

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

Case No. 127 of 2025

In the matter of :-

**Delhi World Public School, Ekmighat Ballopur Road, Maheshpatti,
Darbhanga, Bihar- 846001**

..... **Petitioner**

V/s

**Director, Secondary Education, Government of Bihar, Vikas
Bhawan, Baily Road, Patna Secretariat, Patna, Bihar- 800015**

..... **Respondent**

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

ORDER

DATED 03.03.2026

Dr. Shahid Akhter, Member, NCMEI

1. This petition has been received on 10.10.2025 by hand through Mr. Junais P., Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to Delhi World Public School, Ekmighat Ballopur Road, Maheshpatti, Darbhanga, Bihar- 846001.
2. Learned counsel for the petitioner filed affidavit of Mr. Faraz Fatmi, Secretary of Al- Fatima Educational Trust in support of the averments made in the petition and also to prove that the beneficiaries of the petitioner institution are members of the Muslim minority and stating that the petitioner institution shall not deny admission of eligible candidate of the Muslim 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 copy of Unique ID No. : DL/2024/0425985 of the petitioner's Trust as given by the Niti Aayog Portal NGO Darpan, copy of application dated 12.06.2025 by hand the State Competent Authority i.e. Director, Secondary Education, Government of Bihar, Vikas Bhawan, Baily Road, Patna Secretariat, Patna, Bihar, notarized copies of Trust Deed of Al- Fatima Educational Trust alongwith list of founding members of the Trust, Amended Trust Deed dated 02.06.2025 alongwith list of present members of the Trust, notarized copy of order dated 28.08.2024 issued by the Deputy Secretary/Joint Secretary (AFF.), CBSE granting affiliation for the period of 01.04.2025 to 31.03.2027 to the unaided petitioner institution and original resolution of the General Body of the Trust in favour of Mr. Faraz Fatmi, Secretary of Al- Fatima Educational Trust and the authorized representative of the applicant institution 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 212 students, 143 students were from the Muslim minority community and 69 students were Hindu, In the year 2024-25, it is mentioned that out of total 344 students, 286 students were from the Muslim minority community and 58 students were Hindu and in the year 2025-26, it is mentioned that out of total 361 students, 211 students were from the Muslim minority community and 150 students were Hindu. It is relevant to mention here that during the academic

year 2023-24, out of the total 28 teachers, 08 teachers were from the Muslim minority community and 20 teachers were Hindu. In the academic year 2024-25, out of the total 27 teachers, 06 teachers were from the Muslim minority community and 21 teachers were Hindu and in the academic year 2025-26, out of the total 31 teachers, 10 teachers were from the Muslim minority community, 01 teacher was from the Christian minority community and 20 teachers were Hindu.

5. It is stated in the petition that on dated 12.06.2025, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 12.06.2025 and the said application is still pending before the State Competent Authority. 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 10.11.2025, 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 11.12.2025. After service of letter/emails to the physical inspection committee dated 15.12.2025 and reminder dated 16.01.2026. no reply received from physical inspection committee. Later on, Director, Primary Education, Government of Bihar has sent letter dated 12.01.2026, which was received by post in the Commission's Office on dated 16.01.2026 has grant No Objection Certificate to the petitioner institution. it is stated in the petition that on dated 12.06.2025, the petitioner institution has applied to the State Competent Authority for grant of NOC before the Competent Authority i.e. Director, Secondary Education, Government of Bihar, Vikas Bhawan, Baily Road, Patna Secretariat, Patna, Bihar and the Competent authority vide order No. 09/Dept/09-212/2025/88 dated 12.01.2026 has granted No Objection 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 Mr. Faraz Fatmi, Secretary of Al- Fatima Educational Trust and the authorized representative of the applicant institution for obtaining MSC from this Commission. In fact and circumstances of the case, there appears no need to give notice of this petition as respondent has granted NOC in favour of the petitioner institution.
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 Muslim minority community and is being administered by Al-Fatima Educational Trust which is managed and run by the members of the Muslim 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. Faraz Fatmi, Secretary of Al- Fatima Educational Trust and authorized representative of petitioner institution.
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 this 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 Muslim minority community in the State of Bihar as per the census of 2011 is 16.87%.

10. I have perused the Amended Trust Deed of Al- Fatima Educational Trust which was registered before Registering Officer, East Geeta Colony, Delhi Dated 02.06.2025, which is before the filing of NOC applications U/s 10 of the NCMEI Act, 2004 dated 12.06.2025 and petition for grant of MSC on dated 10.10.2025. 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 dated 02.06.2025 and all the documents produced by the petitioner institution clearly reflects that the beneficiaries of the petitioner institution are primarily the members of the Muslim 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 Delhi World Public School, Ekmighat Ballopur Road, Maheshpatti, Darbhanga, Bihar- 846001 run by Al- Fatima Educational Trust 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 Muslim minority community.
13. Consequently, Delhi World Public School, Ekmighat Ballopur Road, Maheshpatti, Darbhanga, Bihar- 846001 is declared as 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. However, it is made clear that if state Government has any objection in granting MSC in favour of the petitioner institution i.e. Delhi World Public School, Ekmighat Ballopur Road, Maheshpatti, Darbhanga, Bihar- 846001 the State is free to file and an application for cancellation of MSC under Section 12(c) of the NCMEI Act, 2004.
16. In view of the above, the present petition is disposed of in accordance with this order.

Signed, pronounced and published on **Tuesday, 03rd Day of March, 2026.**

**DR. SHAHID AKHTER
MEMBER**