur, District Bijnor for direction to the respondent, to sanction posts of teaching and non-teaching staff in the petitioner's institution based on the student strength and respective subjects for Class XI and XII, as provided under Government Order 1977, without discrimination.

The petitioner institution was declared by the Government of Uttar Pradesh vide order dated 6.1.1996. as a MEI. The Commission considered the petition and notice was issued to the respondent to appear before the Commission. Several hearings were conducted and the respondents were directed to take a favorable decision in the light of the judgment of the Hon'ble Supreme Court in the Civil Misc. Writ Peititon No. 29168 of 1998 in the matter of Lal Bahadur Shastri S. Jr. High School Vs. State of Uttar Pradesh, judgment of the Hon'ble High Court in the Writ C. No. 42090 of 2009 in the matter of C/M Yadgar-E-Husaini Inter College and Anr. Vs. State of U.P. & Ors. and the letter No. 19/2016/1404/15-8-2016-3003 (19)/ 2014 dated 13.12.2016 issued by the Special Secretary, Education Department, Uttar Pradesh and comply with the decision taken.

The respondents were summoned to appear before the Commission. The respondent filed a reply, copy of which was given to the petitioner for filing rejoinder.

Arguments were made and the Commission passed the following order:

"There is no appearance on behalf of the petitioner. Accordingly, the petition is dismissed for want of action on part of the petitioner. However, liberty is granted to the petitioner for filing a fresh petition for the same relief, if advised to do so. Order be notified to the petitioner."

### 7.5 Case No. 145 of 2017

**Subject:** Petition for grant of NOC for setting up a new institution and affiliation with Guru Gobind Singh Indraprastha University.

**Petitioner:** Guru Nanak Institute of Higher Education, Bighan, G.T. Road, Murthal, District Sonapat, Haryana.

**Respondent:** The Principal Secretary, Higher Education, Govt. of Haryana.

A petition for grant of NOC for setting up a new MEI namely Guru Nanak Institute of Higher Education at Bighan, Opp. Sukhdev Dhaba, G.T. Road, Murthal, Sonapat, Haryana, for the purpose for applying for affiliation from Guru Gobind Singh Indraprastha University was received.

Notice was issued to the respondent. A reply was received from the Deputy Director, Higher Education, Haryana, Panchkula stating that the State Government had issued Letter of Intent (LOI) to the petitioner but after expiry of one year, they had not complied with the directions and had requested the Commission to dismiss the petition.

Arguments were made and the Commission passed the following order on 24.1.2018:

"Vide order dated 14.11.2018, the case was fixed for hearing on 3.4.2018. Mr. Paramjit



Singh Sarna filed an application dated 28.12.2017 requesting for withdrawal of the case. The request is granted. The case is dismissed as withdrawn. The date of 3.4.2018 earlier fixed in the matter is hereby cancelled. Inform the petitioner accordingly.”

### 7.6 Case No. 1324 of 2015

**Subject:** Petition for providing Punjabi teacher in Sarvodaya Bal Vidyalaya, Suraj Mal Vihar, Delhi.

**Petitioner:** Lt. Col. A.S. Berar (Retd.), 194, Hargobind Enclave, Delhi-110 092.

**Respondent:** Director of Education, Government of NCT of Delhi, Old Secretariat, Delhi & Ors.

A petition was received for providing Punjabi teacher in Sarvodaya Bal Vidyalaya, Suraj Mal Vihar, Delhi, consequent to the superannuation of the Punjabi teacher in the said school. It was alleged that, neither Punjabi Academy nor the Directorate of Education had posted any substitute and therefore, the students were suffering.

Notices were issued to the Director of Education, Government of NCT of Delhi, Secretary, Punjabi Academy, Principal, Sarvodaya Bal Vidyalaya, Surajmal Vihar and the General Secretary, Delhi Sikh Gurudwara Management Committee, Gurdwara Rakab Ganj, New Delhi for filing their replies. On 27.5.2016, Smt. Ranjana Deswal, Special Director (Education), Government of NCT of Delhi (Respondent No. 1) stated that Hon'ble Chief Minister of Delhi has announced formal approval of appointment of one Punjabi and one Urdu teacher in

each government school. A meeting of all the stakeholders was also convened by the Commission on 7.12.2016, to resolve the issue. The Commission directed the respondents to recruit regular Punjabi and Urdu teachers. They were also directed to coordinate with Punjabi Academy and Urdu Academy for deployment of guest teachers in the schools expeditiously, keeping in view the interest of Punjabi and Urdu Students.

The case is now listed for 11.4.2018

### 7.7 Linguistic Minority Cases:

Various educational institutions administered by different societies applied for grant of MSC on the ground that they were established and being administered by the Linguistic Minority. The petitioners had also annexed copies of the various judgment passed by the Hon'ble High Court of Karnataka wherein the said High Court had granted liberty to the said institutions to make representation to the Commission seeking declaration of the status, being linguistic or religious.

Further the Hon'ble High Court of Karnataka directed that the NCMEI shall give an opportunity of hearing to these institutions and decide the cases, by passing a reasoned and speaking order. The Court empowered the Commission to decide the minority status of institutions, vide order dated 08.09.2017 passed in Writ Appeal No. 924 to 931 of 2017, Writ Appeal No. 1075-1076 of 2017, Writ Appeal No. 2262 of 2017, Writ Appeal No. 1523 of 2017, Writ Appeal No. 1522 of 2017, 1067 to 1074 of 2017, Writ Appeal No. 1529 of 2017, Writ Appeal No. 1528 of 2017, Writ Appeal No. 1504 of 2017 and 1511 of 2017, Writ Appeal No. 1527 of 2017 and Writ Appeal No. 1498-1499 of 2017, which are reproduced below:



**“IN THE HIGH COURT OF KARNATAKA  
AT BENGALURU**

DATED THIS THE 8TH DAY OF  
SEPTEMBER, 2017

PRESENT

THE HON'BLE  
MR. SUBHRO KAMAL MUKHERJEE  
CHIEF JUSTICE

AND

THE HON'BLE  
MR. JUSTICE P.S.DINESH KUMAR

WRIT APPEAL NOS.924 TO 931 OF 2017  
(EDN-RES)

BETWEEN:

1. NATIONAL ACADEMY FOR LEARNING TRUST (REGD.)  
4013, HAL II STAGE  
INDIRANAGAR  
BENGALURU-560 008  
  
REPRESENTED BY ITS CHAIRMAN  
SRI.DR.K.P.GOPALAKRISHNA  
AGED ABOUT 77 YEARS
2. THE INTERNATIONAL SCHOOL  
BENGALURU (TISB) NAFL VALLEY,  
VARTHUR, SARJAPUR ROAD  
BENGALURU-562 125  
  
REPRESENTED BY ITS CHAIRMAN  
SRI.DR.K.P.GOPALAKRISHNA.
3. NATIONAL PUBLIC SCHOOL  
32/P2, 17TH “B” MAIN  
SECTOR 4, H.S.R. LAYOUT  
BENGALURU-560 102  
  
REPRESENTED BY ITS CHAIRMAN  
SRI.DR.K.P.GOPALAKRISHNA.
4. NATIONAL ACADEMY FOR LEARNING

NO.CA SITE, 3RD CROSS  
3RD STAGE, 3RD BLOCK  
BASAVESHWARA NAGAR  
BENGALURU-560 079

REPRESENTED BY ITS CHAIRMAN  
SRI.DR.K.P.GOPALAKRISHNA  
... APPELLANTS

(BY SRI.S.M.CHANDRASHEKAR,  
SENIOR ADVOCATE FOR  
SRI.ASHWIN CHIKKAMATH,  
ADVOCATE)

AND:

1. NATIONAL COMMISSION FOR  
MINORITY EDUCATIONAL  
INSTITUTIONS  
GOVERNMENT OF INDIA  
GATE NO.4, 1ST FLOOR  
JEEVAN TARA BUILDING  
5. SANSAD MARG, PATEL CHOWK,  
NEW DELHI-110 001  
  
REPRESENTED BY ITS  
DEPUTY SECRETARY
2. MINISTRY OF HUMAN RESOURCE  
DEVELOPMENT  
GOVERNMENT OF INDIA  
DEPARTMENT OF SCHOOL  
EDUCATION  
EE-15 SECTION, SHASTRI BHAVAN  
NEW DELHI-110 001.  
  
REPRESENTED BY ITS SECRETARY
3. KARNATAKA GOVERNMENT  
DIRECTORATE OF URDU AND  
OTHER MINORITY LINGUISTIC  
SCHOOLS  
K.R. CIRCLE, BANGALORE-560 001  
  
REPRESENTED BY  
THE DEPUTY DIRECTOR  
(ADMINISTRATION)



DEPARTMENT OF PUBLIC  
INSTRUCTIONS  
BANGALORE SOUTH DISTRICT  
BENGALURU-560 001

4. DEPARTMENT OF PUBLIC  
INSTRUCTION  
GOVERNMENT OF KARNATAKA  
K.R. CIRCLE, BENGALURU-560 001

REPRESENTED BY ITS  
COMMISSIONER

... RESPONDENTS

(SRI.A.S.PONNANNA,  
ADDITIONAL ADVOCATE  
GENERAL

ALONG WITH

SRI.V.SREENIDHI,  
ADDITIONAL GOVERNMENT  
ADVOCATE

FOR RESPONDENT NOS.3 AND 4

RESPONDENT NOS.1 AND 2 ARE  
SERVED AND UNREPRESENTED)

*THESE WRIT APPEALS ARE FILED  
UNDER SECTION 4 OF THE HIGH COURT  
ACT, PRAYING TO SET ASIDE THE ORDER  
PASSED IN WRIT PETITION NOS.14238-  
241/2016 AND W.P. NOS.27602-605/2016  
DATED 16.1.2017.*

*THESE APPEALS COMING ON FOR  
ORDERS THIS DAY, THE CHIEF JUSTICE,  
DELIVERED THE FOLLOWING:*

### **JUDGMENT**

*The appellants in these appeals are the writ petitioners before the Hon'ble Single Judge. They run Educational Institutions and claim that they are either Linguistic or Religious Minority Institutions.*

2. *The petitioners challenged the directions issued by the State Government to admit students under the Right of Children to Free and Compulsory Education Act, 2009 (in short "the RTE Act").*

3. *The Hon'ble Single Judge, disposed of the writ petitions, directing the petitioners to make a representation to the authorities for declaration of their status. Till such time, it was directed to give admission to the extent of 25% of the total strength by admitting the students recommended by the respective government under the RTE Act.*

4. *We have heard Mr.S.M. Chandrashekar, learned senior advocate appearing for the appellants and Mr. A.S. Ponnanna, learned additional advocate general appearing for the State respondents.*

5. *The status of a party cannot be decided by the Court, as it involves factual determinations.*

6. *We feel that when there is a National Commission for Minority Educational Institutions, constituted under the statute, the said authority must determine the status of the parties. We, therefore, grant liberty to the individual school authorities to make their individual representation to the National Commission for Minority Educational Institutions, seeking for declaration of their status, be it linguistic or religious. Such representation shall be filed within four weeks from today.*

7. *If such representation is made, the said Commission shall give an opportunity of hearing to all concerned in the matter and decide the case, by passing a reasoned and speaking order.*

8. *We request the Commission to determine the cases of the institutions, who submit their representations, as expeditiously*



as possible, preferably within six months from the date of submission of such representations.

9. We are empowering the Commission to decide the minority status, as we do not find any available authorities to determine the status of the minority institutions under the National Commission for Minority Educational Institutions Act, 2004.

10. Till such time, the operation of the order of the Hon'ble Single Judge shall remain stayed.

11. The Government of Karnataka shall not insist upon admission of 25% per centum of the total strength of the students, as recommended by them under the RTE Act, insofar as the appellants - institutions are concerned.

12. With the above observations, these writ appeals are disposed of, by modifying the order of the Hon'ble Single Judge, as aforesaid.

13. In view of disposal of the appeals, the pending interlocutory applications do not survive for consideration and are, also, disposed of.

