

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

Case No. 32 of 2024

In the matter of :-

St. Thomas School, Godda P.O., Godda Dist., Jharkhand – 814 133.
..... **Petitioner**
V/s
Director, Primary Education, Department of School Education & Literacy, District – Ranchi, Jharkhand
..... **Respondent**

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

ORDER **DATED 04.11.2025**

Dr. Shahid Akhter, Member, NCMEI

1. This petition has been received on 16.01.2024 by hand through Mr. Jose Abraham, Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to St. Thomas School, Godda P.O., Godda Dist., Jharkhand – 814 133.
2. Learned counsel for the petitioner filed an affidavit of Rt. Rev. Kurien Valiakandathil, President of Godda Parish 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 and stating therein 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 notarized copy of Unique ID No. : JH/2017/0161008 of the petitioner's Society as given by the Niti Aayog Portal NGO Darpan, photocopy of application dated 05.08.2023 sent by post to the State Competent Authority along with postal receipt and its tracking report, notarized copy of Certificate of Registration of Godda Parish Society, notarized copy of Memorandum of Association along with list of founding members, notarized copy of Rules & Regulations of the society, notarized copy of Amended Memorandum of Association along with list of present members of the Society, notarized copy of order dated 03.05.2002 issued by the Chief Executive and Secretary, CISCE granting affiliation to the unaided petitioner institution and original resolution of the General Body of the Society in favour of Rt. Rev. Kurien Valiakandathil, President of Godda Parish Society for obtaining MSC from this Commission.
4. As per the information supplied by the petitioner unaided institution with regard to students strength as on Academic Year 2020-21, it is mentioned that out of total 529 students, 03 students were from the Muslim minority community, 30 students were from the Christian minority community and 501 students were Hindu. In the year 2021-22, it is mentioned that out of total 424 students, 02 students were from the Muslim minority community, 23 students were from the Christian minority community and 401 students were Hindu. In the year 2022-23, it is mentioned that out of total 495 students, 02 students were from the Muslim

minority community, 28 students were from the Christian minority community and 465 students were Hindu. It is relevant to mention here that during the academic year 2020-21, out of the total 14 teachers, 02 teachers were from the Muslim minority community, 06 teachers were from the Christian minority community and 06 teachers were Hindu. In the academic year 2021-22, out of the total 11 teachers, 02 teachers were from the Muslim minority community, 05 teachers were from the Christian minority community and 04 teachers were Hindu and in the academic year 2022-23, out of the total 13 teachers, 01 teacher was from the Muslim minority community, 06 teachers were from the Christian minority community and 06 teachers were Hindu.

5. It is stated in the petition that on dated 05.08.2023, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 14.08.2023 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 / email dated 06.03.2024, no reply/ response has 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 02.04.2024. After service of letter/emails to the physical inspection committee dated 07.05.2024 and reminders dated 16.08.2024, 10.10.2024, 17.12.2024, and 04.03.2025, Deputy Commissioner – cum – District Magistrate, Godda, vide letter dated 24.04.2025 has sent physical inspection report which was received in the Commission's Office on dated 30.04.2025 wherein they are not given adverse remarks. As per census report of 2011 percentage of Christian minority community in the state of Jharkhand is 4.30%. It is mentioned in the physical inspection report that in the year 2025-26, out of the total 2401 students, 211 students were from the Christian minority community, which is 8.78% the total student which is more than the state census of 2011 i.e. 4.30%.
7. Heard the Learned Counsel for the petitioner, perused the pleading of the petition, the documents filed by the petitioner and affidavit Rt. Rev. Kurien Valiakandathil, President of Godda Parish 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 Jharkhand as per the census of 2011 is 4.30%.
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 Godda Parish 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 Rt. Rev. Kurien Valiakandathil, President of Godda Parish Society.

10. I have perused the Amended Memorandum of Association of the petitioner institution which was registered before the Inspector General of Registration, Jharkhand, on dated 06.03.2019 which is before the filing of NOC applications U/s 10 of the NCMEI Act, 2004 dated 05.08.2023 and petition for grant of MSC on dated 16.01.2024. 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 06.03.2019 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. Thomas School, Godda P.O., Godda Dist., Jharkhand – 814 133 run by Godda Parish 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, St. Thomas School, Godda P.O., Godda Dist., Jharkhand – 814 133 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”.
14. 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, 04th Day of November, 2025.**

**DR. SHAHID AKHTER
MEMBER**

DSS