

**GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR MINORITY
EDUCATIONAL INSTITUTIONS**

CASE NO. 268 OF 2022

In the matter of:

**Rampur National Senior Secondary School, Khusro Bagh Road,
Rampur District, Uttar Pradesh – 244 901.**

..... Petitioner

Versus

- 1. Additional Chief Secretary, Department of School Education,
Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P.**
- 2. Additional Chief Secretary, Department of Secondary Education,
Government of U.P., Bahu Khandi, Secretariat, Lucknow, U.P**

..... Respondents

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

ORDER

Date: 22.04.2026

Dr. Shahid Akhter, Member, NCMEI

1. This petition has been received on 05.12.2022 by hand through Mr. Junais P., Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to Rampur National Senior Secondary School, Khusro Bagh Road, Rampur District, Uttar Pradesh – 244 901.
2. Learned counsel for the petitioner filed an affidavit of Maaz Nusrat, Secretary of Rampur National Educational Society and authorized representative of petitioner institution 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 community. He has filed one more affidavit of Maaz Nusrat stating therein 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 a notarized copy of Unique ID No.: UP/2022/0326379 of the petitioner Society as given by the Niti Aayog Portal NGO Darpan, copy of the application dated 20.10.2021 by post to the State Competent Authority alongwith postal receipt and its tracking report, notarized copies of Certificate of Registration, Memorandum of Association, Rules and Regulations alongwith list of founding members and Amended Memorandum of Association dated 24.03.2002, Amended Rules and Regulations alongwith list of present members of Rampur National Educational Society. notarized copy of order dated 30.05.2015 issued by the Regional Secretary, Board of Secondary Education Bareilly granting affiliation to the unaided petitioner institution and original resolution of the General Body of the Society in favour of Maaz Nusrat, Secretary of Rampur National Educational Society for obtaining MSC from this Commission.
4. As per the information supplied by the petitioner unaided institution with regard to students' strength, it is mentioned that during the academic year 2023-24, out of the total 687 students, 668 students were from the Muslim minority community,

03 students were from the Sikh minority community and 16 students were Hindu. During the academic year 2024-25, out of the total 660 students, 644 students were from the Muslim minority community, 02 students were from the Sikh minority community and 14 students were Hindu and During the academic year 2025-26, out of the total 687 students, 671 students were from the Muslim minority community and 16 students were Hindu. It is relevant to mention here that during the academic year 2023-24, out of 12 teachers, 11 teachers were from the Muslim minority community and 01 teacher was Hindu. During the academic year 2024-25, out of 12 teachers, 11 teachers were from the Muslim minority community and 01 teacher was Hindu and during the academic year 2023-24, out of 15 teachers, 14 teachers were from the Muslim minority community and 01 teacher was Hindu.

5. It is stated in the petition that on dated 20.10.2021, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 27.10.2021 and the same 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 application 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 31.10.2023, 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 29.11.2023. After service of letter/emails to the physical inspection committee dated 29.01.2024 and reminders dated 08.01.2024, 27.02.2024, 24.06.2024, 05.09.2024, 04.11.2024, 23.01.2025, 03.04.2025, 10.06.2025, 15.09.2025 and 27.10.2025, 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 15.10.2025. Hence, the case was proceeded ex-parte against members of the said committee. As per census of India report of 2011 Muslim minority community in the state of Uttar Pradesh is 19.26%. As per the information supplied by the petitioner institution in the Academic year 2025-26, out of the total 687 students, 671 students were from the Muslim minority community which is 97.67% which is more than the state census of 2011 i.e. 19.26%.

7. Heard learned counsel for the petitioner, perused the pleadings, the documents filed by the petitioner and affidavit of Maaz Nusrat, Secretary of Rampur National Educational Society and authorized representative of 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 Rampur National Educational Society 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 Maaz Nusrat, Secretary of Rampur National Educational Society 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 06.07.2010) 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 Uttar Pradesh as per the census of 2011 was 19.26%.

10. I have perused the Amended Memorandum of Association of the petitioner institution, which was registered before the Sub Registrar, Firm, Society and Chits,

Moradabad, on dated 24.03.2002 which is before the filing of NOC application U/s 10 of the NCMEI Act, 2004 dated 20.10.2021 and petition for grant of MSC on dated 05.12.2022. 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 24.03.2002 of the said Society and all the documents produced by the petitioner institution clearly reflect that the beneficiaries of the petitioner institution are primarily the members of the Muslim 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 before this Commission.

12. Relying on the said un rebutted evidence produced on behalf of the petitioner, we find and hold that Rampur National Senior Secondary School, Khusro Bagh Road, Rampur District, Uttar Pradesh – 244 901 run by Rampur National Educational 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 Muslim minority community.

13. Consequently, Rampur National Senior Secondary School, Khusro Bagh Road, Rampur District, Uttar Pradesh – 244 901 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, 22nd day of April, 2026.**

**DR. SHAHID AKHTER
MEMBER**

DSS