14. We make no order as to costs.

**Sd/-  
CHIEF JUSTICE**

**Sd/-  
JUDGE"**

The Commission considered the petitions and granted opportunity of hearing to the said institutions. Notices were issued to the Competent Authorities of the State Government for filing their response. The Commission also obtained the views of Government of India, Ministry of Human Resource Development

conveyed to their Government Counsel at Karnataka High Court clarifying the legal position in the matter, vide it's letter dated 01.03.2018, which is as under. All the cases have been listed for final hearing on 27.04.2018

"F. No. 11-1/2018-MC  
Government of India  
Department of Higher Education  
Minority Cell

Shastri Bhawan, New Delhi  
Dated 1<sup>st</sup> March, 2018

To

Shri Y. Hariu Prasad,  
Central Govt. Counsel  
High Court of Karnataka  
No.100, 1st Floor, 14<sup>th</sup> Cross,  
Kilari Road, Bangaluru-560 053.

**Sub: Writ Petition No. 32825/2017  
(EDN-RES) filed by Kasturba  
Education Trust & Another  
against the State of  
Karnataka and Others.**

Sir,

I am directed to refer to your letter dated 20.2.2018 and subsequently our reply vide letter No. 11-1/2018-MC dated 21.2.2018 (sent the scanned copy by e-mail on 21.2.2018) (copy enclosed). Subsequently an e-mail dated 23.2.2018, was received from Ms. Anupma Hegde, CGSC, High Court of Karnataka, Bengaluru wherein she has mentioned that Hon'ble High Court has passed an Interim Order on 22.2.2018 directing the Central Government to consider the Telugu Community for notifying it as Minority u/s 2(f) of the NCMEI Act pursuant to the report of Justice



- Ranganath Misra Commission before 14.3.2018.
2. The interim Order dated 22.2.2018 passed by Hon'ble High Court of Karnataka, Bengaluru Bench was downloaded from the site of the High Court and examined in the Ministry.
  3. In this regard, it is stated that the definition of Minority is given in section 2(c) of the National Commission for Minorities, Act, 1992 which is as follows:  
"minority", for the purpose of this Act, means a community notified as such by the Central Government;"
  4. Accordingly, the Ministry of Minority Affairs, Government of India, had issued the notification on minority communities vide Notification No. SO No. 816 (E) F.No. 1/11/93-MC(D) dated 23.10.1993 (copy enclosed) which reads as under:  

'In exercise of the powers conferred by Clause (c) of Section 2 of the National Commission for Minorities Act 1992 (19 of 1992), the Central Government hereby notifies the following communities as "the Minority communities" for the purposes of the said Act, namely:

    1. Muslims
    2. Christians
    3. Sikhs
    4. Buddhists
    5. Zoroastrians (Parsis)'
  5. In order that there is no mutual inconsistency between NCM Act 1992 & NCMEI Act, 2004 in the understanding what a minority is, the notification of Minority Communities notified by Ministry of Minority Affairs under NCM Act, 1992 was thereafter adopted by MHRD vide its Notification No. 7-5/2005-MC (P) dated 18.1.2005 and these communities were also notified as minority under clause (f) of Section 2 of the NCMEI Act, 2004. These are all religious communities.
  6. Subsequently, Ministry of Minority Affairs vide their notification dated 27.1.2014 had included Jain community as a Minority community in addition to five communities already declared Minority communities (copy enclosed).
  7. As stated above, as per the Ministry of Minority Affairs' notification dated 27.1.2014, Ministry of Minority Affairs had included Jain Community as a Minority Community in addition to Muslim, Christians, Sikhs, Buddhists and Zoroastrians (Parsis), under the National Commission for Minority Act, 1992. Consequent upon issue of this Notification dated 27.1.2014 too, the Ministry of HRD vide Notification dated 6.6.2014, had also issued a similar Notification under the National Commission for Minority Educational Institutions Act, 2004.
  8. As such, it is the Ministry of Minority Affairs, Govt. of India, which first notifies a Minority community under the National Commission for Minorities Act, 1992 and there upon MHRD issues the notification under NCMEI Act, 2004 which is then adopted by National Commission for Minority Educational Institutions.
  9. Hence, the Hon'ble High Court may be requested that if any direction has to be issued to the Central Government for notifying any community as Minority, it has to be issued under section 2 (c) of the NCM Act, 1992, which is dealt by Minis-



try of Minority Affairs, Govt. of India.

10. Further, it is mentioned that Ministry of Minority Affairs, Govt. of India, is also the Ministry to whom the Report of the National Commission for Religious and Linguistic Minorities headed by Former Chief Justice of India, Justice Ranganath Misra, was submitted and that ministry has to take a view/ decision on any further notification for adding communities as Minority communities beyond the notification for the above six Minority Communities which are all defined on religious basis.
11. Further, it is also mentioned that Government of India, Ministry of Minority Affairs, has already appointed a National Commissioner for Linguistic Minorities (NCLM) under Article 350 B of the Constitution of India. It provides for the appointment of Special Officer for linguistic minorities to be appointed by the President of India. It

is further submitted that matter relating to Linguistic Minorities are dealt by the National Commission for Linguistic Minorities (NCLM), New Delhi which is under Ministry of Minority Affairs. Accordingly, Linguistic minorities are not included under the National Commission for Minority Educational Institutions Act, 2004. The Ministry of Minority Affairs is the Administrative Ministry of National Commissioner for Linguistic Minorities.

12. Hence, you are requested to inform suitably the Hon'ble High Court on above lines. Further instruction for Linguistic Minority may be taken from the Ministry of Minority Affairs.

Yours faithfully,  
(Davinder Pal Singh)  
Deputy Secretary to the Govt. of India  
e-mail :singh.d@nic.in"



## CHAPTER 8

# References From Central Government and State Governments and Commission's Recommendations

As per Section 11 (a) of the Act, the Commission will advise the Central Government or any State Government on any question relating to the education of minorities that may be referred to it.

**8.1** During the year, a reference dated 14.7.2017 ( **Annexure V** ) was received from Smt. Anita Meena, Additional Director, Minority Affairs Department, Government of Rajasthan, seeking clarification whether an institution situated in Rajasthan and registered by Deputy Registrar of Uttar Pradesh and requires renewal every five years, can be granted MSC to the institution. The Commission considered the reference and gave (**Annexure VI**) its clarification as under:

“We have perused the letter dated 14.7.2017 received from the Additional Director, Minority Affairs Department, Government of Rajasthan. Parawise reply may be sent as per following:

1. A society registered in any other State is eligible to get MSC for its institutions situated in other State.
2. The MSC is only granted to the insti-

tution, if the Certificate of Registration of the Society is valid.”

**8.2** In order to take forward the implementation of e-court whereby applicants could apply on-line for grant of MSCs and on-line notices could be issued to the competent authorities, the Commission requested all the State Governments and UTs to nominate Competent Authority and inform their e-mail addresses. Letters were sent to the Chief Secretaries of 25 States / UTs for seeking complete information of Competent Authority appointed by the State Governments under section 10 of the NCMEI Act for issuing ‘ No Objection Certificate’ to establish a minority educational institutions and under section 12(B) of the NCMEI Act for issuing of MSC to the MEIs.

As a sequel to these letters of the NCMEI, 9 States/ UTs responded. All the remaining States / UTs were requested once again for the details of the Competent Authority U/s 10 and 12(B) of the NCMEI Act .

A list of the competent authorities of the various States is detailed in **Annexure VII**.



## CHAPTER- 9:

# Recommendations for the Integrated Development of Education of Minorities

The functions of the Commission as enumerated in Section 11 of NCMEI Act are reproduced below :-

(d) review the safeguards provided by or under the Constitution, or any law for the time being in force, for the protection of educational rights of the minorities and recommend measures for their effective implementation;

(e) specify measures to promote and preserve the minority status and character of institutions of their choice established by minorities;

(f) decide all questions relating to the status of any institution as a MEI and declare its status as such;

(g) make recommendations to the appropriate Government for the effective, implementation of programmes and schemes relating to the MEIs; and

(h) do such other acts and things as may be necessary, incidental or conducive to the attainment of all or any of the objects of the Commission.”

**9.1** During the period, the Commission decided to hold State level workshops/ Conferences to address the issues of violation of educational rights of the MEIs and apprise them of their educational rights and constitutional safeguards as enshrined in the Constitution of India. Two such State level

workshops/ conferences were held during the year at Jaipur, Rajasthan and Thirumpuram, Kerala. Interactive discussions were held with the stakeholders and they were enlightened on the educational rights of the minorities as enshrined in the Constitution of India as well about the government welfare schemes for the minorities.

Issues emerged during the workshop/ conference, were taken up by the Hon'ble Members of the Commission with the concerned authorities in the State governments, Chief Minister (**Annexure VIII**) and the Minister in charge, for providing support by the State to the MEIs. Issues regarding support of the Centre for providing minority students with scholarships were also flagged.

The issue of non existence of Competent Authority in the State of Kerala was also taken up by Dr B Singh Mann, Hon' ble Member, with Shri K. T. Jaleel, Hon'ble Minister for Local Self-Governments, Welfare of Minorities, Wakf and Haj Pilgrimage, Government of Kerala (**Annexure IX**). The significance of appointment of Competent Authority in the State was emphasized as the State authorities were required to process the applications for grant of MSC to the MEIs and coordinate with NCMEI.

**9.2** Dr Mann, during his visit to Chandigarh, also visited Sewa Bharti where a Skill Development Centre for children of migrants and minority community is being run . The Hon'ble Member



took up the issue of the need for providing financial support to this Skill Centre with the Governor of Punjab and Administrator of UT Chandigarh (**Annexure X**) and

asked the Punjab officers to visit this Centre, to make them aware of the Government schemes which provides financial support.



## CHAPTER 10

# Instances of Violation of Educational Rights of the Minorities

**10.1** Article 30 (1) of the Constitution gives the right to minorities based on religion or language to establish and administer educational institutions of their choice. This Right under Article 30(1) is available to linguistic minorities irrespective of their religion. It is, therefore, not possible to exclude secular education from Article 30.

A stream of Supreme Court rulings commencing with the Kerala Education Bill, 1957 (AIR 1958 SC 959) and climaxed by *P. A. Inamdar & Ors. Vs. State of Maharashtra & Ors.* (2005) 6SCC 537 (Civil Appeal No.5041 of 2005) decided on 12<sup>th</sup> August 2005 by the 7- Judges Bench of the Supreme Court has moved one step closer of bringing an institution at national level to look after the educational rights of minorities. The whole edifice of case was on Article 30 (1) of the Constitution which has been bed rocked in Kerala Education Bill's case (supra).

Article 30 (1) of the Constitution gives the minorities a fundamental right to establish and administer educational institutions of their choice. The rationale behind Article 30 (1) of the Constitution is to give protection to minorities to run educational institutions of their choice. These rights are protected by prohibition against its violation and are backed by a promise of enforcement. They, being part of the fundamental rights, are invested with a sanctity and a status higher than that of the ordinary law and consequently every legal provision or executive action must conform to the mandate implied in them.

The prohibition is contained in Article 13 which bars the State from making any law or rule or legislation abridging or limiting any of these provisions under Chapter III of the Constitution and threatens to veto any law, rule and regulation found inconsistent with. The term "law" includes within its amplitude any ordinance, order, bye-law, rule, regulation, notification, custom or usage having the force of law and the prohibition binds all such instrumentalities within the State which have legal authority to formulate such law.

In the case of *Ahmedabad St. Xavier College Society Vs. State of Gujarat* AIR 1974 SC 1389, their Lordships of the Supreme Court attributed the real reason for Article 30 (1) of the Constitution "to the conscience of the nation that the minorities, religious as well as linguistic, are not prohibited from establishing and administering educational institutions of their choice for the purpose of giving their children the best general education to make them complete men and women of the Country. The minorities are given this protection under Article 30 in order to preserve and strengthen the integrity and unity of the Country. The sphere of general secular education is intended to develop the commonness of boys and girls of our country.

This is the true spirit of liberty, equality and fraternity through the medium of education. If religious or linguistic minorities are not given protection under Article 30 to establish and administer educational institution of their choice, they will feel isolated and separate.



