

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS (NCMEI)**

**Case No. 62 of 2020**

**In the matter of :-**

**Little Flower Degree College, 2-18-25, Little Flower Junior  
College Campus, Uppal, R.R. District, Hyderabad, Telangana-  
500039**

**..... Petitioner**

**V/s**

**Secretary to Govt., Minorities Welfare Department,  
Government of Telangana, "D" Block, Ground Floor,  
Telangana Secretariat, Hyderabad-500022**

**..... Respondent**

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

**ORDER**

**DATED 23.07.2024**

**Dr. Shahid Akhter, Member, NCMEI**

1. This petition has been received on 02.12.2019 by hand through Mr. Junais P, Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to Little Flower Degree College, 2-18-25, Little Flower Junior College Campus, Uppal, R.R. District, Hyderabad, Telangana-500039.
2. Learned counsel for the petitioner filed an affidavit of Bro. Gopu Vincent Reddy, Secretary of Brothers of St. Gabriel Education Society in support of the averments made in the petition and also to prove that the beneficiaries of the petitioner institution are members of the Christian minority community.
3. Learned counsel for the petitioner has filed copy of Unique ID No. : TS/2018/0182373 of the petitioner's Society as given by the Niti Aayog Portal NGO Darpan, photocopy of application dated 17.07.2019 sent to the State Competent Authority i.e. Secretary, Minorities Welfare Department alongwith postal receipt and its tracking report, notarized copy of Certificate of Registration of Brothers of St. Gabriel Educational Society, notarized copy of the

Memorandum of Association alongwith list of founding members of the Society, notarized copy of the Amended Memorandum of Association dated 30.12.2015 alongwith list of present members of the Society, notarized copy of Affiliation Order dated 10.11.2023 issued by the Registrar, Osmania University to the unaided petitioner institution for the academic year 2023-24 for Bachelor courses and resolution of the General Body of the Society in favour of Bro. Gopu Vincent Reddy, Secretary of Brothers of St. Gabriel Educational Society for obtaining MSC from this Commission. Learned Counsel for the petitioner also filed a clarification affidavit of Bro. Gopu Vincent Reddy, Secretary of Brothers of St. Gabriel Educational Society regarding the beneficiary clause in the amended memorandum of Association of the petitioner's society.

4. As per the information supplied by the petitioner unaided institution with regard to students strength in Academic Year 2019, it is mentioned that out of total 1194 students, 90 students are from the Christian minority community, 50 students are from the Muslim minority community, 7 students are from the Sikh minority community and 1047 students are Hindus. It is relevant to mention here that in Academic Year 2019, out of 53 teachers, 13 teachers are from the Christian Minority community.
5. It is stated in the petition that on dated 17.07.2019, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 18.07.2019 and the said application is still pending before the State Competent Authority. The State Competent Authority has not granted NOC in favour of the petitioner institution till now and also not rejected the said application and not communicated the same to the petitioner. After 90 days from the receipt of the application for grant of NOC, the petitioner has filed this petition for grant of MSC to this Commission straightway as per the provisions of Section 10 and 11(f) of National Commission for Minority Educational Institutions (in short 'NCMEI') Act, 2004.

6. Despite service of registered notice / email dated 09.03.2020 and 17.03.2021, no reply/response has been received from the respondent. Thereafter in the facts and circumstances of the case, Commission deemed fit and proper that physical inspection report alongwith recommendation may be obtained from the Committee constituted by this Commission for issuance of MSC to the petitioner institution vide order dated 24.11.2021. After service of letters/emails to the physical inspection committee dated 30.11.2021, 20.04.2022 and 11.07.2022 Physical Inspection Committee, Medchal Malkagiri District has sent physical inspection report dated 26.07.2022 which was received in the Commission's Office on dated 01.08.2022 wherein they have not recommended to grant MSC to the petitioner institution due to Aims and objects in the Memorandum of Association i.e. "The establishment and maintenance of High Schools, Secondary Schools, Colleges, Industrial and Vocational Schools, Training Schools, Orphanages, Hostel and Boarding establishments for the students and staff, all non formal and information educational programmes and related charitable activities and all other Educational Institutions belonging to brothers of St. Gabriel Educational Society or entrusted to it for direction and management, mainly for the benefit of Catholics and others as well irrespective of race, caste, community, religion or social status and to apply for on to obtain for them wherever necessary either recognition from Government or University, educational or other authorities as the case may be. And also mentioned that as per the strength of students, it is revealed that during 2019-20 Hindus were 88% whereas Christians were 7.5% only, during 2020-21, Hindus 87% and Christians 8% and 2021-22, Hindus 85% and Christians are 10% but as per the census of 2011, population of Christian minority community in the State of Telangana is 1.27%.
7. Heard the Learned Counsel for the petitioner, perused the pleading of the petition, the documents filed by the petitioner and

