

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

**Case No. 108 of 2025**

**In the matter of :-**

**Dashmesh Public School, Shalimar Garden, Shahibabad, Ghaziabad,  
Uttar Pradesh - 201005**

..... **Petitioner**

**V/s**

**Additional Chief Secretary/Principal Secretary/Secretary, Basic  
Education Department, Government of Uttar Pradesh, Vidya Bhawan,  
Nishatganj, Lucknow, Uttar Pradesh- 226 007**

..... **Respondent**

Present: Ms. Vinay Pandey, for the petitioner  
None for the respondent

**ORDER**

**DATED 11.03.2026**

**Dr. Shahid Akhter, Member, NCMEI**

1. This petition has been received on 18.08.2025 by hand through of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to Dashmesh Public School, Shalimar Garden, Shahibabad, Ghaziabad, Uttar Pradesh - 201005.
2. Learned counsel for the petitioner filed an affidavit of Mr. Balbir Singh, Chairman of Dashmesh Education 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 Sikh minority.
3. Learned counsel for the petitioner has filed a copy of Unique ID No. : DL/2017/0157627 of the petitioner's Society as given by the Niti Aayog Portal NGO Darpan, copy of application dated 02.05.2025 sent to the State Competent Authority alongwith postal receipt and its tracking report, notarized copies of Certificate of Registration of Dashmesh Education Society, Memorandum of Association and Rules & Regulations alongwith list of founding members of the Society and Amended Memorandum of Association dated 04.04.2012 alongwith list of present members of the Society, notarized copy of recognition order dated 01.12.2023 issued by the District Basic Education Officer, Ghaziabad granting affiliation to the unaided petitioner institution and original resolution of the General Body of the Society in favour of Mr. Balbir Singh, Chairman of Dashmesh Education 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 2025-26, it is mentioned that out of total 808 students, 29 students were from the Muslim minority community, 03 students were from the Christian minority community, 448 students were from the Sikh minority community, 01 student was from the Buddhist minority community and 327 students were Hindu. It is relevant to mention here that during the academic year 2025-26, out of the total 53 teachers, 01 teacher was from the Muslim minority community, 01 teacher was from the Christian minority community, 17 teachers were from the Sikh minority community, 01 teacher was from the Jain minority community and 33 teachers were Hindu.
5. It is stated in the petition that on dated 02.05.2025, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 08.05.2025 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 19.09.2025, 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 12.11.2025, After service of letter/emails to the physical inspection committee dated 17.11.2025, Physical Inspection Committee, vide letter dated 22.01.2026 has sent Physical Inspection Report which was received by post in the Commission's Office on dated 02.02.2026 which is 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 parties, the documents filed by the petitioner and affidavit of Mr. Balbir Singh, Chairman of Dashmesh Education Society.
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 Sikh minority community and is being administered by Society of Dashmesh Education Society which is managed and run by the members of the Sikh 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. Balbir Singh, Chairman of Dashmesh Education Society.
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 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 Sikh minority community in the State of Uttar Pradesh as per the census of 2011 is 0.32%.
10. I have perused the Amended Memorandum of Association of the petitioner Society which was registered before the Registrar of Societies, GNCT of Delhi on dated 04.04.2012 which is before the filing of NOC applications U/s 10 of the NCMEI Act, 2004 dated 02.05.2023 and petition for grant of MSC on dated 18.08.2025. 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.
11. The Amended Memorandum of Association on dated 04.04.2012 for 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 Sikh 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 Dashmesh Public School, Shalimar Garden, Shahibabad, Ghaziabad, Uttar Pradesh – 201005 run by Dashmesh Education 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 Sikh minority community.
13. Consequently, Dashmesh Public School, Shalimar Garden, Shahibabad, Ghaziabad, Uttar Pradesh – 201005 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 subject to the condition that the petitioner would file an affidavit or undertaking to the fact that the petitioner institution shall not deny admission of eligible candidate of the Sikh minority community subject to the eligibility of the students and availability of the

accommodation in the petitioner institution. If the petitioner institution fails to comply the above order of this Commission within a period of three months from the date of order passed by this Commission then the petition filed by the petitioner for grant of MSC will be automatically deemed to be dismissed.”

14. After compliance of the above order, 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, 11<sup>th</sup>**  
**Day of March, 2026.**

**DR. SHAHID AKHTER**  
**MEMBER**

DSS