

F. No. 5-4/2023-NCMEI
Government of Bharat
National Commission for Minority Educational Institutions

Gate no.4, 1st Floor, Jeevan Tara Building,
5-Sansad Marg, New Delhi-110001.

Dated: 20.06.2025

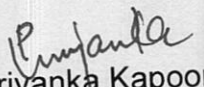
Office Memorandum

Sub: Minutes of the Meeting held at NCMEI, New Delhi on 26.05.2025-Reg.

The undersigned is directed to forward the Minutes of the meeting held on 26.05.2025 with the representatives from Tamil Nadu, Haryana, Andhra Pradesh and Telangana with the request to confirm the contents of the minutes by the return mail.

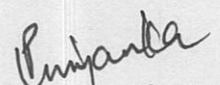
To:

1. Sri Syed Jalaluddin, Assistant Section Officer, Minorities Welfare Deptt., Telangana, Dr. B.R. Ambedkar Secretariat, Hyderabad, Telangana.
asddo-mwdept@gmail.com
2. A. Sekhar, Managing Director, AP State Christian Minorities Finance Corporation, Govt. of Andhra Pradesh.
md.apscmfmc@gmail.com
3. V. Kalaiarasi, Special Secretary, Backward Classes, Most Backward Classes & Minority Welfare Department, Government of Tamil Nadu, Secretariat, Chennai.
bcsec@tn.gov.in
4. Dr. D. Ravichandran, Joint Secretary, Higher Education Department, Government of Tamil Nadu.
jstechedn@gmail.com
5. Dr. M. Palanisamy, Director, Directorate of Private School, Government of Tamil Nadu, DPI Campus, Chennai.
jdpsamy@gmail.com
6. Mr. M. Jeevanantham, Deputy Secretary, Law Department, Government of Tamil Nadu.
Jeevan_1968@yahoo.co.in
7. Mr. R. Sudhakar, Professor, Tamil Nadu Agricultural University.
Sudhagar.r@tnau.ac.in
8. Amit Kumar, HCS, Joint Secretary, Secondary Education Deptt., Haryana.
Dsflegal23@gmail.com
9. Salim Hooda, Assistant, Secondary Education Deptt., Haryana.
salimhooda@yahoo.com
10. Dr. Sukhwinder Singh, Joint Director, Higher Education Deptt., Haryana.
Professor.sukhwinder@gmail.com


(Priyanka Kapoor)
Section Officer

Copy for information:

1. Secretary, Minorities Welfare Department, "D" Block, Ground Floor, Telangana Secretariat, Hyderabad-500022.
Email: secy.mwts@gmail.com; cmwtg1@gmail.com
2. Secretary, Minorities Welfare Department, Govt. of Andhra Pradesh, 3rd Block, 1st Floor, Room No:216, A.P. Secretariat Office, Velagapudi, District Guntur-522503, Andhra Pradesh.
E-Mail: prlsecy_mw@ap.gov.in
3. Additional Chief Secretary, Department for Medical Institutions, Room no. 529, 5th Floor Haryana New Secretariat, Sector-17, Chandigarh.
Email : acshealth2019@gmail.com; acsmer2016@gmail.com
4. Additional Chief Secretary, Higher Education, Department for General Colleges, Room no. 403, 4th Floor Haryana New Secretariat, Sector-17, Chandigarh. Email : acshighereducation21@gmail.com
5. Principal Secretary, School Education Department, Room no. 37, 7th Floor Haryana Civil Secretariat, Sector-1, Chandigarh-160001.
Email: secy-edu@chd.nic.in; acssehry@gmail.com
6. Principal Secretary, Technical Education Department, Room No. 530, 5th Floor Haryana Mini Secretariat, Sector-17, Chandigarh.
Email : acstechnicaleducation21@gmail.com
7. Principal Secretary, Higher Education Department, Government of Tamil Nadu, Rina Road, Fort St. George, Secretariat, Chennai, Tamil Nadu - 600009.
Email: hrsec@tn.gov.in
8. Secretary, Law Education Department, Namakkal Kavignar Maaligai, Fort St. George, Secretariat, Chennai, Tamil Nadu - 600009.
Email: lawsec@tn.gov.in
9. Principal Secretary, Agriculture Department, Namakkal Kavignar Maaligai, Fort St. George, Secretariat, Chennai, Tamil Nadu - 600009.
Email: agrisec@tn.gov.in
10. Secretary, Health & Welfare Department, Namakkal Kavignar Maaligai, Fort St. George, Secretariat, Chennai, Tamil Nadu - 600009.
Email: hfsec@tn.gov.in
11. Secretary, Minority Welfare Deptt.; Email: bcsec@tn.gov.in
12. Secretary, Minorities Welfare Department, Government of Andhra Pradesh, 3rd Block, 1st Floor, Room No. 216, A.P. Secretariat, Velagapudi, Guntur, Andhra Pradesh.
Email: prlsecy_mw@ap.gov.in ; secy.se.edn@gmail.com


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Minutes of the Meeting with Competent Authorities of the States of Haryana, Andhra Pradesh, Telangana, and Tamil Nadu held on 26.05.2025 at 11:30 A.M. under the Chairmanship of Prof. Dr. Shahid Akhter, Hon'ble Member in the Conference Hall of the Commission.

