

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

Case No. 151 of 2021

In the matter of :-

**St. Pauls College, E-1, St. Pauls Campus, Nelagadharanahalli,
Nagasandra P.O., Bangalore, Karnataka – 560 073**

..... Petitioner

V/s

**Additional Chief Secretary, Education Department (Higher
Education), Government of Karnataka, Sixth Floor, Multi – Storeyed
Building, Bengaluru, Karnataka – 560 001**

..... 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 05.07.2021 by hand through Mr. Jose Abraham, Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to St. Pauls College, E-1, St. Pauls Campus, Nelagadharanahalli, Nagasandra P.O., Bangalore, Karnataka – 560 073.
2. Learned counsel for the petitioner filed an affidavit of Mr. Varghese Ouseph Gnalian, President of The Society of St. Paul 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. : MH/2017/0173777 of the petitioner's Trust as given by the Niti Aayog Portal NGO Darpan, photocopy of application dated 12.02.2021 by Post to the State Competent Authority alongwith postal receipt and its tracking report, notarized copy of Certificate of Registration of The Society of St. Paul, notarized copy of Memorandum of Association and Rules & Regulation alongwith list of founding members of the Society, notarized copy of Amended Memorandum of Association and Amended Rules & Regulation alongwith list of present members of the Society, notarized copy of order dated 05.11.2024 issued by the Registrar, Bangalore University granting affiliation to the unaided petitioner institution and resolution of the General Body of the Society in favour of Mr. Varghese Ouseph Gnalian, President of The Society of St. Paul for obtaining MSC from this Commission.
4. As per the information supplied by the petitioner unaided institution with regard to students strength as on 01.07.2021, it is mentioned that out of total 310 students, 10 students were from the Muslim minority community, 62 students were from the Christian minority community, 01 student was from Jain minority community and 237 students were Hindu. It is relevant to mention here that as on 01.07.2021, out of the total 19 teachers, 07 teachers were from the Christian minority community and 12 teachers were Hindu.

5. It is stated in the petition that on dated 12.02.2021, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 15.02.2021 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. After service of registered notice dated 22.09.2022, 27.01.2023, 08.08.2023, no reply/ response 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 27.10.2022. After service of letter / email to the physical inspection committee dated 07.12.2022, 16.03.2023, 15.05.2023, 08.08.2023, 26.10.2023, 26.12.2023, 05.08.2024 and 01.01.2025, Physical Inspection Committee, District Commissioner, Bangalore has sent physical inspection report dated 08.02.2024 which was received in the Commission's Office on dated 14.02.2024 wherein they have not given any remarks to grant minority status certificate to the petitioner institution. As per census report of 2011 percentage of Christian minority community in the state of Karnataka is 1.87%. it is mentioned in the details supplied by the physical inspection report that in the year 2023-24, out of the total 153 students, 32 students were from the Christian minority community which is 20.91% the total student which is more than the state census of 2011 i.e. 1.87%.
7. Heard the learned counsel for the petitioner, perused the pleading of the petitioner, the documents filed by the petitioner and affidavit of Mr. Varghese Ouseph Gnalian, President of The Society of St. Paul.
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 Karnataka as per the census of 2011 is 1.87%.
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 The Society of St. Paul 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 Mr. Varghese Ouseph Gnalian, President of The Society of St. Paul.
10. I have perused the Amended Memorandum of Association the petitioner institution which was registered before the Joint Charity Commissioner, Greater Mumbai on dated 28.02.2020 which is before the filing of NOC applications U/s 10 of the NCMEI Act, 2004 dated 12.02.2021 and petition for grant of MSC on dated 05.07.2021. 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 28.02.2020 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 St. Pauls College, E-1, St. Pauls Campus, Nelagadharanahalli, Nagasandra P.O., Bangalore, Karnataka – 560 073 run by The Society of St. Paul 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, St. Pauls College, E-1, St. Pauls Campus, Nelagadharanahalli, Nagasandra P.O., Bangalore, Karnataka – 560 073, 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. 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, 26th Day of August, 2025.**

**DR. SHAHID AKHTER
MEMBER**

DSS