affidavit of Bro. Gopu Vincent Reddy, Secretary of Brothers of St. Gabriel Educational Society.

8. Hon'ble Apex Court, various High Courts as well as this Commission in case of Buckley Primary School, Cuttack, Orissa Vs. Government of Orissa (order passed by the Commission in Case No. 1320 of 2009 dated 6.7.2010) have categorically held that the percentage of admission of students from notified minority community in a minority educational institution is not an indicia for determining the minority status of such institution. This Commission has also decided that there must be reasonable strength of students of particular minority community in a minority educational institution. The percentage could be determined based on the actual proportion of specific minority community in the State population as per prevailing census. Population of Christian minority community in the State of Telangana as per the census of 2011 is 1.27%.
9. 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 Christian minority community and is being administered by Brothers of St. Gabriel Educational Society which is managed and run by the members of the Christian minority 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 Bro. Gopu Vincent Reddy, Secretary of Brothers of St. Gabriel Educational Society.
10. I have perused the Amended Memorandum of Association of the petitioner institution which was registered before the Registrar of Societies, Hyderabad on dated 30.12.2015 which is before the filing of NOC applications U/s 10 of the NCMEI Act, 2004 dated 17.07.2019 and petition for grant of MSC on dated 02.12.2019. So it is clear that the amendment has been done before the application filed before the State Competent Authority U/s 10 of

the NCMEI Act, 2004 and also petition for grant of MSC before this Commission.

11. The Amended Memorandum of Association dated 30.12.2015 and all the documents produced by the petitioner institution clearly reflects that the beneficiaries of the petitioner institution are primarily the members of the Christian minority community. In addition, the said facts also stands proved from the documents and affidavit filed by the petitioner. There is no document on record to rebut the documentary evidence produced on behalf of the petitioner institution.
12. Relying on the said unrebutted evidence produced on behalf of the petitioner, we find and hold that Little Flower Degree College, 2-18-25, Little Flower Junior College Campus, Uppal, R.R. District, Hyderabad, Telangana-500039 run by Brothers of St. Gabriel Educational Society is eligible for grant of minority status on religious basis. The evidence also proves that the said educational institution was established with the main objective of sub-serving the interests of the Christian minority community.
13. Consequently, Little Flower Degree College, 2-18-25, Little Flower Junior College Campus, Uppal, R.R. District, Hyderabad, Telangana-500039, is declared as an unaided minority educational institution covered under Article 30 of the Constitution of India within the meaning of Section 2(g) of the National Commission for Minority Educational Institutions Act, 2004 subject to the condition that the petitioner would file an affidavit or undertaking to the fact that the petitioner institution shall not deny admission of eligible candidate of the Christian minority community subject to the eligibility of the students and availability of the accommodation in the petitioner institution and affidavit of Bro. Gopu Vincent Reddy, Secretary of Brothers of St. Gabriel Educational Society in support of the averments made in the petition and also to prove that the beneficiaries of the petitioner institution are members of the Christian minority community. If the petitioner institution failed to comply the above order of this

Commission within a period of three months from the date of order passed by this Commission then the petition filed by the petitioner for grant of MSC will be automatically deemed to be dismissed.

14. After compliance of the above order, a minority status certificate be issued accordingly.
15. In view of the above, the present petition is disposed of in accordance with this order.

Signed, pronounced and published on **Tuesday, 23<sup>rd</sup> Day of July, 2024.**

**DR. SHAHID AKHTER  
MEMBER**

VB