

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

**Case No. 266 of 2023**

**In the matter of :-**

**Christ School, Majri Grant, Doiwala, Dehradun District, Uttarakhand –  
248 140**

..... **Petitioner**  
**V/s**

**Secretary, Higher Education Department, Government of Uttarakhand,  
Secretariat, Uttarakhand.**

..... **Respondent**

Present: Mr. Jose Abraham, 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 27.09.2023 by hand through Mr. Jose Abraham, Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to Christ School, Majri Grant, Doiwala, Dehradun District, Uttarakhand – 248 140.
2. Learned counsel for the petitioner filed an affidavit of Benny Thettayil Poulouse, President of St. John's 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 Christian minority and also stating 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. : UP/2017/0164512 of the petitioner's Society as given by the Niti Aayog Portal NGO Darpan, copy of application dated 01.08.2022 sent to the State Competent Authority alongwith postal receipt and its tracking report, notarized copies of Certificate of Registration of St. John's Society, Memorandum of Association and Rules & Regulations alongwith list of founding members of the Society and Amended Memorandum of Association dated 30.01.2013 alongwith list of present members of the Society, notarized copy of recognition order dated 20.10.2020 issued by the Chief Education Officer, Dehradun granting recognition to the petitioner institution for five year from 19.10.2020 to 19.10.2025 to the unaided petitioner institution and original resolution of the General Body of the Society in favour of Benny Thettayil Poulouse, President of St. John's 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 2020-21, it is mentioned that out of total 360 students, 01 student was from the Muslim minority community, 42 students were from the Christian minority community, 55 students were from the Sikh minority community, 02 students were from the Buddhist minority community, 01 student was from the Parsee minority community and 259 students were Hindu. In the year 2021-22, it is mentioned that out of total 403 students, 03 students were from the Muslim minority community, 86 students were from the Christian minority community, 94 students were from the Sikh minority community, 02 students were from the Buddhist minority community and 218 students were Hindu and in the year 2022-23, it is mentioned that out of total 518 students, 04 students were from the Muslim minority community, 102 students were from the Christian minority community, 106 students were from the Sikh minority community, 02 students were from the Buddhist minority community and 304

students were Hindu. It is relevant to mention here that during the academic year 2020-21, out of the total 12 teachers, 05 teachers were from the Christian minority community and 07 teachers were Hindu. In the academic year 2021-22, out of the total 16 teachers, 10 teachers were from the Christian minority community and 06 teachers were Hindu and in the academic year 2022-23, out of the total 22 teachers, 11 teachers were from the Christian minority community and 11 teachers were Hindu.

5. It is stated in the petition that on dated 01.08.2022, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 03.08.2022 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 dated 16.11.2023, 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 20.03.2024. After service of letter/emails to the physical inspection committee dated 29.01.2024 and reminders dated 22.04.2024, 09.08.2024, 04.10.2024, 06.12.2024, 07.03.2025, 29.04.2025, 31.07.2025 and 03.10.2025, 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 23.09.2025. 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 Uttarakhand is 0.37%. As per the information supplied by the petitioner institution in the Academic year 2022-23, out of the total 518 students, 102 students were from the Christian minority community which is 19.69% which is more than the state census of 2011 i.e. 0.37%.
7. Heard the learned counsel for the petitioner, perused the pleading of the parties, the documents filed by the petitioner and affidavit of Benny Thettayil Poulouse, President of St. John's 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 Christian minority community and is being administered by St. John's Society 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 Benny Thettayil Poulouse, President of St. John's 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 Christian minority community in the State of Uttarakhand as per the census of 2011 is 0.37%.
10. I have perused the Amended Memorandum of Association of the petitioner Society which was registered before the Assistant Registrar, Firms Societies and Chits, Moradabad on dated 30.01.2013 which is before the filing of NOC applications U/s 10 of the NCMEI Act, 2004 dated 01.08.2022 and petition for grant of MSC on dated 27.09.2023. 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 30.01.2013 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 Christ School, Majri Grant, Doiwala, Dehradun District, Uttrakhand – 248 140 run by St. John’s 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 Christian minority community.
13. Consequently, Christ School, Majri Grant, Doiwala, Dehradun District, Uttrakhand – 248 140 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 updated affiliation / recognition order issued by the State Board / Central Board to the unaided 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 **Tuesday, 10<sup>th</sup> Day of March, 2026.**

**DR. SHAHID AKHTER  
MEMBER**

DSS