

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

Case No. 150 of 2024

In the matter of :-

Dashmesh Public School, V&PO Matkhera, District Rampur, Uttar Pradesh- 244 921

..... Petitioner

V/s

**Additional Chief Secretary, Secondary Education Department,
Government of Uttar Pradesh, Babu Bhawan, 7th Floor, Lucknow,
Uttar Pradesh- 226 001**

..... Respondent

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

ORDER

DATED 23.07.2026

Dr. Shahid Akhter, Member, NCMEI

1. This petition has been received on 02.04.2024 by hand through Mr. Junais P., Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to Dashmesh Public School, V&PO Matkhera, District Rampur, Uttar Pradesh- 244 921.
2. Learned counsel for the petitioner filed an affidavit of Ms. Kulveer Kaur, Manager of Kalgidhar 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 Sikh minority. He has also filed separate affidavit of Ms. Kulveer Kaur stating therein that the petitioner institution shall not deny admission of eligible candidate of the Sikh 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. : UP/2022/0317762 of the petitioner Society as given by the Niti Aayog Portal NGO Darpan, photocopy of application dated 23.12.2023 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 19.12.2023 alongwith list of present members of the Kalgidhar Educational Society, notarized copy of recognition order dated 29.06.2024 issued by the Deputy Secretary/Joint Secretary(AFF.),CBSE granting affiliation to the unaided petitioner institution and original resolution of the General Body of the Society in favour of Ms. Kulveer Kaur, Manager of Kalgidhar 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 840 students, 180 students were from the Muslim minority community, 545 students were from the Sikh minority community and 115 students were Hindu. In the year 2022-23, it is mentioned that out of total 849 students, 183 students were from the Muslim minority community, 541 students were from the Sikh minority community and 125 students were Hindu and in the year 2023-24, it is mentioned that out of total 860 students, 184 students were from the Muslim minority community, 556 students were from the Sikh minority community and 120 students were Hindu .It is relevant to mention here that during the academic year 2021-22, out of the total 39 teachers, 01 teacher was from the Muslim minority community, 34 teachers were from the Sikh minority community and 04 teachers were Hindu. In the year 2022-23, out of the total

37 teachers, 01 teacher was from the Muslim minority community, 32 teachers were from the Sikh minority community and 04 teachers were Hindu and in the year 2023-24, out of the total 39 teachers, 01 teacher was from the Muslim minority community, 34 teachers were from the Sikh minority community and 04 teachers were Hindu.

5. It is stated in the petition that on dated 23.12.2023, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 27.12.2023 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 04.06.2024, 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 01.08.2024, After service of letter/emails to the physical inspection committee dated 27.08.2024 and reminders dated 16.10.2024, 06.01.2025, 17.03.2025, 13.11.2025 and 13.02.2026, Physical Inspection Committee, has sent letter dated 07.05.2025, which was received by post in the Commission's Office on dated 14.05.2025 which was duly signed by 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 Ms. Kulveer Kaur, Manager of Kalgidhar 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 Sikh minority community and is being administered by Kalgidhar Educational Society which is managed and run by the members of the Sikh 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 Ms. Kulveer Kaur, Manager of Kalgidhar 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 Sikh minority community in the State of Uttar Pradesh as per the census of 2011 is 0.32%.
10. I have perused the Amended Memorandum of Association of the petitioner Society which was registered before the Sub - Registrar, Firms Societies and Chits on dated 19.12.2023 which is before the filing of NOC applications U/s 10 of the NCMEI Act, 2004 dated 23.12.2023 and petition for grant of MSC on dated 02.04.2024. 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 19.12.2023 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 Sikh 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 Dashmesh Public School, V&PO Matkhera, District Rampur, Uttar Pradesh- 244921 run by Kalgidhar 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 Sikh minority community.

13. Consequently, Dashmesh Public School, V&PO Matkhera, District Rampur, Uttar Pradesh- 244 921 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 **Thursday, 23rd Day of July, 2026.**

**DR. SHAHID AKHTER
MEMBER**

DSS