General secular education will open doors of perception and act as the natural light of mind for our countrymen to live in the whole”.

In Re: Kerala Education Bill (supra), S. R. Das, CJ, observed :

“The key to understanding of the true meaning and implication of the article under consideration are the words ‘of their choice’. It is said that the dominant word is ‘choice’ and the content of that article is as wide as the choice of the particular minority community may make it.”

In the case of P. A. Inamdar & Ors. Vs. State of Maharashtra & Ors.(supra), their Lordships of the Supreme Court observed as under:

“.....The object underlying article 30 (1) is to see the desire of minorities being fulfilled that their children should be brought up properly and acquire eligibility for higher university education and go out in the world fully equipped with such intellectual attainments as will make them fit for entering public services, educational institutions imparting higher instructions including general secular education. Thus, the twin objects sought to be achieved by Article 30 (1) in the interest of minorities are: (i) to enable such minority to conserve its religion and language, and (ii) to give a thorough good general education to the children belonging to such minority.”

It would be wrong to assume that an unrestricted right as in Article 30 (1) of the Constitution postulates absence of regulations. It has been held in St. Xavier College case (supra) and the case of T.M.A. Pai Foundation Vs. State of Karnataka (2002) 8 SCC 481 that regulations can be prescribed in spirit of the unrestricted nature of the right. Such regulations must satisfy a dual test; the test of reasonableness, and the test that it is regulative

of the educational character of the institution. A regulation would be deemed unreasonable only if it was totally destructive of the right of the minority to establish and administer educational institutions. Thus, a benignly regulated liberty which neither abridges nor exaggerates autonomy but promotes better performance is the right construction of the constitutional provisions. Such an approach enables the fundamental right meaningfully to fulfill its trust with the minorities’ destiny in a pluralist polity. That is the authentic voice of our democracy. To regulate, be it noted, is not to restrict but to facilitate effective exercise of the very right. The constitutional estate of the minorities should not be encroached upon, neither allowed to be neglected normal –administered.

Following is the excerpt of the observations of their lordships in the case of P. A. Inamdar & Ors.(supra) :-

“.....Therefore, the State may prescribe reasonable regulations to ensure the excellence of the educational institutions to be granted aid or to be recognized. It is open for the State to lay down conditions for recognition such as, an institution must have a certain amount of funds or properties or number of students or standard of education and so on. The dividing line is that in the name of laying down conditions for aid or recognition the State cannot directly or indirectly defeat the very protection conferred by Article 30 (1) on the minority to establish and administer educational institutions.....The dividing line between how far the regulation would remain within the constitutional limits and when the regulations would cross the limits and be vulnerable is fine yet perceptible and has been demonstrated in several judicial pronouncements which can be cited as illustrations. They have been dealt with meticulous precision



coupled with brevity by S. B. Sinha, J. in his opinion in *Islamic Academy*.”

In *Ahmedabad St. Xavier College* case (supra), it was observed that :-

“The right under Article 30 cannot be exercised in vacuum. Nor would it be a right to refer for affiliation or recognition as privileges granted by the State. In a democratic system with emphasis on education and enrichment of its citizens, there must be elements which give protection to them. The meaningful exercise of the right under Article 30 (1) would and must necessarily involve recognition of the secular education imparted by the minority institutions without which a right will be a mere husk.”

The Supreme Court has clearly recognized that running a minority educational institution is also as fundamental and important as other rights conferred on the citizens of the country [*Managing Board of Delhi, Bihar, Ranchi & Ors. Vs. State of Bihar & Ors.* (1984) 4 SCC 500]. Any state action which anyway destroys, curbs or interferes with such right would be violative of Article 30.

**10.2** In sum, a meaningful exercise of the rights guaranteed under Article 30(1) of the Constitution must, therefore, mean the right to establish effective educational institutions which may subserve the real needs of the minorities. It is permissible for the State or the regulatory authority to prescribe regulations, which must be complied with, before any minority institution could seek or retain affiliation and recognition but such regulations should not impinge upon the minority character of the institution.

Therefore, a balance has to be kept between the two objectives – that of ensuring the standard of excellence of the institution, and that of preserving the right of the minori-

ties to establish and administer their educational institutions. Regulations that embraced and reconciled the two objectives could be considered to be reasonable. (See *T.M.A. Pai Foundation Vs. State of Karnataka* 2002 (8) SCC 481). In *T.M.A. Pai Foundation*’s case, it has been held by the Supreme Court that affiliation and recognition has to be available to every institution that fulfills the conditions for grant of such affiliation and recognition. Moreover, the right conferred by Article 30 on minorities imposes a duty on the legislature and the executive to abstain from making any law or taking any executive action which would take away or abridge that right.

**10.3** From the year 2014 onwards, the Commission came across several instances of encroachment on the educational rights of the Minority Institutions by the Education Departments of many State Governments. In Karnataka, a large number of minority institutions mostly belonging to linguistic minorities moved the High Court of Karnataka at Bangalore on the grounds that the State Education Department was enforcing the provisions of Right to Education Act, 2009 on these institutions. NCMEI was also made a party by the High Court. It has been held by the Supreme Court that the Right of Children to free and compulsory Education Act, 2009 cannot be made applicable to a minority educational institution covered under Article 30(1) of the Constitution. Their lordships of the Supreme Court have held that the Act in so far is made applicable to minority schools referred in clause (1) of Article 30 of the Constitution is ultra vires the Constitution. Finally, High Court of Karnataka at Bangalore admitted in their judgment dated 30<sup>th</sup> April, 2014, on cases filed by 5 institutions that the petitioner institution cannot be compelled to admit children under the Right of Children to Free and Compulsory Education Act, 2009.



## **Applicability of Right to Education Act in Minority Schools.**

The Constitutional bench of Supreme Court in the judgment dated 6<sup>th</sup> May, 2014 in *Pramati Educational & Cultural Trust® & Others versus Union of India & Ors* (in Writ Petition (C) No. 416 of 2012 reported in “2014 AIR SCW 2859” and “(2014) 8 SCC 1” held that the 2009 Act i.e. (the Right of Children to Free and Compulsory Education Act, 2009) in so far as applies to minority schools, aided or unaided, covered under clause (1) of Article 30 of the Constitution is ultra vires the Constitution.

The aforesaid propositions of law established that RTE Act, 2009 is not applicable to Minority Schools, aided or unaided, at all.

However, the Ministry of Human Resource Development clarified in August, 2014 conveying the opinion of Department of Legal Affairs that “The regulatory provisions like ‘Prohibition of holding back’ and ‘corporal punishment’ which do not affect the substance of the guaranteed rights to administer educational institutions as provided under Article 30 (1) appear to be applicable to the minority institutions also. In view of the above, the regulatory provisions as provided in the RTE Act appear to be applicable to minority institutions in terms of Articles 29 and 30 of the Constitution of India.”

**10.4** Few such cases of violation of educational rights of minorities were received in the Commission which are under consideration and are discussed below:

### **Case No. 725 of 2015**

**Subject:** Complaint regarding non-implementation of the order passed by the NCMEI.

**Complainant:** A.R. Rahman Welfare & Educational Society, H. No. 9-6-

1001/1 Raj Villa, Mohammdiya Colony, Mal Tekdi Road, Nanded & Ors.

**Respondent:** The Chief Secretary, Government of Maharashtra, 6<sup>th</sup> Floor, Mantralaya, Mumbai & Ors.

A complaint was received against the State Government of Maharashtra for not implementing the order of the Commission passed in Case No. 273 of 2005, 274 of 2005, 275 of 2005 and 277 of 2005, wherein the petitioner sought permission to open primary Urdu schools in slum areas of Nanded town. The Commission directed the respondent to consider the proposals of the petitioners afresh in accordance with the directives of the High Court of Bombay and in view of the mandate of Article 350 A of the Constitution to provide adequate facilities for instruction in the mother tongue (Urdu language) at the primary stage of education to children belonging to linguistic minority groups, as sought by the petitioners.

Complainant alleged that the Government of Maharashtra is not deciding the proposal submitted for opening Primary School in Urdu Medium at slum and Muslim Minority covered area of Nanded. The Commission considered the petition and hearings were conducted in the matter directing the respondent to appear in the case. Now the case is next listed for hearing on 11.9.2018.

### **Case No. 724 of 2015**

**Subject:** Complaint regarding non-implementation of the order passed by the NCMEI.

**Complainant:** Hafez Abdul Quader Raj Welfare & Education Society, H. No. 9-6-1001/1 Raj Villa, Mohammadiya Colony, Mal Tekdi Road, Nanded.



**Respondent:** The Chief Secretary, Government of Maharashtra, 6<sup>th</sup> Floor, Mantralaya, Mumbai & Ors.

A complaint was received against the State Government of Maharashtra for not implementing the order of the Commission passed in Case No. 276 of 2005 wherein the Commission directed the Education Officer, Zila Parishad, Nanded, Maharashtra to implement the order of the Commission in view of the decision rendered by the High Court of Maharashtra in Gramvikas Shikshan Prasarak Mandal, Sondoli Vs. State of Maharashtra (2000-BCR-4-379) for establishment of new schools.

He alleged that the Government of Maharashtra was not deciding the proposal submitted for opening of Higher Secondary School for Class IX to X in Urdu Medium at Slum area and Muslim minority covered area Nanded. The Commission considered the petition and hearings were conducted in the matter directing the respondent to appear in the case.

Now the case is next listed for hearing on 11.9.2018.

### **Case No. 156 of 2017**

**Subject:** **Complaint regarding violation of rights of minorities.**

**Complainant:** Bimal Kumar Jain, Manager, Sri Syadad Mahavidyalaya, Prabhudas Jain Ghat, Bhadani, Varanasi, Uttar Pradesh.

**Respondent:** The Principal Secretary, Higher Education Department, Government of Uttar Pradesh and District Inspector of Schools, Varanasi, Uttar Pradesh.

A complaint was received regarding violation of the rights of minorities by the Sub-Inspector, Sanskrit Pathshala, Pancham Mandal, Varanasi, Uttar Pradesh. The petitioner institution was granted MSC by the Commission in Case No. 478 of 2015. The petitioner alleged that the District Education Officer, Varanasi and Finance & Accounts Officer of the office of the DEO, Varanasi were infringing on their rights to administer MEI by appointing a messenger and releasing salary to him.

The Case was registered under Section 12 (D) and 12 (E) of the NCMEI Act. Notices were issued to the parties to inquire into the matter and submit a report to the Commission for the latter to conduct an enquiry. Replies were received from the respondent and the petitioner had also filed rejoinder.

The case is now listed for hearing on 5.9.2018.

### **10.5 STATE LEVEL WORKSHOPS/ CONFERENCES**

The Commission noticed that violation of educational rights of the Minority educational institutions is taking place and hence it decided to hold State level workshops/conferences to address the concerns of the stakeholders and apprise them of their educational rights and constitutional safeguards as enshrined in the Constitution of India. The State Governments were requested to organize workshops/conferences so that the Commission could interact with the officials of State Governments and MEIs to listen to their problems.

**Two such State level workshops/ conferences were held during the year at Jaipur, Rajasthan and Thiruvananthpuram, Kerala. The outcomes of the deliberations held in the two workshops/ conferences are discussed below.**



### 10.5.1 First State level Workshop b NCMEI at Jaipur, Rajasthan

- A State Level Workshop on “Educational Empowerment of Minorities: Challenges and Opportunities” was organized by National Commission for Minority Educational Institutions (NCMEI) in collaboration with Rajasthan State Commission for Minorities on 22<sup>nd</sup> September, 2017 at Jaipur, Rajasthan, with an objective to sensitize and apprise different stakeholders of the educational rights of minorities and constitutional safeguards as enshrined in the Constitution. The function was inaugurated by the Dr. Arun Chaturvedi, Hon’ble Minister, Social Justice and Empowerment, Minority Affairs and Waqf of State of Rajasthan.
- Shri M.A. Khan, Deputy Director, Rajasthan State Commission for Minorities, Jaipur, welcomed all the dignitaries and Members of Minority Communities present in the Work-

shop. He also put forward the aim and objectives of the workshop, emphasized the importance of education for the entire society. Hon’ble Chairman, Rajasthan State Commission for Minorities, Shri Jasbir Singh highlighted the importance of education in transforming the society which is the only vehicle for all round development of the society.

