

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

Case No. 81 of 2025

In the matter of :-

**Panjataniyah English Higher Secondary School, Bandhan Road,
Barwani, Madhya Pradesh – 451 551**

..... Petitioner

V/s

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

..... Respondent

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

ORDER

DATED 22.07.2026

Dr. Shahid Akhter, Member, NCMEI

1. This petition has been received on 23.05.2025 by hand through Mr. Junais P., Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to Panjataniyah English Higher Secondary School, Bandhan Road, Barwani, Madhya Pradesh – 451551.
2. Learned counsel for the petitioner filed an affidavit of Mohd. Huzaifa Hakimuddin, Secretary of The Madresah -E- Panjataniya 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 Muslim minority community. He has also filed separate affidavit of Mohd. Huzaifa Hakimuddin 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 a copy of Unique ID No. : MP/2023/0354428 of the petitioner Society as given by the Niti Aayog Portal NGO Darpan, copy of application dated 14.01.2025 sent to the State Competent Authority alongwith postal receipt and its tracking report, certified copies of Certificate of Registration, Memorandum of Association and Rules & Regulations alongwith list of founding members, Amended Memorandum of Association and Rules & Regulations alongwith list of present members of The Madresah -E- Panjataniya Society, notarized copy of recognition order dated 10.04.2025 issued by the Commissioner, Lok Shikshan Sanchalanalay, Madhya Pradesh granting affiliation to the unaided petitioner institution and original resolution of the General Body of the Society in favour of Mohd. Huzaifa Hakimuddin, Secretary of The Madresah -E- Panjataniya 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 2022-23, it is mentioned that out of total 312 students, all students were from the Muslim minority community. In the year 2023-24, it is mentioned that out of total 308 students, all students were from the Muslim minority community and in the year 2024-25, it is mentioned that out of total 363 students, all students were from the Muslim minority community. It is relevant to mention here that during the academic year 2022-23, out of the total 29 teachers, 23 teachers were from the Muslim minority community, 01 teacher was from the Sikh minority community and 05 teachers were Hindu. In the academic year 2023-24, out of the total 38 teachers, 25 teachers were from the Muslim minority community, 01 teacher was from the Sikh minority community and 12 teachers were Hindu and in the academic year 2024-25,

out of the total 49 teachers, 33 teacher were from the Muslim minority community, 01 teacher was from the Sikh minority community and 15 teachers were Hindu.

5. It is stated in the petition that on dated 14.01.2025, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 17.01.2025 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 17.07.2025, Commissioner, Backward Classes and Minority Welfare, Govt. of Madhya Pradesh vide an e-mail dated 12.09.2025 has sent a copy of the letter dated 11.09.2025, 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 02.09.2025. After service of letter / email to the physical inspection committee dated 22.09.2025 and reminder dated 17.11.2025, Physical Inspection Committee, vide letter dated 02.02.2026 has sent Physical Inspection Report which was received by post in the Commission's Office on dated 09.02.2026 which was duly signed by all the members of the physical Inspection Committee but they have not given any adverse remarks. As per census of India report of 2011 percentage of Muslim minority community in the state of Madhya Pradesh is 6.57%. As per the information supplied by petitioner institution in the academic year 2024-25, out of the total 363 students, all students were from the Muslim minority community, which is 100% the total student which is more than the state census of 2011 i.e. 6.57%.
7. Heard the learned counsel for the petitioner, perused the pleading of the parties, the documents filed by the petitioner and affidavit of Mohd. Huzaifa Hakimuddin, Secretary of The Madresah -E- Panjataniya 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 Muslim minority community and is being administered by The Madresah -E- Panjataniya Society 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 Mohd. Huzaifa Hakimuddin, Secretary of The Madresah -E- Panjataniya 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 Muslim minority community in the State of Madhya Pradesh as per the census of 2011 is 6.57%.
10. I have perused the Amended Memorandum of Association of the petitioner Society which was registered before the Assistant Registrar, Firms and Societies, Indore on dated 23.08.2024 which is before the filing of NOC applications U/s 10 of the NCMEI Act, 2004 dated 14.01.2025 and petition for grant of MSC on dated 23.05.2025. So it is clear that the said Memorandum of Association 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 Amended Memorandum of Association on dated 23.08.2024 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 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 Panjataniyah English Higher Secondary School, Bandhan Road, Barwani, Madhya Pradesh – 451551 run by The Madresah -E- Panjataniya 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 Muslim minority community.
13. Consequently, Panjataniyah English Higher Secondary School, Bandhan Road, Barwani, Madhya Pradesh – 451551 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, 22nd**
Day of July, 2026.

DR. SHAHID AKHTER
MEMBER

DSS