

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

Case No. 333 of 2023

In the matter of :-

**Delhi Marthoma Public School, A Block, Karpooripuram, Near
Govindpuram, Ghaziabad Dist., U.P. – 201 013.**

..... **Petitioner**

V/s

**Additional Chief Secretary, Government of Secondary Education,
Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P. –
226 001**

..... **Respondent**

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

ORDER

DATED 18.02.2026

Dr. Shahid Akhter, Member, NCMEI

1. This petition has been received on 17.11.2023 by hand through Mr. Jose Abraham, Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to Delhi Marthoma Public School, A Block, Karpooripuram, Near Govindpuram, Ghaziabad Dist., Uttar Pradesh – 201013.
2. Learned counsel for the petitioner filed an affidavit of Rev. Toms Ninan, Secretary of The Northern India Zonal Assembly of the Mar Thoma Church 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. : DL/2017/0163975 of the petitioner's Society as given by the Niti Aayog Portal NGO Darpan, copy of application dated 27.05.2023 sent to the State Competent Authority alongwith postal receipt and its tracking report, notarized copies of Certificate of Registration of The Northern India Zonal Assembly of the Mar Thoma Church and Memorandum of Association, Rules and Regulations alongwith list of founding members of the Society and Amended Memorandum of Association dated 11.07.2022 alongwith list of present members of the Society, notarized copy of order dated 24.05.2022 issued by Deputy Secretary/Joint Secretary(AFF.), CBSE granting affiliation for the period 01.04.2022 to 31.03.2027 for Senior Secondary Level to the unaided petitioner institution and original resolution of the General Body of the Society in favour of Rev. Toms Ninan, Secretary of The Northern India Zonal Assembly of the Mar Thoma Church in support 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 910 students, 10 students were from the Muslim minority community, 10 students were from the Christian minority community, 04 students were from the Sikh minority community, 03 students were from the Jain minority community and 883 students were Hindu, In the year 2021-22, it is mentioned that out of total 1047 students, 13 students were from the Muslim minority community, 11 students were from the Christian minority community, 05 students were from the Sikh minority

community, 04 students were from the Jain minority community and 1014 students were Hindu and in the year 2022-23, it is mentioned that out of total 1230 students, 15 students were from the Muslim minority community, 13 students were from the Christian minority community, 05 students were from the Sikh minority community, 04 students were from the Jain minority community and 1193 students were Hindu. It is relevant to mention here that during the academic year 2020-21, out of the total 30 teachers, 02 teachers were from the Christian minority community and 28 teachers were Hindu. In the academic year 2021-22, out of the total 42 teachers, 02 teachers were from the Christian minority community, 01 teacher was from the Sikh minority community and 39 teachers were Hindu and in the academic year 2022-23, out of the total 47 teachers, 05 teachers were from the Christian minority community, 01 teacher was from the Sikh minority community and 41 teachers were Hindu.

5. It is stated in the petition that on dated 27.05.2023, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 31.05.2023 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 12.01.2024, no reply /response has been 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 18.07.2024. After service of letter/emails to the physical inspection committee dated 12.04.2024 and reminders dated 08.08.2024, 27.09.2024, 21.02.2025, 06.05.2025, 08.08.2025 and 24.09.2025, Physical Inspection Committee, vide letter dated 08.10.2025, has sent Physical Inspection Report which was received by post in the Commission's Office on dated 13.10.2025 which was duly digitally signed by all the members of the physical Inspection Committee wherein they have recommended to grant minority status certificate to the petitioner institution.
7. Heard the Learned Counsel for the petitioner, perused the pleading of the petition, the documents filed by the petitioner and affidavit of Rev. Toms Ninan, Secretary of The Northern India Zonal Assembly of the Mar Thoma Church.
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 Uttar Pradesh as per the census of 2011 is 0.18%.
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 Northern India Zonal Assembly of the Mar Thoma Church 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 Rev. Toms Ninan, Secretary of The Northern India Zonal Assembly of the Mar Thoma Church.
10. I have perused the Amended Memorandum of Association of the petitioner institution which was registered before the Registrar of Society, SDM(HQ), District New Delhi on dated 11.07.2022 which is before the filing of NOC applications U/s 10 of the NCMEI Act, 2004 dated 27.05.2023 and petition for grant of MSC on dated

17.11.2023. 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 on dated 11.07.2022 of the petitioner Society 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 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.
12. Relying on the said un rebutted evidence produced on behalf of the petitioner, we find and hold that Delhi Marthoma Public School, A Block, Karpooripuram, Near Govindpuram, Ghaziabad Dist., Uttar Pradesh – 201 013 run by The Northern India Zonal Assembly of the Mar Thoma Church 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, Delhi Marthoma Public School, A Block, Karpooripuram, Near Govindpuram, Ghaziabad Dist., Uttar Pradesh – 201 013 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 **Wednesday, 18th Day of February, 2026.**

**DR. SHAHID AKHTER
MEMBER**

DSS