- Shri K. C. Bairwa, Director, Minority Affairs, addressed the gathering and outlined the work done by Rajasthan Government for welfare of the minorities.
- Hon’ble Member, NCMEI, Dr. Naheed Abidi spoke about the functions of NCMEI and its role in redressing the grievances of MEIs. She quoted the *Esha Upnishad*, bringing out grandeur of scholarship to support education.
- Hon’ble Member, NCMEI, Dr. Baltej Singh Mann said that MEIs, State Governments and Central Government



*Hon’ble Minister Shri Chaturvedi addressing the delegates of the Workshop*



*Hon'ble Minister Shri Chaturvedi felicitating Dr. Naheed Abidi, Member NCMEI*

should work in tandem and should not project themselves as rival of each other. He further emphasized coordination between different agencies catering to the interests of minorities so as to ensure effectiveness of MEIs.

- Hon'ble Minister Shri Chaturvedi spoke of traditional knowledge system of India and its significance for skills and generating employment. He also highlighted the work done by Ministry of Social Justice and Empowerment,



*Hon'ble Minister Shri Chaturvedi felicitating Dr. Baltej Singh Mann, Member, NCMEI*



Rajasthan Government, for educational empowerment of minorities and spread of educational opportunities and employment among them.

- Ms Saroj Punhani, Secretary, NCMEI presented a power point presentation highlighting the functions and powers of NCMEI wherein she elaborated the provisions of Sections 10, 10A, 12B, 12C of NCMEI Act, 2004. She also explained how to apply for a MSC or appeal for redressal of grievances of Minority Communities against violation of their rights assured under Article 30 of the Constitution.
- An interactive session was held in the second half which was presided over by Shri Jasbir Singh, Chairman, Rajasthan State Commission for Minorities. It embarked on the question raised by Mr. Atik of Jodhpur regarding funding of MEIs by State Governments. In response to his queries, Shri M. A. Khan enlisted different schemes meant for providing financial assistance to MEIs.
- Another participant Ms Anita Soni of Adina Institute sought clarification about the procedure to get No Objection Certificate (NOC). In reply, Shri Khan said that an applicant may check State-wise detailed procedure devised by the Government, which is available on the website of Ministry of Social Justice and Empowerment of the State. Representative of Anshen Group under Gyandeeep education Society asked whether a single MSC can be obtained for different Institutions under the same Trust/ Society. H'ble member of NCMEI Dr. Mann and Deputy secretary, NCMEI

Shri Sandeep Jain clarified that separate applications should be filed for each institution even if they are under the same Trust/ Society. These cases may be heard by the Commission as a batch case. Shri Jasbir Singh instructed his subordinates to review the mechanism to issue the MSC by State Government.

- Shri Arvind Jain, a representative of Federation of Jain Institute, pointed out that laws made by State Governments are not in commensuration with those made by Central Government. Dr. Mann replied that Commission will look into the matter and do the needful.
- In concluding address, Chairman Jasbir Singh gave a vote of thanks to the Hon'ble Minister, the Members of NCMEI, State Authorities and participants for making the Workshop a grand success.

### **10.5.2 Second State level Conference by NCMEI at Thiruvananthapuram, Kerala**

- Second State level Conference was organized by NCMEI in collaboration with the Department of Minority Welfare, Government of Kerala at Thiruvananthapuram on 8<sup>th</sup> March, 2018. The theme of the conference was "Educational Empowerment of Minorities: Challenges and Opportunities". The main focus of the conference was to sensitize and apprise different stakeholders of the educational rights of minorities and constitutional safeguards as enshrined in the Constitution of India and to create awareness about NCMEI and its



functions related to minority education. The conference also aimed to solve the confusion of the State about minority quota in education institutes through an interactive session among stake holders and senior government officers.

- The conference was attended by Hon'ble Members of the Commission Dr. Baltej Singh Mann and Padmashree Dr. Naheed Abidi, Ms Saroj Punhani, Secretary, Shri Sandeep Jain, Deputy Secretary and Ms. Tripta Sharma, Section Officer who discussed on different aspects



*Mr. Jaleel, Hon'ble Minister for Local Self-Governments, Welfare of Minorities, Wakf and Haj Pilgrimage, Kerala inaugurating the Conference*

related to minority empowerment. The conference was inaugurated by Shri K. T. Jaleel, Hon'ble Minister for Local Self-Governments, Welfare of Minorities, Wakf and Haj Pilgrimage, Govt. of Kerala. The other dignitaries who were present from the State Government were Dr. Usha Titus IAS, Principal Secretary for Higher Education, Sri Shajahan IAS, Secretary for Minority Welfare, Sri Dileep Kumar, Additional Secretary for Minority Welfare, Shri P.K. Haneefa, Chairman Kerala State Minority Commission, Dr. A.B Moideen Kutty, Director Minority Welfare Directorate (MWD), Sri

Shajahan, Project Officer, MWD, Sri Fazil, Adm. Officer, MWD and Sri Siyad, Supervisor, MWD .

- The programme started with introduction by all the stakeholders and thereafter Sri Shajahan, Secretary for Minority Welfare Kerala, the Hon'ble Minister inaugurated the Conference. While highlighting the achievements of Kerala in the field of education, the Hon'ble Minister said that Kerala is a role model for minority development and empowerment.
- Religious minorities in Kerala have been enjoying enviable attainments in the fields of education, employment, culture, art, and health. This is the 'Kerala model of development' and 'Kerala model of minorities' for social empowerment and educational progress is being reorganized everywhere. He further added that socio-economic and educational welfare of the minority communities are seriously and effectively undertaken by the government through Ministry of Education and Directorate of Minority Welfare by planning and executing various remarkable projects and schemes such as minority coaching centers, minority cells, scholarships, pension schemes etc. Most of the institutions which got Minority status, numbering 4656 in the country belong to Kerala and most of these belong to Christian Community. This figure shows how the religious minority communities in the State are empowered. Even before the Right to Education Act, Kerala attained universal enrolment of the children.
- He said that the Government has de-



*Dr. Mann addressing the gathering at the state level conference*

cided to set up a Minority Research and Training Institute in this financial year to study the issues and challenges related to minority communities with special focus on their progress and empowerment.

- Dr Baltej Singh Mann, Hon'ble Member, NCMEI after welcoming Shri K. T. Jaleel, Hon'ble Minister and other dignitaries, explained the gathering about the functions of NCMEI, which has been created to protect and safeguard the educational rights of the minorities guaranteed under Article 30 of the Constitution of India. Dr. Mann thanked all the delegates who had come from distant places and spared their valuable time for making the function a great success.
- In her address, Dr. Naheed Abidi, Hon'ble Member, NCMEI brought out importance of education particularly modern education citing Vedas and Quran. She recited the mantra "asato mâ sadgamaya, tamasomâ jyotir gamaya" and also quipped from Surah al-Bakra from Quran – lead us from darkness of ignorance to the light of knowledge (Minhazulmat-e-innur). She further emphasised the introduction of modern pedagogy in Madarsas

for overall development of minorities. She gave details of the procedure to address the grievances and complaints pertaining to violation of rights of minorities under Article 30 of the Constitution.

- Ms Saroj Punhani, Secretary, NCMEI presented a power point presentation highlighting the functions and powers of the Commission, elaborating various Sections of the NCMEI Act, 2004. She also explained how to apply for a MSC or appeal for redressal of any grievances of MEIs against violation of their educational rights assured under Article 30 of the Constitution.
- After brief presentations/talks by the members, the conference turned into an open "court". Dr. Naheed Abidi, Hon'ble Member was in the chair. An interactive session with the Minority Institutions and instances of deprivation and violation of their educational rights was held. Clarifications were also given by Shri Baltej Singh Mann, Hon'ble Member, on the problems faced by the Schools due to the various decisions of Kerala Government.
- After the deliberations, the Commission held an open court to hear the petitions of MEIs. A total of 21 petitions/ complaints were received and decisions were taken on the spot, by both the members Dr. Baltej Singh Mann, and Dr. Naheed Abidi. The details of petitions received and decisions taken thereon are discussed in the Annexure. The participants were very impressed and satisfied with the interventions and decisions of the Commission. The Commission di-



rected some complainants to submit formal petitions/complaints to the Commission in order ensure hearing of both the complainants and respondent(s).

- Issues/ problems were raised by various Educational Trust/ societies/ colleges/ school authorities like stoppage of grant in aid to schools, non-filling up of posts of teaches in aided schools, non-appointment of sufficient non teaching staff in schools with sufficient student strength. Appropriate clarifications were given by Dr Mann, Hon'ble Member, and also by Dr. A.B Moideen Kutty, Director Minority Welfare Directorate (MWD).



*Dr. Naheed Abidi Hon'ble Member of NCMEI presiding over the function at MES College, Marampally*

St. Teresas College, Ernakulum. Principal, Members of management committee, students, and the staff of these colleges were present in the programmes. As a whole, the programme was a fruitful event as far as stakeholders of minority communities are concerned.



*Dr. Mann addressing the teacher/student at . St. Teresas women's College, Ernakulum in the presence of Dr. Thomas Member of Parliament and Dr. Naheed Abidi Member of NCMEI.*

### 10.6 Brief on the NCMEI Members' Visit at Ernakulum, Kerala on 9<sup>th</sup> March 2018

The Commission also visited two prominent minority institutions at Kerala, namely MES College, Marampally,

S.No.	Name of the petitioner/ institution	Gist of the petition	Decision
1.	Thajul Uloom EMHS Valapattanam	Invitation to the Commission to attend Annual Day on 31.3.2018	The Commission will take a decision.
2.	Thajul Uloom EMHS Valapattanam	Distribute SSA and RMSA funds	Refer to State Govt.
3.	Mr. T.B.Abdul Sathar	Comprehensive inquiry on the utilization of various funds	Disposed of with directions to the petitioner to take up the matter with state government.



S.No.	Name of the petitioner/ institution	Gist of the petition	Decision
4.	Harvest Mission English Medium School	IDMI grant no received yet.	Disposed of with direction to petitioner to apply in prescribed format through state government.
5.	Azeezia Group of Medical Institutions	Grant of NOC by state government	Case be registered.
6.	Prof. P.O.J.Lebta	Not getting minority benefits	Petitioner was directed to make specific complaint to the Commission.
7.	Fr. Joya James	Financial support under RUSA and conversion of management from minority community to minority community	Petition is admitted
8.	Kaduvavil Muslim Jamaath Charitable Trust	NOC for additional courses and increase in seats	Petition is admitted.
9.	Kerala Sambavar Society	Conversion from sc to Christianity	Disposed of with direction to petitioner to refer the matter to State Government.
10.	Dr. S. Ayoob Thangal Kunju Musaliar college of Engineering	Does NCMEI propose financial assistance for 'Centre for Excellence'	Forward to UGC. Disposed of.
11.	Mr. Shahal Hassan MusaliarThangal Kunju Musaliar college of Engineering	IDMI Grant	Disposed of with direction to the petitioner to apply to the State Government of Kerala for consideration.
12.	Dr. K Y Benedict	NOC for beginning of new course	Admitted. Apply in format.
13.	Panavoor Muslim Jamaath	Stop memo from state govt.	Dismissed.



S.No.	Name of the petitioner/ institution	Gist of the petition	Decision
14.	Dr. Rajan Varghese	NOC to new educational institutions	Petitioner was directed to file a petition.
15.	Prof. E. Abdul Raheem	Promote infrastructure to run courses	Petitioner was directed to file a petition.
16.	A. Abdul Khadar	Grants for infrastructure development	Petitioner was not present.
17.	Dr. Sumi Mary Varghese	Fee fixation and AICTE approval.	Admitted.
18.	M.A.Jabbar	Step motherly attitude of University of Kerala	Admitted
19.	Christ Nagar College	Affiliation for new courses	As the matter is pending with Syndicate of University, matter is premature.
20.	Dr. D.S.Thaha	NOC for running courses	Admitted. Petitioner was directed to file petition.
21.	P.M.Pareethu Bawa Khan	Charging of high fees for affiliation by Kerala Technical University	Petitioner was directed to file comprehensive petition. Be registered as a case.



