

**GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR MINORITY
EDUCATIONAL INSTITUTIONS**

CASE NO. 136 OF 2020

In the matter of :-

**Lala Mahadev Prasad Verma Balika Mahavidyalaya,
Gosainganj, Lucknow, Uttar Pradesh- 226 501.**

..... Petitioner

Vs

**Principal Secretary, Higher Education, Department of
Education, Government of Uttar Pradesh, Bahu Khandi,
Secretariat, Lucknow, Uttar Pradesh- 226 001.**

.....Respondent

Present: Mr. Rajesh Singh for the petitioner.
None for the respondent.

O R D E R

Dated: 13th July 2021

Justice Narendra Kumar Jain, Chairman

An application along with affidavit of Ms. Anamika, D/o Santosh Kumar, Secretary, Lala Mahadev Prasad Verma Balika Mahavidhyalaya Samiti and other documents have been received on 2.1.2020 from the above petitioner institution Lala Mahadev Prasad Verma Balika Mahavidyalaya, Gosainganj, Lucknow, Uttar Pradesh- 226 501 for grant of minority status certificate.

2. The petitioner has filed the Unique ID No.: UP/2019/0227318 of the petitioner's society as given by the Niti Aayog Portal NGO Darpan. Mr. Rajesh Singh appeared on behalf of the petitioner institution and filed affidavit of Ms. Anamika, Secretary of the Lala Mahadev Prasad Verma Balika

Mahavidhyalaya Samiti in support of the averments made in the petition and also to prove that the beneficiaries of the petitioner institution are members of the Buddhist minority community. He has filed the letter dated 11.1.2021 of the Special Secretary, Higher Education, Government of Uttar Pradesh, No Objection Certificate dated 17.2.2021 issued by the Registrar, Lucknow University, Unique ID UP/2019/0227318 of the petitioner's society as given by the Niti Aayog Portal NGO Darpan, affidavit of Ms. Anamika, certified copy of the Certificate of Registration of the petitioner society, certified copies of the amended Memorandum of Association and Rules & Regulations, list of founding members, list of the members of the managing committee for 2014-2015, 2015-16, 2019-20, 2020-21, notarized copy of the letters and certificates of recognition to the petitioner institution.

3. It is stated in the petition that on dated 30.9.2019, the petitioner institution has applied to the State Competent Authority for grant of No Objection Certificate (in short "NOC") and the said application was accepted by the Registrar of the University of Lucknow as per State Government order dated 14.12.2020. University of Lucknow has given Certificate dated 17.2.2021 that the University has no objection if minority status is granted to Lala Mahadev Prasad Verma Balika Mahavidyalaya, Gosainganj, Lucknow, Uttar Pradesh- 226 501 provided that no financial liabilities or implications thereof in any kind or any form lie on the Uttar Pradesh Government or the Education Department. It is pertinent to mention here that the State competent authority has

not passed any order on the application of NOC filed by the petitioner institution within 90 days from the submission of the application for grant of NOC but as per the orders of the competent authority of State Government, Lucknow University has passed the above order of no objection in favour of the petitioner institution. In above circumstances, petitioner institution has filed this application before the Commission for grant of minority status certificate in favour of the petitioner institution.

4. Despite service of registered notice, none appeared on behalf of the respondent competent authority of the State Government of Uttar Pradesh. The respondent has sent letter dated 11.1.2021 along with papers which are taken on record. In the above circumstances, in our considered opinion, this is a fit case for intervention by this Commission.

5. We have heard Shri Rajesh Singh appearing on behalf of the petitioner institution and perused the record as well as the documentary evidence filed by the petitioner institution and affidavit of Ms. Anamika, Secretary of the Lala Mahadev Prasad Verma Balika Mahavidhyalaya Samiti.

6. The petitioner institution has applied for grant of minority status certificate on the ground that the same has been established primarily for the benefit of the members of the Buddhist community and is being administered by Lala Mahadev Prasad Verma Balika Mahavidhyalaya Samiti which is managed

and run by the members of the Buddhist community. The aforesaid averments made in the petition find ample corroboration from the documentary evidence produced on behalf of the petitioner institution and the affidavit of Ms. Anamika, Secretary of the petitioner Society.

7. The Amended Memorandum of Association of the said society clearly reflects that the beneficiaries of the petitioner institution are members of the Buddhist minority community. The said facts are also stands proved from the affidavit of Ms. Anamika. There is no document on record to rebut the documentary evidence produced on behalf of the petitioner institution.

8. Relying on the said unrebutted evidence produced on behalf of the petitioner, Lala Mahadev Prasad Verma Balika Mahavidyalaya, Gosainganj, Lucknow, Uttar Pradesh- 226 501 run by Lala Mahadev Prasad Verma Balika Mahavidhyalaya Samiti is eligible for grant of minority status on religious basis. The evidence also proves that the said educational institution was established with the main objective of sub-serving the interests of the Buddhist Community.

9. Consequently, Lala Mahadev Prasad Verma Balika Mahavidyalaya, Gosainganj, Lucknow, Uttar Pradesh- 226 501 is declared as a minority educational institution covered under Article 30 of the Constitution of India within the meaning of Section 2(g) of the National Commission for Minority Educational

Institutions Act, 2004 subject to the condition that the petitioner would file an affidavit or undertaking to the fact that the petitioner institution shall not deny admission of eligible candidate of the Buddhist minority community subject to the eligibility of the students and availability of the accommodation in the petitioner institution.

10. After compliance of the above order, a minority status certificate be issued accordingly.

11. In view of the above, the present petition is disposed of in accordance with this order.

Signed, pronounced and published on Tuesday, 13th day of July, 2021.

**JUSTICE NARENDRA KUMAR JAIN
CHAIRMAN**

**DR. JASPAL SINGH
MEMBER**

MD