

**GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR MINORITY
EDUCATIONAL INSTITUTIONS**

CASE NO. 355 OF 2023

In the matter of:

Hidayah Islamic School, Plot No. 91, P.T. Colony, Suncity, R.R. Dist., Bandlaguda (V), Gandipet (M), Rangareddy District, Telangana – 500 086.

... Petitioner

Versus

Secretary, Minorities Welfare Department, “D” Block, Ground Floor, Telangana Secretariat, Hyderabad – 500 022.

... Respondent

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

ORDER

Date: 11.11.2025

Dr. Shahid Akhter, Member, NCMEI

1. This petition has been received on 07.12.2023 by hand through Mr. Junais P., Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to Hidayah Islamic School, Plot No. 91, P.T. Colony, Suncity, R.R. Dist., Bandlaguda (V), Gandipet (M), Rangareddy District, Telangana – 500 086.

2. Learned counsel for the petitioner filed an affidavit of Mohammed Riyazuddin, General Secretary of Islamic Research And Welfare Foundation and authorized representative of petitioner institution in support of the averments made in the petition and also to prove that the beneficiaries of the petitioner institution are members of the Muslim minority community. He has also filed affidavit stating therein that the petitioner institution shall not deny admission of eligible candidate of the Muslim 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 a notarized copy of Unique ID No.: TS/2021/0276013 of the petitioner's Society as given by the Niti Aayog Portal NGO Darpan, copy of the application dated 22.10.2022 by post to the State Competent Authority along with postal receipt and its tracking report, notarized copy of Certificate of Registration of Islamic Research And Welfare Foundation, notarized copy of Memorandum of Association and Rules & Regulations along with list of founding members of the Society, notarized copy of Amended Memorandum of Association dated 23.05.2022 along with list of present members of the Society, notarized copy of order dated 12.05.2022 issued by the Regional Joint Director of School Education, Hyderabad granting affiliation to the unaided petitioner institution and original resolution of the General Body of the Society in favour of Mohammed Riyazuddin, General Secretary of Islamic Research And Welfare Foundation for obtaining MSC from this Commission.

4. As per the information supplied by the petitioner unaided institution with regard to students' strength, it is mentioned that during the academic year 2020-21, out of the total 350 students, all students were from the Muslim minority community. During the academic year 2021-22, out of the total 390 students, all students were from the Muslim minority community and during the academic year 2022-23, out of the total 400 students, all students were from the Muslim minority community. It is relevant to mention here that during the academic year 2020-21, out of 22 teachers, 20 teachers were from the Muslim Minority community and 02 teachers were Hindu. During the academic year 2021-22, out of 24 teachers, 23 teachers were from the Muslim Minority community and 01 teacher was Hindu and during the academic year 2022-23, out of 25 teachers, 23 teachers were from the Muslim Minority community and 02 teachers were Hindu.

5. It is stated in the petition that on dated 22.10.2022, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 26.10.2022 and the same 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 application 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 12.01.2024, Secretary, Minority Welfare Department, Hyderabad along with Abstract has sent letter dated 02.02.2024 which was received before the Commission's office on dated 06.02.2024 which was taken on record. 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 28.03.2024. After service of letter/emails to the physical inspection committee dated 07.05.2024 and reminders dated 14.08.2024, 27.05.2025, 18.07.2025 and 19.08.2025, Physical Inspection Committee, has sent letter dated Aug 24, which was received by post in the Commission's Office on dated 10.09.2024 which was duly signed by members of the physical Inspection Committee stating therein petitioner school has not applied to the government of Telangana till today for grant of Minority Status Certificate and they did not get No Objection Certificate from the concerned department. Learned counsel for the petitioner has filed clarification affidavit. Thereafter, the same was sent to the physical Inspection Committee for filing their response. The Committee has failed to file their response. Hence, the case was proceeded ex-parte against them. As per census report of 2011 percentage of Muslim minority community in the state of Telangana is 12.69%. As per information supplied by petitioner institution that in the year 2022-23, out of the total 400 students, all students were from the Muslim minority community, which is 100%, which is more than the state census of 2011 i.e. 12.69%.

7. Heard learned counsel for the petitioner, perused the pleadings, the documents filed by the petitioner and affidavit of Mohammed Riyazuddin, General Secretary of Islamic Research And Welfare Foundation and authorized representative of petitioner institution.

8. 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 Muslim minority community and is being administered by Islamic Research And Welfare Foundation which is managed and run by the members of the Muslim 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 Mohammed Riyazuddin, General Secretary

of Islamic ResearchAnd Welfare Foundationand authorized representative of petitioner institution.

9. 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 06.07.2010) 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 minoritycommunity 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 Muslimminority community in the State of Telangana as per the census of 2011 is 12.69%.

10. I have perused the Amended Memorandum of Associationof the petitioner institution, which was registered before the Registrar of Societies, Hyderabad on dated 23.05.2022 which is before the filing of NOC application U/s 10 of the NCMEI Act, 2004 dated 22.10.2022 and petition for grant of MSC on dated 07.12.2023. Soit 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 Associationdated 23.05.2022 of the said Society and all the documents produced by the petitioner institution clearly reflect that the beneficiaries of the petitioner institution are primarily the members of the Muslimminority community. In addition, the said fact 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 before this Commission.

12. Relying on the said unrebutted evidence produced on behalf of the petitioner, we find and hold that Hidayah Islamic School, Plot No. 91, P.T. Colony, Suncity, R.R. Dist., Bandlaguda (V), Gandipet (M), Rangareddy District, Telangana – 500 086run by Islamic ResearchAnd Welfare Foundationis 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 Muslimminority community.

13. Consequently, Hidayah Islamic School, Plot No. 91, P.T. Colony, Suncity, R.R. Dist., Bandlaguda (V), Gandipet (M), Rangareddy District, Telangana – 500 086is declared as 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, 11th day ofNovember, 2025.**

DR. SHAHID AKHTER
MEMBER

DSS