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## CHAPTER 11

# Government Audit

The transaction audit of the National Commission for Minority Educational Institutions from 2011-12 to 2016-17 was conducted by the office of the Director General of Audit, Central Expenditure, New Delhi from 28.2.2018 to 14.3.2018.

The audit observations and responses

provided by the Commission were discussed with the audit team. The Inspection report would be issued by the Audit after incorporating the replies of the Commission.

The Inspection report was awaited from Audit.



## CHAPTER 12

# Right to Information (RTI)

With a view to promote transparency and accountability in the functioning of the Commission, the Commission has provided all the obligatory information under Section 4(i) of the – **RIGHT TO INFORMATION (RTI) Act, 2005** on its Website at [www.ncmei.gov.in](http://www.ncmei.gov.in) for information and guidance of the public. All the details, Frequently Asked Questions (FAQ), statistics of the previous cases/ court judgments/ pronouncements are hosted on the website of the Commission and updated regularly.

A hyper link is also provided in the website of the Commission of the key Ministries to facilitate information. The Commission also has a dedicated helpline to provide information and address clarifications sought by the petitioners/ applicants.

Section 12 (B) of NCMEI Act mandates that every proceeding before the Commission

shall be deemed to be a judicial proceeding. The Commission being a quasi judicial organisation interacts with a number of petitioners, advocates and other stakeholders. As a result, number of RTI applications received by the Commission is increasing every year.

During the year 2017-18, Shri Sandeep Jain, Deputy Secretary functioned as Public Information Officer, Shri Madhu Ranjan Kumar, Secretary of the Commission functioned as the First Appellate Authority from 01.04.2017 to 13.07.2017. Ms. Saroj Punhani who joined as Secretary to the Commission on 14.07.2017 functioned as the First Appellate Authority from 18.07.2017 to 31.3.2018.

During the year under report, the Commission received a total of 185 RTI application and 15 appeals. All the applications/appeals were disposed of within the prescribed time limit.



## CHAPTER 13

# Conclusion

**13.1** Article 30 of the Constitution stipulates that, all minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice.” Article 30(1) refers to both religious and linguistic minorities. However, Section 2(f) of the NCMEI Act restricts the definition of minorities as a Community notified by the Central Government.

The Central Government has notified Muslims, Christians, Sikhs, Buddhists, Jains and Zoroastrians (Parsees) as the 6 minority communities. Therefore, linguistic minorities at present do not fall within the ambit of the NCMEI Act.

**13.2** Commission has been receiving applications for grant of linguistic MSCs from various educational institutions administered by different societies on the ground that they have been established and being administered by the linguistic minority. Commission has also been getting petitions/ applications for redressal of grievances from linguistic minority educational institutions. In fact, some of the petitioners have approached the High court and in few cases, the Hon’ble High Court of Karnataka. While granting liberty to these educational institutions to make representation to NCMEI seeking declaration of the minority status, being linguistic or religious, has empowered the Commission to decide the minority status of the educational institutions.

As discussed earlier in this report, Linguistic minorities are not included under the

National Commission for Minority Educational Institutions Act, 2004. The Ministry of Minority Affairs is the Administrative Ministry of National Commissioner for Linguistic Minorities as per Section 2 of National Commission for Minority Educational Institutions (NCMEI) Act 2004,

**13.3** “Competent Authority” means the authority appointed by the appropriate government to grant ‘No objection certificate’ for the establishment of any educational institution of their choice by the minorities.”

**For the purpose of Section 10 of the NCMEI Act:**

- all State Governments are required to appoint a “competent authority” to grant “No objection certificate” for the establishment of any educational institution

**and for the purpose of Section 12 (B), of the NCMEI Act, 2004**

- State Governments are required to appoint an “authority” for the grant of “Minority status certificate” to any education institution.

**13.4** The primary responsibility for recognizing educational institutions and granting MSC lies with the State Government. It was, however, found that many State Governments had not set up any mechanism to consider the request for grant of MSC.

Commission also observed during various deliberations during the State level work-



shops/ conferences that the officials concerned are sensitized about the rights guaranteed to minorities under Article 30(1) of the Constitution. Resultantly, the Commission received large number of applications from the educational institutions for grant of MSC.

The Commission feels all the State Government and Union Territories should establish a single-window system for grant of MSC. Decentralisation can be considered for receipt of applications at District/Zilla Parishad/Taluka level. After receipt of application, scrutiny/ inspection can be done within a time-bound manner before forwarding the application to the nodal authority for grant of MSC.

In fact, all State Governments and Union Territories should set up such a mechanism and give wide publicity to it.

**13.5** Some State Government authorities grant MSC only for a temporary period. Commission has unambiguously held that MSC cannot be granted for a short duration. As has been held by the Madras High Court in T.K.V.T.S.S. Medical Educational & Charitable Trust vs. State of Tamil Nadu, AIR 2002 Madras 42, minority status cannot be conferred on a MEI for particular period to be renewed periodically like a driving license. It is not open for the State Government to review its earlier order conferring minority status on a MEI unless it is shown that the institution concerned has suppressed any material fact while seeking minority status or there is fundamental change of circumstances warranting cancellation of the earlier order. Reference may, in this connection, be made to the following observations of their lordships: -

*“.....In conclusion, we hold that if any entity is once declared as minority entitling to the rights envis-*

*aged under Article 30(1) of the Constitution of India, unless there is fundamental change of circumstances or suppression of facts, the Government has no power to take away that cherished constitutional right which is a fundamental right and that too, by an ordinary letter without being preceded by a fair hearing in conformity with the principles of natural justice.”*

Accordingly, in short, the Commission recommends to the State Governments that MSC should be granted on a permanent basis which can be withdrawn or cancelled only after following due process of law.

**13.6** Instances have also been brought to the notice of the Commission about the inconsistencies of the rules and regulations made by many regulatory authorities which are not in tune with the provisions of Article 30 (1). All laws made by the State to regulate the administration of educational institution will apply to minority institutions also, but if any such law or regulation interfere with the overall administrative control by the management over the staff, or dilute in any other manner, the right to establish and administer educational institution, such law or regulations, to that extent, will be inapplicable to the minority institutions.

The apex court in its various judgments has clearly pointed out the rights enshrined in Article 30 (1). Commission recommends that the States should see that the rules and regulations framed by the concerned authorities in the States are in consonance with the laws/ judicial pronouncements declared by the Supreme Court under Article 30. Reference in this connection is made to the decision of the Supreme Court in *Bramho Samaj vs State of West Bengal* (2004) 6 SSC 224.



**13.7** During various deliberations and interactions with the MEIs and the State government functionaries, the Commission noticed that the State Governments are reluctant to grant recognition to new educational institutions established by minority communities. Commission has observed that such tendency is primarily based on reluctance of the authorities to provide grant-in-aid. There were instances where the State Government wanted to withdraw from its role to provide grant-in-aid.

Commission has observed that in many cases, the MEIs located in rural, remote and tribal areas cannot be asked to fend for themselves as it is impossible to collect fees from the poorer sections of the society. Without the financial aid from the State Government, it will be difficult for such educational institutions to sustain themselves

and provide reasonable standards of education. In fact, in many remote and under-developed areas, educational institutions run by the minority communities are the only rays of hope for the poor people.

The State has a duty to support and strengthen such institutions especially with reference to the constitutional mandate to provide free and universal education for all children in the age group of 6-14 years as enshrined under Article 21 A. It is imperative that more educational institutions have to be set up in remote and rural areas for easy accessibility of students.

It is, therefore, recommended that State Government should be directed to provide grant-in-aid to MEIs located in far flung, remote, tribal and under-developed areas.



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## **ANNEXURES TO THE REPORT**



## ANNEXURE I

APPLICABLE FROM 01.07.2017

### NATIONAL COMMISSION FOR MINORITY EDUCATIONAL INSTITUTIONS

Ministry of Human Resource Development

(Govt. of India)

#### APPLICATION FOR MINORITY STATUS CERTIFICATE (TO BE SUBMITTED IN DUPLICATE)

1. (a) Is the institution run by an individual or by a trust/society:
  - (i) If it is run by a trust/society, indicate unique ID of trust/society as given by the NITI Aayog portal NGO Darpan (It is not needed only in the case of institutions run by individuals). Further, the details given in the form should match with corresponding detail as available on the ngo darpan web site (<http://ngo.india.gov.in>)
  - (b) Name and address of the institution
  - (c) Name and address(with PIN Code)of the President/ Secretary of the Trust/ Society or of individual
  - (d) Contact No
  - (e) e mail ID of the society (individual if the institution is run by individual):
2. Whether the applicant institution had ever applied to NCMEI for grant of minority status certificate? If so, furnish reference number and date along with orders of the Commission.
3. Whether the applicant **INSTITUTION'S** claim is based on religious or linguistic minority?
4. Whether the applicant institution has been established and administered by:
  - (a) Religious minority(Tick on appropriate)

Muslim	Christian	Sikh	Jain	Buddhist	Parsee
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  - or
  - (b) Linguistic minority (pl note that the Commission does not entertain application from linguistic minority).
5. Whether any competent authority in the State/ UT has been authorized to issue minority status certificate to minority educational institutions. If so, furnish details.
6. Whether an application has been moved with the authority concerned? If yes, attach a copy of your application with the following information:



- (a) Date of application
  - (b) Acknowledgement / Proof of Service
  - (c) The application:
    - (i) Is rejected
    - (ii) Is still pending.
  - (d) In case of rejection, the reason therefore.(Attach a copy of the order or rejection letter)
  - (e) The date on which the order of rejection has been communicated to you.
7. If your application is still pending, what is the current status of your application.
8. Date(s) of reminder(s) sent by you to the competent authority and replies received, if any, in this regard.
9. Details pertaining to the Society/ Trust
- (a) Name and Address(with PIN Code)of the Society/ Trust (This should match the details provided by the Trust / Society on <http://ngo.india.gov.in>)
  - (b) Whether it is registered (attach a copy of the certificate of registration)
  - (c) Attach a copy of the MOA of Society/ Trust deed
  - (d) Name and addresses of the founding Members/ Mutwallis/ Trustees and their religion.
  - (e) Whether the MoA of the Society/ Trust Deed has been amended at any time and, if yes, attach a copy of the amended MOA of Society / Trust Deed.
10. Details pertaining to the Institution
- (a) The year in which the institution has been established.
  - (b) Who established the institution.
  - (c) Details of existing students and teachers / faculties from minority communities may be furnished in the table given below :

	NUMBER AS ON _____						TOTAL	
	Muslim (A)	Christian (B)	Sikh (C)	Jain (D)	Budhist (E)	Parsee (F)	Hindu + Other (G)	A+B+C+ D+E+ F+G
Student								
Teacher / Faculty								



- (d) Names and Addresses of the present Trustees/ Mutwallis/ Members of the Governing Body and their religion.
- (e) Whether the Trust/ Society of the applicant institution has been recognised by any court or competent authority as Religious/? If yes, provide details.
- (f) Whether the minority status of the applicant institution has been withdrawn/ cancelled by the competent authority at any time. If yes, on what grounds.
- (g) Whether the name of the institution or its ownership has changed since its inception and if so the details thereof.
- (h) Have you ever approached any judicial forum including Supreme Court or High Court for grant of minority status to the applicant institution? If so, furnish details and give present status.
- (i) Is the applicant institution affiliated to the State Board or Central Board or University. Furnish details including copy of order/ letter of affiliation.
- (j) Whether the institution was recognised/ de-recognised by any competent authority?

