

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

Case No. 120 of 2024

In the matter of :-

**Deepti Convent School, Raniguda Farm, Rayagada P.O., Rayagada
Dist., Odisha – 765 001**

..... **Petitioner**

V/s

**Director, Secondary Education, 6th Floor, HOD Building, Unit-V,
Bhubaneswar, Khordha, Odisha**

..... **Respondent**

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

ORDER

DATED 29.04.2026

Dr. Shahid Akhter, Member, NCMEI

1. This petition has been received on 06.03.2024 by hand through Mr. Jose Abraham, Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to Deepti Convent School, Raniguda Farm, Rayagada P.O., Rayagada Dist., Odisha – 765 001.
2. Learned counsel for the petitioner filed an affidavit of Loveja George, Secretary of Deepti 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 community and stating therein that the petitioner institution shall not deny admission of eligible candidate of the 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. : OR/2017/0166363 of the petitioner Society as given by the Niti Aayog Portal NGO Darpan, copy of application dated 11.09.2023 sent to the State Competent Authority alongwith postal receipt and its tracking report, notarized copies of Certificate of Registration in odia language alongwith its English translation, Memorandum of Association and Rules & Regulations alongwith list of founding members of Society, Amended Memorandum of Association alongwith list of present members of Society, notarized copy of recognition order dated 16.05.2022 issued by the Chairman, CISCE granting affiliation to the unaided petitioner institution and original resolution of the General Body of the Society in favour of Loveja George, Secretary of Deepti Society for obtaining MSC from this Commission.
4. As per the PIC Sent by Collector-cum-Chairperson, Rayagada information about petitioner institution with regard to students' strength during the academic year 2022-23, it is mentioned that out of the total 1677 students, 42 students were from the Muslim minority community, 189 students were from the Christian minority community, 06 students were from the Sikh minority community, 05 student was from the Jain minority community and 1435 students were Hindu. In the year 2023-24, it is mentioned that out of the total 1348 students, 55 students were from the Muslim minority community, 183 students were from the Christian minority community, 06 students were from the Sikh minority community, 05 student was from the Jain minority community and 1099 students were Hindu. In the year 2024-25, it is mentioned that out of the total 1265 students, 50 students were from the Muslim minority community, 180 students were from the Christian minority community, 09 students were from the Sikh minority community, 05 student was from the Jain minority community and 1265 students were Hindu. In the year 2022-23, out of the total 50 teachers, 01 teacher was from Muslim minority community, 18 teachers were from Christian minority community and 31 teachers were Hindu. In the year 2023-24, out of the total 56 teachers, 01 teacher was

from Muslim minority community, 18 teachers were from Christian minority community and 37 teachers were Hindu and in the year 2024-25, out of the total 55 teachers, 01 teacher was from Muslim minority community, 19 teachers were from Christian minority community and 35 teachers were Hindu.

5. It is stated in the petition that on dated 11.09.2023, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 14.09.2023 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 28.05.2024, Director, Secondary Education, Odisha vide letter dated 9.7.2024 has sent written submissions along with Notification dated 4.9.2009 of Principal Secretary, School & Mass Education Department, Government of Orissa, which was received before the Commission's office on 16.7.2024. which is already taken on record. 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 10.07.2024. After service of letter / email to the physical inspection committee dated 05.08.2024 and reminders dated 30.09.2024, 03.12.2024, 20.02.2025, 03.09.2025 and 08.10.2025, 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 03.12.2025. 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 Odisha is 2.77%. As per the information supplied by the Physical inspection committee, In the Academic year 2024-25, out of the total 1265 students, 180 students were from the Christian minority community which is 14.22% which is more than the state census of 2011 i.e. 2.77%.
7. Heard the learned counsel for the petitioner, perused the pleading of the parties, the documents filed by the petitioner and affidavit of Loveja George, Secretary of Deepti 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 Deepti 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 Loveja George, Secretary of Deepti 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 Odisha as per the census of 2011 is 2.77%.
10. I have perused the Amended Memorandum of Association of the petitioner Society which was registered before the Assistant Collector Registrar, Odisha on dated 24.11.2015 which is before the filing of NOC applications U/s 10 of the NCMEI Act, 2004 dated 11.09.2023 and petition for grant of MSC on dated 06.03.2024. 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 24.11.2015 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 Deepti Convent School, Raniguda Farm, Rayagada P.O., Rayagada Dist., Odisha – 765 001 run by Deepti 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, Deepti Convent School, Raniguda Farm, Rayagada P.O., Rayagada Dist., Odisha – 765 001 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, 29th**
Day of April, 2026.

DR. SHAHID AKHTER
MEMBER

DSS