

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

Case No. 48 of 2025

In the matter of :-

Pathways World School, Gurgaon, Aravali Retreat, Off. Gurgaon-Sohna Road, Gurugram, Haryana- 122102.

..... **Petitioner**

V/s

Secretary, School Education Department, Room No. 37, 7th Floor, Haryana Civil Secretariat, Sector - 1, Chandigarh.

..... **Respondent**

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

ORDER

DATED: 09.10.2025

Dr. Shahid Akhter, Member, NCMEI

1. This petition has been received on 07.03.2025 by hand through Mr. Junais P., Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to Pathways World School, Gurgaon, Aravali Retreat, Off. Gurgaon-Sohna Road, Gurugram, Haryana- 122102.
2. Learned counsel for the petitioner has filed original governing board resolution and notarized copy of the recognition dated 20.8.2025 issued by the Director, Directorate of Secondary Education, Haryana, Panchkula granting recognition to the petitioner institution by hand before the Commission's office on 22.8.2025, which are taken on record.
3. Learned counsel for the petitioner filed an affidavit of Mr. Prabhat Jain, Director of Sarla Holdings Private Limited in support of the averments made in the petition and also to prove that the beneficiaries of the petitioner institution are members of the Jain minority community. He has also filed affidavit of Mr. Prabhat Jain, Director of 'RPJ Holdings Private Limited' in support of the averments made in the petition and also mentioning that the petitioner institution shall not deny admission to any eligible students from the Jain minority community subject to the eligibility of the students and availability of accommodation.

4. Learned counsel for the petitioner has filed photocopy of application dated 26.09.2024 sent to the State Competent Authority for grant of No Objection Certificate alongwith postal receipt and its tracking report, certified copy of Certificate of Incorporation of Sarla Holdings Private Limited dated 25.07.2001 as a registered company under Companies Act, 1956 (No. 1 of 1956) issued by Registrar of Companies, NCT of Delhi & Haryana, certified copy of Memorandum of Association and Article of Association alongwith list of founding directors of company, certified copy of Amended Memorandum of Association and Article of Association alongwith list of present director of company, notarized copy of recognition order dated 21.12.2005 issued by Commissioner cum Director General, School Education, Haryana granting permanent recognition to the petitioner institution, notarized copy of order dated 20.8.2025 issued by Director, Directorate of Secondary Education, Haryana granting recognition to the petitioner institution, notarized copy of Certificate of incorporation of 'RPJ Holdings Private Limited' as a registered company under Companies Act, 2013 (No. 18 of 2013) issued by Registrar of Companies, Ministry of Corporate Affairs, copy of order dated 8.4.2025 and order in CP (CAA) No. 15/Chd/Hry/2024 passed by Designated Registrar, National Company Law Tribunal, Chandigarh regarding demerger of 'Sarla Holdings Private Limited' with 'RPJ Holdings Private Limited', Memorandum of Association of 'RPJ Holdings Private Limited' and resolution of the General Body of the registered company in favour of Mr. Prabhat Jain, Director of 'RPJ Holdings Private Limited' for obtaining MSC from this Commission.

5. As per the information supplied by the petitioner unaided institution with regard to students strength as on Academic Year 2022-23, it is mentioned that out of total 783 students, 14 students were from the Muslim minority community, 18 students were from the Christian minority community, 09 students were from the Sikh minority community, 48 students were from the Jain minority community, 08 students were from the Buddhist minority community and 686 students were Hindu. In the Academic Year 2023-24, it is mentioned that out of total 821 students, 25 students were from the Muslim minority community, 20 students were from the Christian minority community, 21 students were from the Sikh minority community, 50 students were from the Jain minority community,

