

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

Case No. 58 of 2023

In the matter of :-

**St. Norbert School, Marianahalli, Dodda Gubbi Post, Bangalore,
Karnataka – 560 077**

..... Petitioner

V/s

**Additional Chief Secretary, Higher Education Department,
Government of Karnataka, Sixth Floor, Multi-Storeyed Building,
Bengaluru, Karnataka – 560 001**

..... Respondent

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

ORDER

DATED 10.03.2026

Dr. Shahid Akhter, Member, NCMEI

1. This petition has been received on 09.02.2023 by hand through Mr. Junais P., Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to St. Norbert School, Marianahalli, Dodda Gubbi Post, Bangalore, Karnataka – 560 077.
2. Learned counsel for the petitioner filed an affidavit of Fr. Salu Jacob, Secretary of Norbertine Fathers 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. He has filed one more affidavit of Fr. Salu Jacob 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 a copy of Unique ID No. : KA/2017/0173957 of the petitioner's Society as given by the Niti Aayog Portal NGO Darpan, copy of application dated 20.10.2022 sent to the State Competent Authority alongwith postal receipt and its tracking report, notarized copies of Certificate of Registration of Norbertine Fathers alongwith its English translation, Memorandum of Association and Rules & Regulations alongwith list of founding members of the Society and Amended Memorandum of Association dated 20.10.2021 alongwith list of present members of the Society, notarized copy of certificate of affiliation order dated 12.05.2023 issued by the Chief Executive & Secretary, Council For The Indian School Certificate Examinations granting affiliation to the unaided petitioner institution and original resolution of the General Body of the Society in favour of Fr. Salu Jacob, Secretary of Norbertine Fathers 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 2023-24, it is mentioned that out of total 960 students, 30 students were from the Muslim minority community, 521 students were from the Christian minority community, 01 student was from the Buddhist minority community and 408 students were Hindu. In the year 2024-25, it is mentioned that out of total 1112 students, 31 students were from the Muslim minority community, 588 students were from the Christian minority community, 01 student was from the Buddhist minority community and 486 students were Hindu and in the year 2025-26, it is mentioned that out of total 1170 students, 40 students were from the Muslim minority community, 597 students were from the Christian minority community, 01 student was from the Buddhist minority community and 532 students were Hindu. It is relevant to mention here that during the academic

year 2023-24, out of the total 53 teachers, 02 teachers were from the Muslim minority community, 28 teachers were from the Christian minority community and 23 teachers were Hindu. In the academic year 2024-25, out of the total 56 teachers, 01 teacher was from the Muslim minority community, 36 teachers were from the Christian minority community and 19 teachers were Hindu and in the academic year 2025-26, out of the total 68 teachers, 01 teacher was from the Muslim minority community, 45 teachers were from the Christian minority community and 22 teachers were Hindu.

5. It is stated in the petition that on dated 20.10.2022, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 25.10.2022 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 15.05.2023, 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 17.08.2023. After service of letter/emails to the physical inspection committee dated 12.09.2023 and reminders dated 29.12.2023, 22.02.2024, 30.04.2024, 19.09.2024, 14.10.2024, 23.12.2024, 04.03.2025, 08.05.2025, 13.08.2025, 01.10.2025 and 02.12.2025, Physical inspection committee for sending Physical Inspection Report but the members of the said committee failed to send report to the Commission in terms of order dated 31.07.2025. Hence, the case was proceeded ex-parte against members of the said committee. As per census of India report of 2011 Christian minority community in the state of Uttar Pradesh is 1.87%. As per the information supplied by the petitioner institution in the Academic year 2025-26, out of the total 1170 students, 597 students were from the Christian minority community which is 51.02% which is more than the state census of 2011 i.e. 1.87%.
7. Heard the learned counsel for the petitioner, perused the pleading of the parties, the documents filed by the petitioner and affidavit of Fr. Salu Jacob, Secretary of Norbertine Fathers.
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 Christian minority community and is being administered by Norbertine Fathers 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 Fr. Salu Jacob, Secretary of Norbertine Fathers.
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 Christian minority community in the State of Karnataka as per the census of 2011 is 1.87%.
10. I have perused the Amended Memorandum of Association of the petitioner Society which was registered before the Registrar of Societies, Bangalore on dated 20.10.2021 which is before the filing of NOC applications U/s 10 of the NCMEI Act, 2004 dated 20.10.2022 and petition for grant of MSC on dated 09.02.2023. 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 20.10.2021 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 Christian 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 un rebutted evidence produced on behalf of the petitioner, we find and hold that St. Norbert School, Marianahalli, Dodda Gubbi Post, Bangalore, Karnataka – 560 077 run by Norbertine Fathers 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, St. Norbert School, Marianahalli, Dodda Gubbi Post, Bangalore, Karnataka – 560 077 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 **Tuesday, 10th Day of March, 2026.**

**DR. SHAHID AKHTER
MEMBER**

DSS