Present:

1. Prof. Dr. Shahid Akhter, Hon'ble Member, NCMEI (National Commission for Minority Educational Institutions)
2. Sh. B.S. Mahanta, Director
3. Shri R.S. Tarar, Under Secretary, NCMEI
4. Smt. Priyanka Kapoor, Section Officer, NCMEI
5. Sri Syed Jalaluddin, Assistant Section Officer, Minorities Welfare Dept., Telangana, Dr. B.R. Ambedkar Secretariat, Hyderabad
6. A. Sekhar, Managing Director, AP State Christian Minorities Finance Corporation, Government of Andhra Pradesh
7. V. Kalaiaarasi, Special Secretary, Backward Classes, Most Backward Classes & Minority Welfare Department, Government of Tamil Nadu
8. Dr. D. Ravichandran, Joint Secretary, Higher Education Department, Government of Tamil Nadu
9. Dr. M. Palanisamy, Director, Directorate of Private Schools, Government of Tamil Nadu
10. Mr. M. Jeevanantham, Deputy Secretary, Law Department, Government of Tamil Nadu
11. Mr. R. Sudhakar, Professor, Tamil Nadu Agricultural University
12. Amit Kumar, HCS, Joint Secretary, Secondary Education Dept., Haryana
13. Salim Hooda, Assistant, Secondary Education Dept., Haryana
14. Dr. Sukhwinder Singh, Joint Director, Higher Education Dept., Haryana

A meeting with the Competent Authorities of the States of Haryana, Andhra Pradesh, Telangana, and Tamil Nadu was held under the Chairmanship of Prof. Dr. Shahid Akhter, Hon'ble Member, NCMEI on 26.05.2025 in the Conference Hall of the Commission. The agenda of the meeting was to discuss the challenges faced by NCMEI and the States in granting MSC/NOC and the rights of Minority Educational Institutions.

1. At the outset, Shri B.S. Mahanta, Deputy Secretary of the Commission, welcomed all the participants.
2. Prof. Dr. Shahid Akhter, Hon'ble Member, NCMEI, after welcoming all participants, apprised them that the Commission is a quasi-judicial body with three functions: Adjudicatory, Recommendatory, and Advisory. He further elaborated on Section 10 of the National Commission for Minority Educational Institutions Act, 2004, and explained the judgment of the Hon'ble Apex Court in the matter of *SISTERS OF ST. JOSEPH OF*

CLUNY vs. THE STATE OF WEST BENGAL & ORS. (Civil Appeal No. 3945/2018, Judgment dated 18.04.2018), which reads as follows:

- "However, Section 10(1), which was introduced at the same time as Section 11(f) by the Amendment Act of 2006, carves out one facet of the aforesaid power contained in Section 11(f), namely the grant of a no objection certificate to a minority educational institution at its inception. Thus, any person who desires to establish a minority educational institution after the Amendment Act of 2006 came into force must apply only to the competent authority for the grant of a no objection certificate for the said purpose. It is a little difficult to subscribe to Shri Hedge's argument that the said powers are concurrent. Harmoniously read, all applications, for the establishment of a minority educational institution after the Amendment Act of 2006 must go only to the competent authority set up under the statute. On the other hand, for the declaration of its status as a minority educational institution at any stage post-establishment, the NCMEI would have the power to decide the question and declare such institution's minority status."
3. He stated that upon receipt of an application for the grant of NOC, the competent authority must act on it. As per Section 10 of the NCMEI Act, 2004, the State must either grant or reject the NOC and communicate its decision to the applicant within 90 days. If the competent authority fails to do so, the NOC shall be deemed to have been granted. He directed the States to ensure timely disposal of NOC applications and to send responses to notices to avoid ex-parte judgments. The States should also encourage institutions to apply for MSC. Additionally, State Governments should issue specific instructions/orders for the timely disposal of NOC applications.
 4. He explained the key criteria for granting NOC:
 - The MEI must be established and administered by a Minority Community.
 - The MoA should reflect the institution's primary objective of serving the Minority Community.
 - The institution must admit a minimum percentage of Minority students during the academic year as per the T.M.A. Pai Judgment.
 5. Hon'ble Member expressed concern that despite previous meetings, the Commission continues to receive applications for MSC based on deemed NOCs and enquired why States are not acting within the mandated 90 days.

