

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

Case No. 02 of 2026

In the matter of :-

Holy Child Auxilium School, Sector – XII, R.K. Puram, New Delhi – 110 022.

.....**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 02.12.2025 by hand through Mr. Jose Abraham, Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to Holy Child Auxilium School, Sector – XII, R.K. Puram, New Delhi – 110 022.
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 Salesian Sisters of Northern India, a notarized copy of the recognition certificate dated 08.08.1980 permanently issued by the Education Officer, Zone IX, Directorate of Education, New 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 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 901 students, 149 students were from the Christian minority

community, 32 students were from the Muslim community, 10 Students were from the Sikh minority community, 06 students were from the Jain minority community, 01 student was from the Buddhist minority community and 703 students were Hindu. In the year 2024-25, it is mentioned that out of total 854 students, 41 students were from the Muslim minority community, 140 students were from the Christian minority community 04 Students were from the Sikh minority community, 03 students were from the Jain minority community, 01 student was from the Buddhist minority community and 665 students were Hindu and in the year 2025-26, it is mentioned that out of the total 827 students, 38 students were from the Muslim minority community, 136 students were from the Christian minority community 01 Student was from the Sikh minority community, 02 students were from the Jain minority community, 03 students were from the Buddhist minority community and 647 students were Hindu. It is relevant to mention here that during the academic year 2023-24, out of the total 33 teachers, 14 teachers were from Christian minority community, 01 teacher was from Muslim minority community and 18 teachers were Hindu. In the academic year 2024-25, out of the total 34 teachers, 18 teachers were from Christian minority community, 01 teacher was from Muslim minority community and 15 teachers were Hindu and in the academic year 2025-26, out of the total 34 teachers, 18 teachers were from Christian minority community, 01 teacher was from Muslim minority community and 15 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 18.01.2026, 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 10.03.2026. After service of letter/email to the physical inspection committee dated 16.03.2026, Physical Inspection Committee has sent Physical Inspection Report which was received by hand in the Commission's Office on dated 05.05.2026 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 unrebutted evidence produced on behalf of the petitioner, we find and hold that Holy Child Auxilium School, Sector – XII, R.K. Puram, New Delhi – 110 022 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, Holy Child Auxilium School, Sector – XII, R.K. Puram, New Delhi – 110 022. 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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