

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

**Case No. 347 of 2023**

**In the matter of :-**

**St. Aloysius School, Krishna Colony, Barjhaiya, Panagar, Jabalpur  
Dist., Madhya Pradesh – 483220**

..... **Petitioner**

**V/s**

**Secretary, Backward Classes and Minority Welfare Department,  
Government of Madhya Pradesh, Room No. 339, Mantralaya, Bhopal,  
Madhya Pradesh**

..... **Respondent**

Present: Mr. Jose Abraham, Advocate for the petitioner  
None for the respondent

**ORDER**

**DATED 21.04.2026**

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

1. This petition has been received on 21.11.2023 by hand through Mr. Jose Abraham, Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to St. Aloysius School, Krishna Colony, Barjhaiya, Panagar, Jabalpur Dist., Madhya Pradesh – 483 220.
2. Learned counsel for the petitioner filed an affidavit of Fr. Sibi Joseph, Secretary of Jabalpur Diocesan Educational 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 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. : MP/2017/0119134 of the petitioner Society as given by the Niti Aayog Portal NGO Darpan, copy of application dated 26.07.2022 sent to the State Competent Authority alongwith postal receipt and its tracking report, notarized copies of Certificate of Registration, Memorandum of Association and Rules & Regulations alongwith list of founding members of the Society and Amended Memorandum of Association dated 18.04.2016 alongwith list of present members of Jabalpur Diocesan Educational Society, downloaded copy of recognition order dated 02.12.2021 issued by the Deputy Secretary/ Joint Secretary (AFF.), CBSE granting affiliation to the unaided petitioner institution for the period of 01.04.2022 to 31.03.2027 and original resolution of the General Body of the Society in favour of Fr. Sibi Joseph, Secretary of Jabalpur Diocesan Educational 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 2021-22, it is mentioned that out of total 508 students, 09 students were from the Muslim minority community, 09 students were from the Christian minority community, 30 students were from the Jain minority community and 460 students were Hindu. In the year 2022-23, it is mentioned that out of total 604 students, 10 students were from the Muslim minority community, 10 students were from the Christian minority community, 31 students were from the Jain minority community and 553 students were Hindu and in the year 2023-24, it is mentioned that out of total 669 students, 11 students were from the Muslim minority community, 12 students were from the Christian minority community, 32 students were from the Jain minority community and 614 students were Hindu. It is relevant to mention here that during the academic year 2021-22, out of the total 30 teachers, 01 teacher was from the Muslim minority community, 08 teachers were from the Christian

minority community, 02 teachers were from the Sikh minority community and 19 teachers were Hindu. In the academic year 2022-23, out of the total 31 teachers, 02 teachers were from the Muslim minority community, 06 teachers were from the Christian minority community, 02 teachers were from the Sikh minority community and 22 teachers were Hindu and in the academic year 2023-24, 01 teacher was from the Muslim minority community, 07 teachers were from the Christian minority community, 01 teacher was from the Sikh minority community and 25 teachers were Hindu.

5. It is stated in the petition that on dated 26.07.2022, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 29.07.2022 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 02.01.2024, Commissioner, Backward Classes and Minority Welfare, Govt. of Madhya Pradesh vide an e-mail dated 15.02.2024 has sent a copy of the letter dated 12.02.2024, which was taken on record wherein they have stated that the petitioner application for Minority Status Certificate cannot be considered as he has not applied in prescribed format. 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 26.03.2024. After service of letter / email to the physical inspection committee dated 25.04.2024 and reminders dated 31.07.2024, 08.10.2024, 11.12.2024, 03.03.2025, 07.05.2025, 13.08.2025 and 24.09.2025, Physical Inspection Committee, vide letter dated 16.12.2025 has sent Physical Inspection Report which was received by email in the Commission's Office on dated 16.12.2025 which was duly signed by all the members of the physical Inspection Committee wherein they have not recommended to grant minority status certificate to the petitioner institution. As per census of India report of 2011 Christian minority community in the state of Madhya Pradesh is 0.29%. As per the information supplied by the petitioner institution in the Academic year 2023-24, out of the total 669 students, 12 students were from the Christian minority community which is 1.79% which is more than the state census of 2011 i.e. 0.29%.
7. Heard the learned counsel for the petitioner, perused the pleading of the parties, the documents filed by the petitioner and affidavit of Fr. Sibi Joseph, Secretary of Jabalpur Diocesan Educational 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 Jabalpur Diocesan Educational 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 Fr. Sibi Joseph, Secretary of Jabalpur Diocesan Educational 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 Madhya Pradesh as per the census of 2011 is 0.29%.
10. I have perused the Amended Memorandum of Association of the petitioner Society which was registered before the Assistant Registrar, Firms and Societies, Jabalpur on dated 18.04.2016 which is before the filing of NOC applications U/s 10 of the NCMEI Act, 2004 dated 26.07.2022 and petition for grant of MSC on dated 21.11.2023. 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 18.04.2016 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 unrebutted evidence produced on behalf of the petitioner, we find and hold that St. Aloysius School, Krishna Colony, Barjhaiya, Panagar, Jabalpur Dist., Madhya Pradesh – 483 220 run by Jabalpur Diocesan 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 Christian minority community.
13. Consequently, St. Aloysius School, Krishna Colony, Barjhaiya, Panagar, Jabalpur Dist., Madhya Pradesh – 483 220 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, 21<sup>st</sup> Day of April, 2026.**

**DR. SHAHID AKHTER  
MEMBER**

DSS