Discussions and Action Points:

1. Haryana

- The Hon'ble Member emphasized amending NOC guidelines and removing the endowment fund clause (Government Memo No. 35/9-2012 PS(2) dated 14.08.2015), which contradicts the NCMEI Act, 2004. He also requested clarification on Column No. 13 of the NOC application.
- Haryana representatives stated that a portal is being developed for transparent disposal of NOC applications within a month and the endowment fund issue will be examined.

Commission's Observations:

- Revisit and reframe the endowment fund clause and report compliance within a month.
- Develop and operationalize an online portal for NOC application disposal within a month.
- Decide on NOC applications within 90 days and communicate decisions.

- Conduct workshops to sensitize stakeholders on NCMEI Act provisions.
- Share a list of ongoing cases with the State.

2. Tamil Nadu

- The Hon'ble Member questioned the lack of a mechanism to process NOC applications under Section 10 and noted resistance to Commission's inspections.
- V. Kalaiarasi and Dr. D. Ravichandran stated that MSC cases are reviewed by a designated committee but acknowledged no mechanism for NOC issuance, which will be addressed within a month. They also requested a list of ongoing cases for the grant of MSC pertaining to Tamil Nadu, which was provided to them instantly.

Commission's Observations:

- Develop and operationalize an online portal for NOC application disposal within a month.
- Ensure disposal of NOC applications within 90 days and communicate decisions.
- Conduct workshops/seminars on NCMEI Act provisions.
- Share a list of ongoing cases with the State.

3. Andhra Pradesh

- The Hon'ble Member noted the absence of a mechanism for NOC processing under Section 10 of the NCMEI Act, 2004 and objected to the 70% minority student criterion (G.O. Ms. No. 1, dated 16.01.2004).
- Shri A. Sekhar, Managing Director, AP State Christian Minorities Finance Corporation agreed that no such mechanism exists but assured one will be framed, and the percentage criterion will be reviewed.

Commission's Observations:

- Frame a mechanism and develop an online portal for NOC applications within a month.
- Revise the minority student percentage criterion.
- Ensure disposal of NOC applications within 90 days.
- Conduct awareness programs regarding provisions of NCMEI Act, 2004.
- The Commission shared a list of ongoing case.

4. Telangana

- The Hon'ble Member questioned the absence of an NOC processing mechanism under Section 10 of the NCMEI Act, 2004.
- The Hon'ble Member questioned improper responses to Commission notices and brings to the notice of the representatives for the state of Telangana that petitioner institutions submits proof of delivery of the NOC application before the Commission and directed the State to file proper replies. He also pointed out that the existing system being followed by the State, which prescribes an unreasonable minority percentage threshold and granting of MSCs on a temporary basis, is not in accordance with the law.
- In response, Shri Syed Jalaluddin, the representative of Telangana, communicated that the State has not formulated any guidelines for the grant of NOC and will frame them soon. He further stated that NOC applications are not being received by the Competent Authority and there are no records of receipt in the office. He also requested to inspect the files of ongoing cases from Telangana State.
- The representative from Telangana State furnished an abstract of G.O. Ms. No. 53, M.W. (M&R) Dept., issued by the Government of Telangana dated 18.08.2022, wherein an amendment was made to the percentage criteria, rendering it non-applicable.

- He also requested that the list of ongoing cases along with the tracking report maintained by the Commission be shared with the State in order to ascertain the exact status of receipt of the NOC applications.

Commission's Observations:

- Develop a mechanism and online portal for NOC applications.
- Review and amend the percentage criterion.
- Conduct awareness programs regarding provisions of NCMEI Act, 2004.
- Ensure timely and proper responses to Commission notices.
- Share ongoing case list and tracking report with the State.

5. Other Directions:

- The Hon'ble Member advised the States to, if required, visit and study Kerala's guidelines for the issuance of NOC.
- States were directed to hold workshops/seminars with district officials on the NCMEI Act, Article 30(1), and MSC/NOC challenges.
- Shri R.S. Tarar, Under Secretary, concluded the meeting by encouraging States to seek further guidance from the Commission.

Action Points:

- Frame guidelines and format for receiving NOC/MSI applications.
- Explore online application mechanisms.
- Decide on NOC applications within 90 days.
- Respond promptly to Commission notices.
- Encourage MEIs to obtain MSI from the State.
- Conduct workshops/seminars on minority rights and NCMEI Act.
- Submit action taken reports to the Commission within a month.

The meeting ended with a vote of thanks.