

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

Case No. 05 of 2023

In the matter of :-

**Crescent International School, Bario (Knowledge Village),
Govindpur, Dhanbad, Jharkhand – 828 109**

..... **Petitioner**

V/s

**Director, Secondary Education, Department of School Education
& Literacy, S.E. & L. Department, MDI Building, Post Dhurwa, Dist.
Ranchi, Jharkhand – 834 004**

..... **Respondent**

Present: Mr. Junais P., 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 12.12.2022 by hand through Mr. Junais P., Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to Crescent International School, Bario (Knowledge Village), Govindpur, Dhanbad, Jharkhand – 828 109.
2. Learned counsel for the petitioner filed affidavit of Md. Shamim Ahmad, Chairman of Sheikh Abdul Jalil Foundation 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 Md. Shamim Ahmad 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 copy of Unique ID No. : BR/2018/0195711 of the petitioner Trust as given by the Niti Aayog Portal NGO Darpan, copy of application dated 29.10.2021 sent by hand to the State Competent Authority, notarized copies of Trust Deed alongwith list of members of Sheikh Abdul Jalil Foundation, downloaded copy of recognition order dated 14.07.2021 issued by the Deputy Secretary/ Joint Secretary (AFF.), CBSE granting affiliation to the unaided petitioner institution for the period of 01.04.2024 to 31.03.2029 duly notarized by notary public and original resolution of the General Body of the Trust in favour of Md. Shamim Ahmad, Chairman of Sheikh Abdul Jalil Foundation and the authorized representative of the applicant institution for obtaining MSC from this Commission.
4. As per the PIC Sent by District Education Officer, Dhanbad information about petitioner institution with regard to students' strength during the academic year 2021, it is mentioned that out of the total 556 students, 185 students were from the Muslim minority community, 32 students were from the Christian minority community, 01 student was from the Sikh minority community and 338 students were Hindu. In the year 2022, it is mentioned that out of the total 621 students,

207 students were from the Muslim minority community, 35 students were from the Christian minority community, 01 student was from the Sikh minority community and 378 students were Hindu. In the year 2023, it is mentioned that out of the total 1087 students, 443 students were from the Muslim minority community, 25 students were from the Christian minority community, 01 student was from the Sikh minority community and 618 students were Hindu. In the year 2021, out of the total 43 teachers, 22 teachers were from Muslim minority community, 03 teachers were from Christian minority community and 18 teachers were Hindu. In the year 2022, out of the total 43 teachers, 22 teachers were from Muslim minority community, 03 teachers were from Christian minority community and 18 teachers were Hindu and in the year 2023, out of the total 43 teachers, 22 teachers were from Muslim minority community, 03 teachers were from Christian minority community and 18 teachers were Hindu.

5. It is stated in the petition that on dated 29.10.2021, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 02.11.2021 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 10.01.2023, 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 13.04.2023. After service of letters/emails to the physical inspection committee dated 01.05.2023 and reminders dated 09.08.2023, 09.11.2023, 17.01.2024, 04.04.2024, 04.06.2025, 04.06.2025 and 10.09.2025, Physical Inspection Committee, vide letter dated 18.05.2024 has sent Physical Inspection Report, which was received by post in the Commission's Office on dated 27.05.2024, which was duly signed by all the members of the physical Inspection Committee 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 parties, the documents filed by the petitioner and affidavit of Md. Shamim Ahmad, Chairman of Sheikh Abdul Jalil Foundation.
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 Sheikh Abdul Jalil Foundation 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 Md. Shamim Ahmad, Chairman of Sheikh Abdul Jalil Foundation 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 Jharkhand as per the census of 2011 is 14.53%.

10. I have perused the Trust Deed of Sheikh Abdul Jalil Foundation which was registered before Registering Officer, NIC BRSC, Patna, Bihar on dated 24.10.2007 which is before the filing of NOC applications U/s 10 of the NCMEI Act, 2004 dated 29.10.2021 and petition for grant of MSC on dated 12.12.2022. So it is clear that the said Trust Deed registered 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 Trust Deed dated 24.10.2007 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 unrebutted evidence produced on behalf of the petitioner, we find and hold that Crescent International School, Bario (Knowledge Village), Govindpur, Dhanbad, Jharkhand – 828 109 run by Sheikh Abdul Jalil Foundation 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, Crescent International School, Bario (Knowledge Village), Govindpur, Dhanbad, Jharkhand – 828 109 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