08 students were from the Buddhist minority community and 697 students were Hindu and in the academic year 2024-25, it is mentioned that out of total 778 students, 23 students were from the Muslim minority community, 24 students were from the Christian minority community, 18 students were from the Sikh minority community, 54 students were from the Jain minority community, 05 students were from the Buddhist minority community and 654 student were Hindu. It is relevant to mention here that during the academic year 2022-23, out of the total 229 teachers, 04 teachers was from the Muslim minority community, 23 teachers were from the Christian minority community, 06 teachers were from the Sikh minority community, 07 teachers were from the Jain minority community and 189 teachers were Hindu. In the academic year 2023-24, out of the total 209 teachers, 04 teachers were from the Muslim minority community, 24 teachers were from the Christian minority community, 04 teachers were from the Sikh minority community, 07 teachers were from the Jain minority community and 170 teachers were Hindu and in the academic year 2024-25, out of the total 199 teachers, 04 teachers was from the Muslim minority community, 25 teachers were from the Christian minority community, 05 teachers were from the Sikh minority community, 05 teachers were from the Jain minority community and 160 teachers were Hindu.

6. It is stated in the petition that on dated 26.9.2024, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 22.10.2024 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.

7. After service of registered notice/ email dated 24.03.2025, Superintendent PS, Directorate of Secondary Education, Haryana vide letter dated 19.5.2025 has filed reply on behalf of the respondent, which

was received before the Commission's office on 21.5.2025. 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 23.4.2025. After service of letters/emails to the physical inspection committee dated 24.04.2025 and 9.6.2025, physical inspection report was received by hand before the Commission's office on 20.8.2025.

8. Learned counsel for the petitioner has filed application under Order VI Rule 17 of CPC read with Section 12(2) of the NCMEI Act, 2004 seeking permission to amend the original application for minority status certificate before the Commission's office on 7.8.2025 on the ground that the company namely 'Sarla Holdings Private Limited' has been demerged in 'RPJ Holdings Private Limited' and the petitioner institution is being run by the latter. He has also filed copy of document of the said demerger before the Court of the Commission, which are already on record.

9. Notices dated 9.6.2025 and 12.9.2025 on the said application were sent to the respondent.

10. Heard the Learned Counsel for the petitioner, perused the pleading of the petition, the documents filed by the petitioner and affidavit of Mr. Prabhat Jain, Director of 'RPJ Holdings Private Limited'.

11. 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 Jain minority community in the State of Haryana as per the census of 2011 is 0.21%.

12. The petitioner institution has applied for grant of minority status certificate on the ground that the same has been established by Sarla Holdings Private Limited primarily for the benefit of the members of the Jain minority community and is being administered by 'RPJ Holdings Private Limited' which is managed and run by the members of the Jain 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. Prabhat Jain, Director of 'RPJ Holdings Private Limited'.

13. I have perused the Amended Memorandum of Association and Article of Association of the petitioner company which was registered before the Dy. Asst. Registrar of Companies, NCT of Delhi on dated 06.09.2024 which is before the filing of NOC applications U/s 10 of the NCMEI Act, 2004 dated 26.09.2024 and petition for grant of MSC on dated 07.03.2025. 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.

14. The Amended Memorandum of Association and Article of Association dated 06.09.2024 and all the documents produced by the petitioner institution clearly reflect that the beneficiaries of the petitioner institution are primarily the members of the Jain minority community. In addition, the said facts also stand 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.

15. Relying on the said un rebutted evidence produced on behalf of the petitioner, we find and hold that Pathways World School, Gurgaon, Aravali Retreat, Off. Gurgaon-Sohna Road, Gurugram, Haryana- 122102 run by RPJ Holdings Private Limited 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 Jain minority community.

16. Consequently, Pathways World School, Gurgaon, Aravali Retreat, Off. Gurgaon-Sohna Road, Gurugram, Haryana- 122102 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.

17. A minority status certificate be issued accordingly.

18. In view of the above, the present petition is disposed of in accordance with this order.

Signed, pronounced and published on **Thursday, 9th Day of October, 2025.**

DR. SHAHID AKHTER
MEMBER

MD