11. Whether the institution is aided / un-aided

### **DECLARATION**

I, \_\_\_\_\_ Chairman/President/Secretary on behalf of the \_\_\_\_\_ Society, hereby declare that the particulars furnished above are true to the best of my knowledge and belief, and that if any detail is found on verification/ inspection to be false, the Commission shall cancel the minority status certificate awarded to the institution. The decision of the Commission in this regard shall be final.

Chairman/ President / Secretary  
(for and on behalf of the Institution)

With Seal

Place:

Date:



## ANNEXURE-II

### STATE-WISE DETAILS OF MINORITY STATUS CERTIFICATES ISSUED DURING THE YEAR 2017-18

S.No	State	Total No. of MSC	S.No	State	Total No. of MSC
1	Andaman	1	19	Madhya Pradesh	46
2	Andhra Pradesh	17	20	Maharashtra	9
3	Arunachal Pradesh	0	21	Manipur	1
4	Assam	2	22	Meghalaya	0
5	Bihar	6	23	Mizoram	0
6	Chandigarh	0	24	Nagaland	0
7	Chhattisgarh	1	25	Orissa	11
8	D&N Haveli	0	26	Puducherry	0
9	Daman	0	27	Punjab	4
10	Delhi	2	28	Rajasthan	0
11	Goa	1	29	Sikkim	0
12	Gujarat	2	30	Tamil Nadu	159
13	Haryana	7	31	Telangana	3
14	Himachal Pradesh	1	32	Tripura	0
15	Jharkhand	3	33	Uttar Pradesh	112
16	Karnataka	33	34	Uttarakhand	3
17	Kerala	42	35	West Bengal	0
18	Lakshadweep	0		<b>Total</b>	<b>466</b>

**ANNEXURE-III****STATE-WISE AND COMMUNITYWISE DETAILS OF  
MINORITY STATUS CERTIFICATES  
ISSUED DURING THE YEAR 2017-18**

S. No.	State	Muslim	Christian	Sikh	Jain	Budhist	Parsee	Total No. of MSC
1	Andaman	0	0	0	1	0	0	1
2	Andhra Pradesh	2	15	0	0	0	0	17
3	Arunachal Pradesh	0	0	0	0	0	0	0
4	Assam	1	1	0	0	0	0	2
5	Bihar	2	4	0	0	0	0	6
6	Chandigarh	0	0	0	0	0	0	0
7	Chhattisgarh	0	1	0	0	0	0	1
8	D&N Haveli	0	0	0	0	0	0	0
9	Daman	0	0	0	0	0	0	0
10	Delhi	0	0	0	2	0	0	2
11	Goa	0	1	0	0	0	0	1
12	Gujarat	1	1	0	0	0	0	2
13	Haryana	4	0	2	1	0	0	7
14	Himachal Pradesh	0	1	0	0	0	0	1
15	Jharkhand	0	2	0	0	1	0	3
16	Karnataka	4	15	0	11	0	3	33
17	Kerala	20	22	0	0	0	0	42
18	Lakshadweep	0	0	0	0	0	0	0
19	Madhya Pradesh	13	5	3	25	0	0	46
20	Maharashtra	4	5	0	0	0	0	9



S. No.	State	Muslim	Christian	Sikh	Jain	Budhist	Parsee	Total No. of MSC
21	Manipur	0	1	0	0	0	0	1
22	Meghalaya	0	0	0	0	0	0	0
23	Mizoram	0	0	0	0	0	0	0
24	Nagaland	0	0	0	0	0	0	0
25	Orissa	0	11	0	0	0	0	11
26	Puducherry	0	0	0	0	0	0	0
27	Punjab	0	4	0	0	0	0	4
28	Rajasthan	0	0	0	0	0	0	0
29	Sikkim	0	0	0	0	0	0	0
30	Tamil Nadu	24	132	0	3	0	0	159
30	Tamil Nadu	24	132	0	3	0	0	159
31	Telangana	0	3	0	1	6	0	3
32	Tripura	0	0	0	0	0	0	0
33	Uttar Pradesh	79	16	5	11	0	1	112
34	Uttarakhand	1	0	2	0	0	0	3
35	West Bengal	0	0	0	0	0	0	0
	<b>Total</b>	<b>155</b>	<b>240</b>	<b>12</b>	<b>54</b>	<b>1</b>	<b>4</b>	<b>466</b>



**ANNEXURE-IV**

**STATE-WISE AND YEAR-WISE DETAILS OF MINORITY STATUS CERTIFICATES  
ISSUED AS ON 31.03.2018**

State	Year-wise Breakup													Total		
	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	No. of MSC	
1 Andaman	0	3	2	0	0	0	1	0	1	0	1	0	1	0	0	9
2 Andhra Pradesh	4	9	24	6	30	2	17	35	71	113	75	28	18	4	436	
3 Arunachal Pradesh	0	0	2	0	6	0	0	12	1	0	1	1	0	0	23	
4 Assam	0	2	0	17	2	13	111	32	16	9	7	5	3	1	218	
5 Bihar	1	2	20	17	3	3	27	6	15	10	12	14	14	1	145	
6 Chandigarh	0	2	3	1	1	1	3	1	4	2	0	2	0	0	20	
7 Chhattisgarh	0	1	4	5	7	55	91	3	24	28	10	3	1	0	232	
8 D&N Haveli	0	2	2	0	0	0	0	0	0	0	0	0	0	0	4	
9 Daman	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	
10 Delhi	2	36	8	15	10	14	33	37	28	27	12	23	4	0	249	
11 Goa	0	9	31	28	81	4	3	3	0	2	0	3	1	0	165	
12 Gujarat	0	3	3	5	8	5	5	0	2	4	7	13	3	0	58	
13 Haryana	0	20	12	3	4	0	24	23	27	13	16	18	9	0	169	



14	Himachal Pradesh	0	9	3	4	0	1	3	3	0	0	1	2	1	0	27
15	Jharkhand	0	2	15	13	3	1	4	15	21	11	6	10	3	0	104
16	Karnataka	0	4	26	15	11	9	12	43	105	186	157	84	43	4	699
17	Kerala	0	9	78	97	524	822	852	843	492	453	263	147	73	6	4659
18	Lakshadweep	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
19	Madhya Pradesh	0	15	19	12	23	23	58	73	64	62	49	43	45	13	499
20	Maharashtra	11	22	28	21	7	3	2	17	37	21	4	15	10	1	199
21	Manipur	0	1	0	1	0	0	32	0	1	0	0	1	1	0	37
22	Meghalaya	0	1	4	0	0	1	0	0	0	0	0	1	0	0	7
23	Mizoram	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
24	Nagaland	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
25	Orissa	0	14	16	23	6	12	6	2	4	4	1	21	11	1	121
26	Puducherry	0	2	13	0	3	0	0	1	1	0	1	3	2	0	26
27	Punjab	0	11	39	4	0	9	5	7	13	14	14	3	4	2	125
28	Rajasthan	0	2	22	37	20	4	2	0	4	8	1	3	1	0	104
29	Sikkim	0	3	13	0	1	0	0	0	1	0	0	0	0	0	18
30	Tamil Nadu	1	9	19	13	14	16	12	23	66	88	200	240	160	78	939
31	Telangana	0	0	0	0	0	0	0	0	0	8	60	67	3	0	138



State	Yearwise Breakup											Total			
	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	No. of MSC
32 Tripura	0	0	0	1	6	0	0	4	0	2	0	0	0	0	13
33 Uttar Pradesh	1	107	99	48	59	114	253	692	593	435	183	366	164	21	3135
34 Uttarakhand	0	36	17	8	4	3	11	4	6	8	10	6	5	1	119
35 West Bengal	1	85	215	113	15	7	89	86	74	7	5	0	0	0	697
<b>Total</b>	<b>21</b>	<b>422</b>	<b>737</b>	<b>507</b>	<b>848</b>	<b>1122</b>	<b>1656</b>	<b>1965</b>	<b>1671</b>	<b>1515</b>	<b>1096</b>	<b>1122</b>	<b>247</b>	<b>133</b>	<b>13395</b>



## ANNEXURE-V

### राजस्थान सरकार

### निदेशालय, अल्पसंख्यक मामलात विभाग, राज0, जयपुर

राधाकृष्णन शिक्षा संकुल परिसर, मदरसा बोर्ड भवन, जे.एल.एन.मार्ग, जयपुर, राजस्थान.

dirminority@gmail.com

दूरभाष नं. 0141-271-3022

क्रमांक: ए.अल्प.दर्जा/269/2013/ 1186

जयपुर दिनांक 14-7-2017

सचिव,  
अल्पसंख्यक शिक्षा संस्थान राष्ट्रीय आयोग  
गेट नं. 4 प्रथम तल, जीवन तारा बिल्डिंग  
पटेल चौक, संसद मार्ग,  
नई दिल्ली-110001

विषय:-अल्पसंख्यक शिक्षण संस्थाओं को अल्पसंख्यक दर्जा का प्रमाण पत्र जारी किये जाने बाबत।

महोदय,

उल्लेखनीय है कि अल्पसंख्यक मामलात विभाग, राजस्थान सरकार द्वारा राष्ट्रीय अल्पसंख्यक एज्यूकेशनल इन्सटीट्यूशन-आयोग अधिनियम-2004 एवं राज्य सरकार के नियमों के तहत निर्धारित प्रक्रिया के अन्तर्गत आवेदक पंजीकृत अल्पसंख्यक संस्थाओं के अधीन संचालित शिक्षण संस्थाओं को अल्पसंख्यक दर्जा का प्रमाण पत्र जारी किया जाता है।

इसी संबंध में उल्लेख है कि अल्पसंख्यक मामलात विभाग, राजस्थान को विभिन्न पंजीकृत अल्पसंख्यक संस्थाओं से आवेदन प्राप्त होते हैं। इन प्राप्त आवेदनों में से कई आवेदनों के निस्तारण में निर्धारित नियमों की व्याख्या के दृष्टिकोण से नियमों की स्पष्टीकरण की आवश्यकता प्रतीत होती है। जैसे:-

1. क्या राज्य से बाहर की पंजीकृत संस्था द्वारा राजस्थान में संचालित शिक्षण संस्था को अल्पसंख्यक दर्जा का प्रमाण पत्र जारी किया जा सकता है ?
2. ऐसी संस्था, जो कि उत्तर प्रदेश सरकार के कार्यालय उप निबन्धक समितियाँ, उत्तर प्रदेश, मेरठ क्षेत्र, मेरठ के द्वारा पंजीकृत है और संस्था का प्रति 05 वर्ष में नवीनीकरण किया जाता है। यदि उक्त प्रकरण के तहत राजस्थान सरकार द्वारा आवेदक संस्था को प्रमाण पत्र जारी किये जाने की स्थिति बनती है, तो क्या ऐसी पंजीकृत संस्था के अन्तर्गत राजस्थान में संचालित शिक्षण संस्था को प्रमाण पत्र जारी किया जा सकता है, जिस पंजीकृत संस्था का प्रत्येक 05 वर्ष बाद संबंधित राज्य द्वारा पंजीयन का नवीनीकरण किया जाता हो ? क्या यह संभव नहीं है कि कालान्तर में किसी स्थिति में संस्था के पंजीयन का नवीनीकरण संबंधित राज्य द्वारा नहीं किया जाये। ऐसी स्थिति में राजस्थान सरकार द्वारा जारी किये गये (कात्थनिक) प्रमाण पत्र क्या स्टेटस होगा ?

क्योंकि अल्पसंख्यक मामलात विभाग, राजस्थान सरकार द्वारा राज्य में पंजीकृत अल्पसंख्यक संस्थाओं/ट्रस्टों के अधीन संचालित विशेष शिक्षण संस्थाओं को एक बार स्थायी रूप से अल्पसंख्यक दर्जा का प्रमाण पत्र जारी किया जाता है।

अतः निवेदन है कि उक्त संबंध में मार्गदर्शन प्रदान करने का कष्ट करें।

(अनीता मीना)  
अतिरिक्त निदेशक



## ANNEXURE-VI

संख्या: 7-16/2016-ADMN/2927  
भारत सरकार  
राष्ट्रीय अल्पसंख्यक शैक्षणिक संस्था आयोग

गेट नं 4, प्रथम तल, जीवन तारा भवन,  
संसद मार्ग, पटेल चौक, नई दिल्ली-110001.

