

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

Case No. 102 of 2025

In the matter of :-

**St. Thomas EMHSS, Attappallam, Kumily P.O., Idukki District, Kerala
- 685509**

..... Petitioner

V/s

**Director, Directorate of Minority Welfare, Government of Kerala, 4th
Floor, Vikas Bhavan, Thiruvananthapuram, Kerala – 695 033**

..... Respondent

Present: Mr. Jose Abraham, Advocate for the petitioner
None for the respondent

ORDER

DATED 26.08.2025

Dr. Shahid Akhter, Member, NCMEI

1. This petition has been received on 22.07.2025 by hand through Mr. Jose Abraham, Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to St. Thomas EMHSS, Attappallam, Kumily P.O., Idukki District, Kerala - 685509.
2. Learned counsel for the petitioner filed affidavit of Mr. M.C. Jacob, Secretary of St. Thomas Educational and Charitable Trust and the authorized representative of the applicant institution i.e. St. Thomas EMHSS, Attappallam, Kumily P.O., Idukki District, Kerala – 685509 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 and stating 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.
3. Learned counsel for the petitioner has filed copy of Unique ID No. : KL/2022/0314911 of the petitioner's Trust as given by the Niti Aayog Portal NGO Darpan, copy of NOC application dated 17.01.2024 submitted before the State Competent Authority i.e. Director, Directorate of Minority Welfare, Government of Kerala, notarized copy of Trust Deed dated 19.02.2016 alongwith founding members of the trust, notarized copy of Amended Trust Deed dated 06.05.2023 alongwith present members of the trust, notarized copy of order dated 23.07.2022 issued by Secretary, General Education Department, Kerala granting recognition to the unaided petitioner institution and resolution of the General Body of the Trust in favour of Mr. M.C. Jacob, Secretary of St. Thomas Educational and Charitable Trust and the authorized representative of the applicant institution for obtaining MSC from this Commission.

4. As per the information supplied by the petitioner institution with regard to students strength, it is mentioned that during the academic year 2022-23, out of total 1466 students, 170 students were from the Muslim minority community, 966 students were from the Christian community and 330 students were Hindu, in the academic year 2023-24, out of total 1450 students, 157 students were from the Muslim minority community, 991 students were from the Christian community and 302 students were Hindu and in the academic year 2024-25, out of total 1441 students, 163 students were from the Muslim minority community, 842 students were from the Christian community and 436 students were Hindu. It is relevant to mention here that during the academic year 2022-23, out of the total 44 teachers, 32 teachers were from the Christian minority community and 12 teachers were Hindu. In the academic year 2023-24, out of the total 45 teachers, 33 teachers were from the Christian minority community and 12 teachers were Hindu and in the academic year 2024-25, out of the total 55 teachers, 42 teachers were from the Christian minority community and 13 teachers were Hindu.
5. It is stated in the petition that on dated 17.01.2024, the petitioner institution has applied to the State Competent Authority for grant of NOC before the Competent Authority i.e. Director, Directorate of Minority Welfare, Government of Kerala and the Competent authority vide order No. MWD/133/2024-MSC dated 06.01.2025 has granted No Objection Certificate to the petitioner institution.
6. Heard the Learned Counsel for the petitioner, perused the pleading of the petition, the documents filed by the petitioner and affidavit of Mr. M.C. Jacob, Secretary of St. Thomas Educational and Charitable Trust and the authorized representative of the applicant institution for obtaining MSC from this Commission. In fact and circumstances of the case, there appears no need to give notice of this petition as respondent has granted NOC in favour of the petitioner institution.
7. 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 St. Thomas Educational and Charitable Trust 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 Mr. M.C. Jacob, Secretary of St. Thomas Educational and Charitable Trust and authorized representative of petitioner institution.
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 this 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 Kerala as per the census of 2011 is 18.38%.

9. I have perused the Amended Trust Deed of St. Thomas Educational and Charitable Trust which was registered before Sub Registrar, Peermade, on dated 06.05.2023, which is before the filing of NOC application U/s 10 of the NCMEI Act, 2004 dated 17.01.2024 and petition for grant of MSC on dated 22.07.2025, So it is clear that the amendment has been done before filing the petition for grant of MSC before this Commission.
10. The Amended Trust Deed 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.
11. Relying on the said un rebutted evidence produced on behalf of the petitioner, we find and hold that St. Thomas EMHSS, Attappallam, Kumily P.O., Idukki District, Kerala – 685509 run by St. Thomas Educational and Charitable Trust 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.
12. Consequently, St. Thomas EMHSS, Attappallam, Kumily P.O., Idukki District, Kerala - 685509, is declared as 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.
13. A minority status certificate be issued accordingly.
14. However, it is made clear that if state Government has any objection in granting MSC in favour of the petitioner institution i.e. St. Thomas EMHSS, Attappallam, Kumily P.O., Idukki District, Kerala - 685509, the State is free to file an application for cancellation of MSC under Section 12C of the NCMEI Act, 2004.
15. In view of the above, the present petition is disposed of in accordance with this order.

Signed, pronounced and published on **Tuesday, 26th of August 2025.**

DR. SHAHID AKHTER
MEMBER