

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

Case No.158 of 2025

In the matter of :-

Auxilium School, Mitraon, Kair Road, Najafgarh, New Delhi, PIN – 110043.
.....**Petitioner**

V/s

Director, Directorate of Education, Government of NCT of Delhi, Room No-12, Old Secretariat, New Delhi – 110054.

.....**Respondent**

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

ORDER

DATED 19.08.2026

Dr. Shahid Akhter, Member, (NCMEI)

1. This petition has been received on 24.11.2025 by hand through Mr. Jose Abraham, Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to Auxilium School, Mitraon, Kair Road, Najafgarh, New Delhi, PIN- 110043.
2. Learned counsel for the petitioner filed an affidavit of Mr. Clara Saminathan, Secretary of The Salesian Sisters of Northern India 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 Christian 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.: DL/2018/0193074 of the petitioner Society as given by the Niti Aayog Portal NGO Darpan, photocopy of application dated 20.08.2025 sent to the State Competent Authority along with postal receipt and its tracking report, notarized copies of Certificate of Registration, Memorandum of Association, Rules and Regulations along with list of founding members, Amended Memorandum of Association dated 01.08.2025 alongwith list of present members of the The Salesian Sisters of Northern India, notarized copy of recognition order dated 12.06.2024 issued by the Assistant Director of Education, Najafgarh Zone, Municipal Corporation of Delhi granting affiliation the unaided petitioner institution and resolution of the General Body of the Society in favour of The Salesian Sisters of Northern India New Delhi 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 2023-24, it is mentioned that out of total 143 students, 40 students were from the Christian minority community, 03 students were from the Muslim community and 100 students were Hindu. In the year 2024-25, it is mentioned that out of total 129 students,

02 students were from the Muslim minority community, 33 students were from the Christian minority community, and 94 students were Hindu and in the year 2025-26, it is mentioned that out of the total 149 students, 03 students were from the Muslim minority community, 38 students were from the Christian minority community and 107 students were Hindu. It is relevant to mention here that during the academic year 2023-24, out of the total 13 teachers, 09 teachers were from Christian minority community and 04 teachers were Hindu. In the academic year 2024-25, out of the total 14 teachers, 10 teachers were from Christian minority community and 04 teachers were Hindu and in the academic year 2025-26, out of the total 15 teachers, 10 teachers were from the Christian minority community and 05 teachers were Hindu.

5. It is stated in the petition that on dated 20.08.2025, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 21.08.2025 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 11.12.2025, 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 along with recommendation may be obtained from the Committee constituted by this Commission for issuance of MSC to the petitioner institution vide order dated 18.02.2026. After service of letter/emails to the physical inspection committee dated 02.03.2026 and reminder dated 20.04.2026, Physical Inspection Committee has sent Physical Inspection Report which was received by post in the Commission's Office on dated 25.05.2026 which was duly signed by all the members of the physical Inspection Committee.
7. Heard the learned counsel for the petitioner, perused the pleading of the petition, the documents filed by the petitioner and affidavit of Mr. Clara Saminathan, Secretary of The Salesian Sisters of Northern India.
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 06.07.2010) 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 New Delhi as per the census of 2011 is 0.87%.
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 The Salesian Sisters of Northern India 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 Mr. Clara Saminathan, Secretary of The Salesian Sisters of Northern India.

10. The Amended Memorandum of Association dated 01.08.2025 for the petitioner The Salesian Sisters of Northern India 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.
11. Relying on the said un rebutted evidence produced on behalf of the petitioner, we find and hold that Auxilium School, Mitraon, Kair Road, Najafgarh, New Delhi, PIN- 110043 run by The Salesian Sisters of Northern India 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.
12. Consequently, Auxilium School, Mitraon, Kair Road, Najafgarh, New Delhi, PIN- 110043 is declared as an unaided minority educational institution covered under Article 30(1) of the Constitution of India with in the meaning of Section 2(g) of the National Commission for Minority Educational Institutions Act, 2004.
13. A minority status certificate be issued accordingly.
14. In view of the above, the present petition is disposed of in accordance with this order.

Signed, pronounced and published on **Wednesday, 19th day of August, 2026.**

DR. SHAHID AKHTER
MEMBER

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