

**F. No. 5-4/2023-NCMEI**  
Government of Bharat  
National Commission for Minority Educational Institutions

Gate No.4, 1<sup>st</sup> Floor, Jeevan Tara Building,  
Parliament Street, New Delhi-01.

**Minutes of the Meeting with the State Competent Authorities of Haryana, held on 12th January, 2026 at 11:30 a.m. under the Chairmanship of Dr. Shahid Akhter, Hon'ble Member, NCMEI**

**Present (NCMEI):**

1. Dr. Shahid Akhter, Hon'ble Member – *(In Chair)*
2. Shri R. S. Tarar, Under Secretary
3. Smt. Priyanka Kapoor, Section Officer

**State Attendees (Haryana):**

1. Shri Jitender Kumar, Director, Secondary Education Department
2. Dr. Sukhwinder Singh, Joint Director, Higher Education Department
3. Shri Vijay Singh, Joint Director, Medical and Research Education Department
4. Dr. Veena Singh, Deputy Director, School Education Department, Shiksha Sadan
5. Shri Anil Kumar, Additional Director, Technical Education Department
6. Shri Salim Hooda, Assistant Director (ADA), School Education Department
7. Ms. Geeta, Superintendent, School Education Department
8. Shri Dharam Pal, Principal, Department of Technical Education, Haryana, Government Polytechnic, Gurugram

A meeting with the Competent Authorities of the State of Haryana was held under the Chairmanship of **Prof. Dr. Shahid Akhter, Hon'ble Member, NCMEI**, on **12.01.2026 at 11:30 a.m.** in the Conference Hall of the Commission. The agenda of the meeting was to discuss the challenges faced by the Commission and the State in granting **Minority Status Certificates (MSC)/No Objection Certificates (NOC)**, the rights of Minority Educational Institutions (MEIs), and the **Endowment Fund clause** in the guidelines for institutions seeking NOC for grant of Minority Status Certificate.

1. At the outset, **Shri R. S. Tarar, Under Secretary**, welcomed all the participants.
2. **Prof. Dr. Shahid Akhter, Hon'ble Member, NCMEI**, after welcoming the participants, apprised them that the Commission is a **quasi-judicial body** with three functions, namely **adjudicatory, recommendatory, and advisory**.

He elaborated on **Section 10 of the National Commission for Minority Educational Institutions Act, 2004**, and explained the judgment of the Hon'ble Supreme Court in *Sisters of St. Joseph of Cluny vs. The State of West Bengal & Ors.* (Civil Appeal No. 3945/2018, judgment dated 18.04.2018), which reads as follows:

“However, Section 10(1), which was introduced at the same time as Section 11(f) by the Amendment Act of 2006, carves out one facet of the aforesaid power contained in Section 11(f), namely, the grant of a No Objection Certificate to a minority educational institution at its inception. Thus, any person who desires to establish a minority educational institution after the Amendment Act, 2006 came into force must apply only to the Competent Authority for the grant of a No Objection Certificate for the said purpose. Hence, the States have been directed to appoint a Competent Authority under Section 10 of the NCMEI Act, 2004.”

3. The Hon'ble Member stated that upon receipt of an application for grant of NOC, the Competent Authority must act upon it. As per **Section 10 of the NCMEI Act, 2004**, the State must either grant or reject the NOC and communicate its decision to the applicant within **90 days**. In case of failure, the NOC shall be deemed to have been granted. He directed the State to ensure timely disposal of NOC applications and to respond to notices to avoid ex-parte judgments. He further advised that State Governments should issue specific instructions/orders for timely disposal of such applications. In response, the Director, Secondary Education, informed that a portal has been developed for receipt of NOC applications.
4. The Hon'ble Member explained the key criteria for granting NOC as under:
  - The MEI must be established and administered by a minority community.
  - The Memorandum of Association (MoA) should reflect the primary objective of serving the concerned minority community.
  - The institution must admit a minimum percentage of students of the concerned minority community during the academic year, as per the *T.M.A. Pai* judgment.
5. The Hon'ble Member expressed concern that despite previous meetings, the Commission continues to receive applications for MSC based on deemed NOCs, and enquired as to why the States are not acting within the mandated 90 days.

### **Agenda-wise Deliberations and Action Points:**

1. Deliberations were held on the **Endowment Fund clause** in the State guidelines, and the State was requested to revisit the provision of seeking such a fund in consonance with the guidelines followed by other States.
2. The Haryana representatives stated that a portal is being developed for transparent disposal of NOC applications and that the issue of the Endowment Fund would be examined. For this purpose, they sought copies of guidelines followed by other States.

### **Commission's Observations:**

With respect to the query raised regarding the criteria for determining the percentage of minority students in institutions, the State representatives were requested to refer to the Commission's judgment dated **23.11.2021 in Case No. 217 of 2019**, wherein it has been clearly stated that:

*"The State Government can prescribe the percentage of the minority community to be admitted in a minority educational institution, taking into account the population and educational needs of the area in which the institution is located. There cannot be a common rule, regulation, or order fixing a uniform ceiling in the matter of admission of students in minority educational institutions for the entire State and for all types of institutions, from primary to college level. Thus, a balance has to be maintained between preserving the right of minorities to admit students of their own community and admitting a 'sprinkling of outsiders', subject to the condition that such admissions do not violate the minority character of the institution. Section 12C(b) of the Act also empowers the State Government to prescribe the percentage governing admissions in minority educational institutions, in accordance with the principles laid down by the Hon'ble Supreme Court in T.M.A. Pai Foundation and P.A. Inamdar cases."*

### **Action Points:**

- Revisit and reframe the Endowment Fund clause and report compliance to the Commission.
- Develop and operationalize an online portal for disposal of NOC applications.
- Decide NOC applications within 90 days and communicate decisions to applicants.
- Conduct workshops to sensitize stakeholders on provisions of the NCMEI Act.
- Share a list of ongoing cases with the State.
- Share data of minority institutions granted MSC by the State.

The meeting ended with a **vote of thanks to the Chair**.

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