दिनांक: 15 सितम्बर 2017

सेवा में,

श्रीमति अनीता मीना,  
अतिरिक्त निदेशक,  
निदेशालय, अल्पसंख्यक मामलात विभाग,  
राधाकृष्णन शिक्षासकुल परिसर  
मदरसा बोर्ड भवन, जे एन एन मार्ग, जयपुर,  
राजस्थान

विषय: अल्पसंख्यक शिक्षण संस्थाओं को अल्पसंख्यक दर्जा का प्रमाण पत्र जारी किए जाने बाबत।

महोदय,

कृपया अपने पत्रांक य.अल्प.दर्जा / 269/2013/10186 दिनांक 14/07/2017 का संदर्भ ग्रहण करें।  
उक्त पत्र दिनांक 08/09/2017 को आयोग को समक्ष प्रस्तुत किया गया। आयोग का आदेश दिनांक  
08/09/2017 जो कि निम्नलिखित है, आपको सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित किया जा रहा है।

"We have perused letter dated 14.07.2017 received from the Additional Director, Minority Affairs  
Department, Government of Rajasthan. Parawise reply may be sent as per following:

1. A society registered in any other State is eligible to get minority status certificate for its institutions situated in other State.
2. The Minority Status Certificate is only granted to the institutions if the Certificate of Registration of the society is valid.<sup>17</sup>

भवदीय  
सरोज पुनडानि  
(सरोज पुनडानि)  
सचिव  
फोन : 011 - 23367759

O/C

Journal of  
15/9/17



## ANNEXURE-VII

### COMPETENT AUTHORITY DETAILS

S.No.	State	Competent Authority under Section 10	Authority under Section 12(B)
1.	Andhra Pradesh		Principal Secretary to Govt. (Ex-officio) Minorities Welfare Department A.P. Secretariat, Hyderabad, (Andhra Pradesh) T : 040-2345 9290 Prisecy-mw@ap.gov.in jsmwdeptap@gmail.com
2.	Arunachal Pradesh	Shri Pagli Sora Deputy Secretary (Education) Govt. of Arunachal Pradesh Civil Secretariat, Education Branch, Block No. 1, 3 <sup>rd</sup> Floor, PO Itanagar-791 111 M : 096121 05080 dysecyedn@gmail.com	Shri Pagli Sora Deputy Secretary (Education) Govt. of Arunachal Pradesh Civil Secretariat, Education Branch, Block No. 1, 3 <sup>rd</sup> Floor, PO Itanagar-791 111 M : 096121 05080 dysecyedn@gmail.com
3.	Assam		Joint Secretary Education Department (Higher), Assam Secretariat, Block C, Secretariat Complex, Dispur, Guwahati-6 Assam
4.	Bihar		Secretary Human Resource Development Department, Government of Bihar, Secretariat, Patna, Bihar



S.No.	State	Competent Authority under Section 10	Authority under Section 12(B)
5.	Chhattisgarh	Shri Neelkanth Tikam Joint Secretary House No. 42, Floral City, DUNDA, Old Dhamtary Road, Raipur (Chhattisgarh) T : 0771-2510088 M : 094255 98888	Shri Neelkanth Tikam Joint Secretary House No. 42, Floral City, DUNDA, Old Dhamtary Road, Raipur (Chhattisgarh) T : 0771-2510088 M : 094255 98888
6.	Goa	Shri Dharmendra Sharma Secretary (Home) Secretariat, Porvorim – Goa T : 0832-2419401 F : 0832-2415201 M: 07030297860 CS-go@nic.in	Shri Dharmendra Sharma Secretary (Home) Secretariat, Porvorim – Goa T : 0832-2419401 F : 0832-2415201 M: 07030297860 CS-go@nic.in
7.	Gujarat		Commissioner of Schools, Commissionerate of Mid Day Meals and Schools, Government of Gujarat, Sector 10, Gandhinagar Ds-pri-edu@gujarat.gov.in Js-sec-edu@gujarat.gov.in  Commissioner of Technical Education 2 <sup>nd</sup> Floor, Block No. 2, Dr. Jivraj Meheta Bhavan, Gandhinagar-382 010 T : 079-2325 3546 F : 079-2325 3539 dteguj@yahoo.co.in
8.	Haryana	Nodal officer Deputy Director Directorate of Secondary Education, Haryana, Shiksha Sadan, 2 <sup>nd</sup> Floor, Sector-5, Panchkula(Haryana) dseps13@gmail.com	Finance Commissioner & Principal Secretary Education Department, Government of Haryana, Civil Secretariat, Chandigarh, Haryana – 160 001 edusecondaryhry@gmail.com



S.No.	State	Competent Authority under Section 10	Authority under Section 12(B)
9.	Himachal Pradesh	Shri Brij Lal Vinta, Director Directorate of Higher Education Shimla –I Himachal Pradesh T : 0177-2656621 Dir.edu@rediffmail.com	Shri Brij Lal Vinta, Director Directorate of Higher Education Department, Government of Himachal Pradesh, Shimla – 1, T: 0177-2656621 F: 0177-2811247 dir.edu@rediffmail.com
10.	J&K	NCMEI Act not applicable	
11.	Jharkhand	Shri Kirpa Nand Jha Director, Primary Education Jharkhand, Ranchi Directorate of Primary Education School Education & Literacy Department, Jharkhand, Ranchi T : 0651-2401797, 2401733 M : 09431108397 Primaru896@gmail.com	Shri Manish Ranjan Director, Secondary Education Directorate of Secondary Education School Education & Literacy Department, Jharkhand, Ranchi T : 0651-2400973 M : 09431114939, 9430177777 dirseccednjhk@rediffmail.com
12.	Karnataka	Sri Jawaid Akhtar Principal Secretary to Govt. Education Department (Higher Education) Govt. of Karnataka Sixth Floor, Multi Storeyed Building, Bengaluru Karnataka 560001 T: 080-22252437 F: 080-22253756 prshigh-edu@karnataka.gov.in	Sri Jawaid Akhtar Principal Secretary to Govt. Education Department (Higher Education) Govt. of Karnataka Sixth Floor, Multi Storeyed Building, Bengaluru Karnataka 560001 T: 080-22252437 F: 080-22253756 prshigh-edu@karnataka.gov.in
13.	Kerala		Secretary General Education Department, Government of Kerala, Thiruvananthapuram, Kerala secy.gedu@kerala.gov.in secy@education.kerala.gov.in



S.No.	State	Competent Authority under Section 10	Authority under Section 12(B)
			Principal Secretary Higher Education Department, Government of Kerala, Thiruvananthapuram, Kerala secy.hedu@kerala.gov.in
14.	Madhya Pradesh	Shri Ramesh S. Thete Secretary, IAS Room No. 339, Backward Classes & Minority Welfare Department, Govt. of MP, Mantralaya, Bhopal, Madhya Pradesh T: 0755-2550957 F: 0755-2555553 M: 098934 88975 secobc2017@gmail.com bcbpl@nic.in	Shri Ramesh S. Thete Secretary, IAS Room No. 339, Backward Classes & Minority Welfare Department, Govt. of MP, Mantralaya, Bhopal, Madhya Pradesh T: 0755-2550957 F: 0755-2555553 M: 098934 88975 secobc2017@gmail.com bcbpl@nic.in
15.	Maharashtra		Shri Sandesh C. Tadvi Deputy Secretary Minorities Development Department Room No. 715, Mantralaya (Annexe), Mumbai-32 T : 022-22830031 F : 022-22830626 M : 09967311158 Sandesh.tadvi@nic.in
16.	Manipur		Principal Secretary School Education Department, Government of Manipur contact@manipureducation.gov.in
17.	Meghalaya	Shri W.R. Lyngdoh, IAS Sec- retary, Education Department Govt. of Meghalaya	Shri W.R. Lyngdoh, IAS Secretary, Education Department Govt. of Meghalaya



S.No.	State	Competent Authority under Section 10	Authority under Section 12(B)
			Additional Secretariat Meghalaya: Shillong-793001 dwahlang@yahoo.com
18.	Mizoram	Home Secretary Mizoram Secretariat, NCC T : 0389-2322411 F : 0389-2322745 M : 7085055193 cs_miz@rediffmail.com	Home Secretary Mizoram Secretariat, NCC T : 0389-2322411 F : 0389-2322745 M : 7085055193 cs_miz@rediffmail.com
19.	Nagaland	Shri Wonthungo Tsopoe Addl. Director (HOD), School Education, Nagaland Directorate of School Education, Nagaland, Kohima – 797001 M : 094366 08991 T : 0370-2260110 (R) F : 0370-2260041 wonthungo@gmail.com	Shri Wonthungo Tsopoe Addl. Director (HOD), School Education, Nagaland Directorate of School Education, Nagaland, Kohima – 797001 M : 094366 08991 T : 0370-2260110 (R) F : 0370-2260041 wonthungo@gmail.com
20.	Orissa		Principal Secretary School & Mass Education Department, Government of Orissa, Secretariat, Bhubaneshwar, Orissa – 751 001 secysme@gmail.com secysme.od@nic.in
21.	Punjab		Secretary, Higher Education Department, Room No. 510, 5th Floor, Mini Sectt., Sector 9, Chandigarh secy.se@punjab.gov.in



S.No.	State	Competent Authority under Section 10	Authority under Section 12(B)
22.	Rajasthan	Shri Vipin Chandra Sharmas Addl. Chief Secretary to Govt. of Rajasthan Department of Minority Affairs & Waqf Room No. 8145, SSO Building, State Secretariat, Jaipur-302005 Rajasthan T : 0141-2227635 psmarajasthan@gmail.com	Shri Vipin Chandra Sharmas Addl. Chief Secretary to Govt. of Rajasthan Department of Minority Affairs & Waqf Room No. 8145, SSO Building, State Secretariat, Jaipur-302005 Rajasthan T : 0141-2227635 psmarajasthan@gmail.com
23.	Sikkim	Mrs. Mamta Thapa Principal Director, Exams & Scholarship / Registering Authority, Private Schools Human Resource Development Department, Govt. of Sikkim, Gangtok. T: 09933029580 ugenhrdd@gmail.com	Shri G.P. Upadhaya Additional Chief Secretary (Secretary-in-charge of HRDD) Human Resource Development Department, Govt. of Sikkim, Gangtok gupadhaya@gmail.com
24.	Tamil Nadu	Medical Education: Principal Secretary to Government, Health and Family Welfare Department Secretariat, Chennai, Tamil Nadu	Principal Secretary School Education Department, Government of Tamil Nadu, Fort St. George, Secretariat, Chennai, Tamil Nadu – 9 schsec@tn.gov.in  Principal Secretary Higher Education Department, Government of Tamil Nadu, Fort St. George, Secretariat, Chennai, Tamil Nadu – 9  Medical Education : Principal Secretary to Government, Health and Family Welfare Department



S.No.	State	Competent Authority under Section 10	Authority under Section 12(B)
			Secretariat, Chennai, Tamil Nadu hfwsec@gmail.com
25.	Tripura	Shri M.L. Dey, IAS Secretary to the Govt. of Tripura Minorities Welfare Department, Secretariat Building, New Capital Complex, Agartala T: 0381-241-5587 M: 09436459298 deyml@hotmail.com	Shri M.L. Dey, IAS Secretary to the Govt. of Tripura Minorities Welfare Department, Secretariat Building, New Capital Complex, Agartala T: 0381-241-5587 M: 09436459298 deyml@hotmail.com
26.	Telangana	Sri Syed Omer Jaleel, IAS Secretary to Govt.Minorities Welfare Department D-Block, Ground Floor, Telangana Secretariat, Hyderabad-500 022 T : 040-23452983 F : 040-23459906 M : 09441481455 Secy.mwts@gmail.com	Sri Syed Omer Jaleel, IAS Secretary to Govt. Minorities Welfare Department D-Block, Ground Floor, Telangana Secretariat, Hyderabad-500 022 T : 040-23452983 F : 040-23459906 M : 09441481455 Secy.mwts@gmail.com
27.	Uttar Pradesh	Principal Secretary, Higher Education, Department of Education Government of UP (For Higher Educational Institutions)  Shri Anil Garg Secretary Department of Higher Educa- tion Government of UP 11, Naveen Bhawan, Secretariat, Lucknow (UP) pshighereducation@gmail.com	Deputy Director Minorities Welfare Department, 6th Floor, Indira Bhavan, Lucknow Uttar Pradesh



