

**GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR MINORITY
EDUCATIONAL INSTITUTIONS**

CASE NO. 126 OF 2024

In the matter of:

**Baring Union Christian College, Jalandhar Road, Batala, Gurdaspur,
Punjab – 143505.**

... Petitioner

Versus

**Additional Chief Secretary Higher Education and Languages Punjab,
Punjab Civil Secretariat – II, Sector – 9A, Chandigarh.**

... Respondent

Present: Mr. Bibin John, Advocate for the petitioner.
None for the respondent.

ORDER

Date: 06.08.2026

Dr. Shahid Akhter, Member, NCMEI

1. This petition has been received on 11.03.2024 by hand through Mr. Bibin John, Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to Baring Union Christian College, Jalandhar Road, Batala, Gurdaspur, Punjab – 143505.
2. Learned counsel for the petitioner filed an affidavit of Dr. Derick Engles, Secretary of Baring Union Christian College Association Batala and authorized representative of petitioner institution 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 He has also filed separate affidavit of Dr. Derick Engles 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. : PB/2017/0151872 of the petitioner Society as given by the Niti Aayog Portal NGO Darpan, photocopy of application dated 04.10.2023 sent to the State Competent Authority alongwith postal receipt and its tracking report, Certified Copies Memorandum of Association alongwith list of founding members, Amended Memorandum of Association alongwith list of present members of Baring Union Christian College Association Batala, copy of recognition order dated 08.10.1993 issued by the Assistant Registrar, Guru Nanak Dev University, Amritsar granting permanent affiliation alongwith its English translation to the unaided petitioner institution and original resolution of the General Body of the Society in favour of Dr. Derick Engles, Secretary of Baring Union Christian College Association Batala for obtaining MSC from this Commission.
4. As per the information supplied by the petitioner unaided institution with regard to students' strength, it is mentioned that during the academic year 2021-22, out of the total 1341 students, 08 students were from the Muslim minority community, 135 students were from the Christian minority community, 747 students were from the Sikh minority community and 451 students were Hindu. During the academic year 2022-23, out of the total 1364 students, 15 students were from the Muslim

minority community, 133 students were from the Christian minority community, 698 students were from the Sikh minority community and 518 students were Hindu and during the academic year 2023-24, out of the total 1251 students, 14 students were from the Muslim minority community, 167 students were from the Christian minority community, 648 students were from the Sikh minority community and 422 students were Hindu. It is relevant to mention here that during the academic year 2021-22, out of the total 67 teachers, 08 teachers were from the Christian minority community, 32 teachers were from the Sikh minority community and 27 teachers were Hindu. In the academic year 2022-23, out of the total 69 teachers, 06 teachers were from the Christian minority community, 32 teachers were from the Sikh minority community and 31 teachers were Hindu and in the academic year 2023-24, out of the total 65 teachers, 07 teacher were from the Christian minority community, 29 teachers were from the Sikh minority community and 29 teachers were Hindu.

5. It is stated in the petition that on dated 04.10.2023, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 05.10.2023 and the same 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 application 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 03.06.2024, no reply/ response has 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 04.02.2025. After service of letter/emails to the physical inspection committee dated 11.02.2025 and reminders dated 02.05.2025, 04.08.2025, 21.11.2025 and 09.02.2026, Physical Inspection Committee, has sent letter dated 26.02.2026, which was received by post in the Commission's Office on dated 06.03.2026 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 learned counsel for the petitioner, perused the pleadings, the documents filed by the petitioner and affidavit of Dr. Derick Engles, Secretary of Baring Union Christian College Association Batala and authorized representative of petitioner institution.

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 Baring Union Christian College Association Batala 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 Dr. Derick Engles, Secretary of Baring Union Christian College Association Batala 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 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 Punjab as per the census of 2011 was 1.26%.

10. I have perused the Amended Memorandum of Association of the petitioner institution, which was registered before the Registrar of Firms & Societies, Punjab

on dated 02.03.2016 which is before the filing of NOC application U/s 10 of the NCMEI Act, 2004 dated 04.10.2023 and petition for grant of MSC on dated 11.03.2024. 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 02.03.2016 of the said Society and all the documents produced by the petitioner institution clearly reflect that the beneficiaries of the petitioner institution are primarily the members of the Christian minority community. In addition, the said fact 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 before this Commission.

12. Relying on the said un rebutted evidence produced on behalf of the petitioner, we find and hold that Baring Union Christian College, Jalandhar Road, Batala, Gurdaspur, Punjab – 143505 run by Baring Union Christian College Association Batala 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, Baring Union Christian College, Jalandhar Road, Batala, Gurdaspur, Punjab – 143505 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, 06th day of August, 2026.**

**DR. SHAHID AKHTER
MEMBER**

DSS