

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

**Case No. 23 of 2023**

**In the matter of :-**

**Ferrando School, Sengapather, PO/PS Mahadevpur, District Namsai,  
Arunachal Pradesh – 792 105.**

..... **Petitioner**

**V/s**

**Secretary, Department of Education, Civil Secretariat, Itanagar,  
Arunachal Pradesh**

..... **Respondent**

Present: Mr. Tariq Adeeb, Advocate for the petitioner  
None for the respondent

**ORDER**

**DATED 25.03.2025**

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

1. This petition has been received on 10.01.2023 by post through Mr. Tariq Adeeb, Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to Ferrando School, Sengapather, PO/PS Mahadevpur, District Namsai, Arunachal Pradesh – 792105.
2. Learned counsel for the petitioner filed an affidavit of Sr. Josephine Ningshen, Secretary of the Ferrando Convent 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 community.
3. Learned counsel for the petitioner has filed copy of Unique ID No. : AR/2022/0314775 of the petitioner's Society as given by the Niti Aayog Portal NGO Darpan, photocopy of application dated 04.08.2022 sent to the State Competent Authority alongwith postal receipt and its tracking report, notarized copy of Certificate of Registration, notarized copy of Memorandum of Association alongwith list of founding members of the Society, notarized copy list of present members of the Society, notarized copy of the Affiliation issued by CISCE, upto Secondary Level to the petitioner institution Valid upto 31<sup>st</sup> March 2025 and resolution of the General Body of the Society in favour of Sr. Josephine Ningshen, Secretary of the Ferrando Convent for obtaining MSC from this Commission.
4. As per the PIC Sent by Director of Elementary Education, Govt. of Arunachal Pradesh, information about petitioner institution with regard to students' strength during the academic year 2021-22, it is mentioned that out of total 510 students, 01 student was from the Muslim minority community, 81 students were from the Christian minority community, 25 students were from the Buddhist minority community, and 404 students were Hindu, In the year 2022-23, it is mentioned that out of total 597 students, 01 student was from the Muslim minority community, 97 students were from the Christian minority community, 34 students were from the Buddhist minority community and 466 students were Hindu and in the year 2023-24, it is mentioned that out of total

620 students, 01 student was from the Muslim minority community, 102 students were from the Christian minority community, 51 students were from the Buddhist minority community and 467 students were Hindu. In the academic year 2021-22, out of the total 18 teachers, 01 teacher was from the Muslim minority community, 10 teachers were from the Christian minority community and 07 teachers were Hindu, in the academic year 2022-23, out of the total 20 teachers, 01 teacher was from the Muslim minority community, 10 teachers were from the Christian minority community and 09 teachers were Hindu and in the academic year 2023-24, out of the total 22 teachers, 01 teacher was from the Muslim minority community, 12 teachers were from the Christian minority community and 09 teachers were Hindu.

5. It is stated in the petition that on dated 04.08.2022, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 19.08.2022 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. Despite service of registered notice / email dated 24.01.2023, 12.05.2023 and 21.08.2023, 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 13.12.2023. After service of letters/emails to the physical inspection committee dated 29.01.2024, Physical Inspection Committee, Director of Elementary Education, Govt. of Arunachal Pradesh has sent physical inspection report dated 21.03.2024 which was received in the Commission's Office on dated 16.04.2024 wherein they have recommended to grant minority status 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 Sr. Josephine Ningshen, Secretary of the Ferrando Convent.
8. 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 Arunachal Pradesh as per the census of 2011 is 30.26%.
9. 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 Ferrando Convent 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 Sr. Josephine Ningshen, Secretary of the Ferrando Convent.

10. I have perused the Memorandum of Association of the petitioner institution which was registered before the Registrar of Society, Govt. of Arunachal Pradesh, Itanagar on dated 27.02.2020 which is before the filing of NOC applications U/s 10 of the NCMEI Act, 2004 dated 04.08.2022 and petition for grant of MSC on dated 10.01.2023 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 Memorandum of Association dated 27.02.2020 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 Ferrando School, Sengapather, PO/PS Mahadevpur, District Namsai, Arunachal Pradesh – 792 105 run by Ferrando Convent 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, Ferrando School, Sengapather, PO/PS Mahadevpur, District Namsai, Arunachal Pradesh – 792 105, 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 an affidavit or undertaking to the fact 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. If the petitioner institution failed 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 **Thursday, 25<sup>th</sup> Day of MARCH, 2025.**

**DR. SHAHID AKHTER  
MEMBER**

DSS