S.No.	State	Competent Authority under Section 10	Authority under Section 12(B)
		Principal Secretary, Technical Education, Department of Education Government of UP (For Technical Educational Institutions)	
		Mrs. Monika S. Garg, Principal Secretary Technical Education Government of UP 03, Naveen Bhawan, Secretariat, Lucknow (UP) psectecedu@gmail.com	
		Principal Secretary, Professional Education, Department of Education Government of UP (For Professional Educational Institutions)	
		Shri Bhuvnesh Kumar Secretary Professional Education Government of UP R.N.-19. 3 <sup>rd</sup> Floor, Sachiv Bhawan Secretariat, Lucknow (UP) secyvesd@gmail.com	
		Principal Secretary, Secondary Education, Department of Education Government of UP (For Affiliation of the school with the Central Board of Secondary Education)	



S.No.	State	Competent Authority under Section 10	Authority under Section 12(B)
		Shri Jitendra Kumar Principal Secretary Secondary Education CBSE R.N. 15, Naveen Bhawan Secretariat, Lucknow (UP) secondaryeducation.11@gmail.com	
28.	Uttarakhand	Dr. Ranbir Singh Deputy Chief Secretary (Upper Mukhya Sachiv) Higher Education Uttarakhand Govt. Room No. 305, 3rd Floor, Late Dr. APJ Abdul Kalam Building (CM Building), 4, Subhash Road, Uttarakhand Secretariat Dehradun (Uttarakhand) T: 2712057 (Off) R: 2733522 F: 2712803 M: 9412992136 plshukla@gmail.com	Secretary School Education Department, Government of Uttarakhand, Mayor Vihar, Sahasra Dhara Road, Dehradun, Uttarakhand
29.	West Bengal	Mr. G.H. Obaidur Rahman, IAS Commissioner Govt. of West Bengal Minority Affairs & Madrasah Education Department, "NABANNA", 325, Sarat Chatterjee Road, Howrah – 711102 (West Bengal) T: 033-22501015/22145667 F: 033-22141708 M : 09747 55553 obaidurrahman.rahman @gmail.com	Mr. G.H. Obaidur Rahman, IAS Commissioner Govt. of West Bengal Minority Affairs & Madrasah Education Department, "NABANNA", 325, Sarat Chatterjee Road, Howrah – 711102 (West Ben- gal) T: 033-22501015/22145667 F: 033-22141708 M : 09747 55553 obaidurrahman.rahman @gmail.com



S.No.	State	Competent Authority under Section 10	Authority under Section 12(B)
30.	Andaman & Nicobar		<p>Shri Rajeev Yaduvanshi Principal Secretary (Edn.) / Chairman MEI A&amp;N Administration Secretariat, Port Blair T : 03192-233364 F : 03192-232236 M : 9434287044 Udevelop.and@nic.in</p> <p>Smt. Tanvi Garg Secretary-cum-Director (Edn.) A&amp;N Administration Secretariat, Port Blair T : 03192-230661 F : 03192-230101 M : 9434282040 secedn@nic.in</p>
31.	Chandigarh	<p>Director School Education, Chandigarh Additional Deluxe Building, 1st Floor, Sector- 9, Chandigarh-160009 T : 0172-2740411 F : 0172-2740695 M : 9781331102 dpi-chd@nic.in</p>	<p>Director School Education, Chandigarh Additional Deluxe Building, 1st Floor, Sector-9, Chandigarh-160009 T : 0172-2740411 F : 0172-2740695 M : 9781331102 dpi-chd@nic.in</p>
32.	Dadar & Nagar Haveli	—	—
33.	Daman & Diu	<p>Shri Gurpreet Singh Director (Education) Secretariat, Moti Daman T : 0260-2231170 / 2230088 F : 0260-2231170 M : 9873550675 adedn-dmn-dd@nic.in</p>	<p>Shri M.D. Patel Asstt. Director (Education) Directorate of Education, Nani Daman T : 0260-2255126 F : 0260-2255126 M : 09979496181 Daman.education@gmail.com</p>



S.No.	State	Competent Authority under Section 10	Authority under Section 12(B)
34.	Delhi		<p>Assistant Director of Education (ACT) Directorate of Education, Government of NCT of Delhi, R. No. 214-A, Old Secretariat, Delhi – 110 054 diredu@nic.in</p> <p>Director of Education Higher Education Department, Govt. of NCT of Delhi, 5, Shyamnath Marg, Delhi-110054</p>
35.	Lakshadweep	–	–
36.	Puducherry	<p>For School level educational Institutions Mr. A. Anbarasu, IAS Secretary to Govt. (Education), Chief Secretariat No. 1, Goubert Avenue, Beach Road, Puducherry – 605001 T: 0413-2334144 F: 0413-2334144 de.pon@nic.in</p> <p>For Higher level educational institutions Dr. Kiran Bedi, IPS (Retired) Lieutenant Governor Raj Nivas, Puducherry-605 001 T: 0413-2334 051 F: 0413-2334025 Lg.pon@nic.in</p>	



## ANNEXURE-VIII

डा० बलतेज सिंह मान  
सदस्य  
Dr. BALTEJ SINGH MANN  
MEMBER



भारत सरकार  
राष्ट्रीय अल्पसंख्यक शैक्षणिक आयोग  
गेट नं. ४, जीवन तारा भवन  
५, संसद मार्ग, पटेल चौक, नई दिल्ली - ११० ००१  
भारत  
COMMISSION OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS  
Gate No. 4, 1st Floor, Jeevan Tara Building  
5, Sansad Marg, Patel Chowk, New Delhi - 110 001  
Tel: 011-23367758 (O), 23343766 (Fax), Mob: +91-9814 323 325  
E-mail: mannbs2001@gmail.com Website: www.ncmei.gov.in

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दिनांक: 2018

Dear CM Sahib,

The NCMEI visited Kerala from 7-11 March, 2018. During the course of our visit we visited MES College near Kochi. We had interaction with the Management, Faculty and students of the College.

2. The Principal Shri A. Biju of the College presented a report of the Minority Educational Institutions being run under the leadership of Janab M. A. Mohammed, Chairman, College Managing Committee and Janab P. H. Mohammed (Secretary & Correspondent of College).

3. The Commission has noted that the College is serving minority girls students in a big way.

4. I feel that their institutions need the support of Centre as well as State Government. I am writing to the concerned Central Ministry at Delhi in this regard.

5. In the meanwhile, may I request you to kindly ask your state officers to extend all possible to MES College and their other Institutions.

I look forward to your gracious acceptance of my request.

Regards

Yours Sincerely  
-Sd/-  
(Baltej Singh Mann)

Shri. Pinarayi Vijayan  
Hon'ble Chief Minister,  
Minister for Home Affairs, Vigilance and Information Technology, Kerala  
Room No. 158, North Block  
Secretariat, Thiruvananthapuram, Kerala

Copy to: Dr. A. Biju, Principal, MES College Marampally, Marampally Road,  
Marampally P O, North Vazhakulam, Ernakulam, Aluva, Kerala 683107

BSM  
(Baltej Singh Mann)

14/3/18



## ANNEXURE-IX

डा० बलतेज सिंह मान  
सदस्य  
Dr. BALTEJ SINGH MANN  
MEMBER



सत्यमेव जयते

राष्ट्रीय अल्पसंख्यक  
गैट नं. ४, संसद मार्ग, प  
भारत सरकार  
संस्था आयोग  
वन तारा भवन  
दिल्ली-110 001

REPUBLIC OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS

Gate No. 4, 1st Floor, Jeevan Tara Building  
5, Sansad Marg, Patel Chowk, New Delhi - 110 001  
Tel. 011-23367756 (O), 23343766 (Fax), Mob. +91-9814 323 325  
E-mail : manrbs2001@gmail.com Website : www.ncmei.gov.in

Dated 12.3.2018

Dear Dr. Jaleel,

Kindly refer to your letter No. 225/18/MLSGD dated 8<sup>th</sup> March, 2018 regarding visit of NCMEI to the State of Kerala from 7<sup>th</sup> – 11<sup>th</sup> March, 2018.

2. I appreciate and thank you for your guidance and support for the success of our mission.
3. The Commission has noted down your suggestions to speed up the process of grant of Minority Status Certificate. The hurdle in this regard is the non-existence of Competent Authority in the State of Kerala who should process the applications for the grant of Minority Status Certificate at State level and then coordinate with the NCMEI. Kindly take up the matter with the Hon'ble Chief Minister, Kerala as the exercise requires inter-ministerial cooperation.
4. I appreciate your concerns for the Minority students' scholarships being funded by the Central Government. I shall take up this matter with the Hon'ble Union Minister for Minority Affairs Shri Mukhtar Abbas Naqvi.
5. In the end I thank you once again for your thoughtful address to the delegates of of Minority educational Institutions at Thiruvananthapuram.

Looking forward to have your guidance and support in future also.

Warm Regards

Yours Sincerely

*Bs Mann*  
(Baltej Singh Mann)

Dr. T. K. Jaleel  
Minister For LSGD, Minority Welfare Wakf & Hajj  
Government of Kerala  
4<sup>th</sup> Floor, Room No. 401, Secretariat Annexe  
Thiruvananthapuram- 695001, Kerala

*T. K. Jaleel*  
14/3/18



## ANNEXURE-X

डा० बलतेज सिंह मान  
सदस्य  
Dr. BALTEJ SINGH MANN  
MEMBER



सत्यमेव जयते

भारत सरकार  
राष्ट्रीय अल्पसंख्यक शैक्षणिक संस्था आयोग  
गेट नं. ४, प्रथम तल, जीवन तारा भवन  
५, संसद मार्ग, पटेल चौक, नई दिल्ली-११० ००१

GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS  
Gate No. 4, 1st Floor, Jeevan Tara Building  
5, Sansad Marg, Patel Chowk, New Delhi - 110 001  
Tel.: 011-23367756 (O), 23343766 (Fax), Mob.: +91-9814 323 325  
E-mail : mannbs2001@gmail.com Website : www.ncmei.gov.in

Dated..5.3.2018

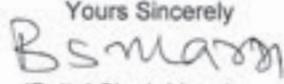
Your Excellency,

I am glad to inform you that I paid an official visit to Chandigarh on 19th February, 2018 and also visited Sewa Bharti, Building, Sector-29, Chandigarh where they are running a Skill Development Center for children of migrant and minority community. This Center needs Government financial support.

2. I approach you with the request to kindly ask the officials of concerned Departments to visit the Skill Development Center and make them aware of Government Schemes for the purpose of financial support.
3. I have also advised the Management of Sewa Bharti to get in touch with the concerned officials of UT Administrations

I look forward to you gracious acceptance of my request.

Regards

Yours Sincerely  
  
(Baltej Singh Mann)

His Excellency Shri V.P. Singh Badnore  
Hon'ble Governor of Punjab and Administrator of UT Chandigarh  
Punjab Raj Bhawan,  
Chandigarh  
Raj Bhawan, Chandigarh

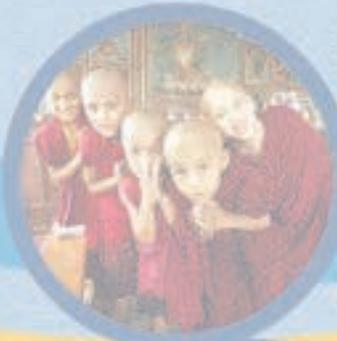






सत्यमेव जयते

## ANNUAL REPORT 2017-18



**National Commission For Minority Educational Institutions**

Ministry of Human Resource Development

Government of India

5 Sansad Marg, Patel Chowk, New Delhi - 110 001





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