

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

CASE NO. 134 OF 2024

In the matter of:

**St. Xavier's School, Satkoha (Naushera Majha Singh), Gurdaspur,
Punjab – 143518.**

... Petitioner

Versus

**Director of Public Inspection (S.E) Punjab Block E, Vidya Bhawan,
4th Floor Complex Punjab School Education Board, Sector 62,
S.A.S. Nagar, Mohali, Punjab – 160062.**

... Respondent

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

ORDER

Date: 05.08.2026

Dr. Shahid Akhter, Member, NCMEI

1. This petition has been received on 20.03.2024 by hand through Mr. Jose Abraham, Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to St. Xavier's School, Satkoha (Naushera Majha Singh), Gurdaspur, Punjab – 143518.

2. Learned counsel for the petitioner filed an affidavit of Rev. Fr. Remy Cardozo, President of Society of Pilar, Punjab - Haryana 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 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. : HR/2018/0221082 of the petitioner Society as given by the Niti Aayog Portal NGO Darpan, photocopy of application dated 11.09.2023 sent to the State Competent Authority alongwith postal receipt and its tracking report, notarized copies of Certificate of Registration, Memorandum of Association alongwith list of founding members, Rules and Regulations, Amended Memorandum of Association alongwith list of present members of Institute of Society of Pilar, Punjab - Haryana, notarized copy of recognition order dated 21.10.2024 issued by the Deputy Secretary/Joint Secretary(AFF.), CBSE granting affiliation for Secondary Level to the unaided petitioner institution and original resolution of the General Body of the Society in favour of Rev. Fr. Remy Cardozo, President of Society of Pilar, Punjab - Haryana 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 2022-23, out of the total 490 students, 99 students were from the Christian minority community, 367 students were from the Sikh minority community and 24 students were Hindu. During the academic year 2023-24, out of the total 544 students, 128 students were from the Christian minority community, 388 students were from the

Sikh minority community and 28 students were Hindu and during the academic year 2024-25, out of the total 580 students, 149 students were from the Christian minority community, 404 students were from the Sikh minority community and 27 students were Hindu. It is relevant to mention here that during the academic year 2022-23, out of the total 23 teachers, 16 teachers were from the Christian minority community, 06 teachers were from the Sikh minority community and 01 teacher was Hindu. In the academic year 2023-24, out of the total 26 teachers, 17 teachers were from the Christian minority community, 07 teachers were from the Sikh minority community and 02 teachers were Hindu and in the academic year 2024-25, out of the total 29 teachers, 19 teacher were from the Christian minority community, 06 teachers were from the Sikh minority community and 04 teachers were Hindu.

5. It is stated in the petition that on dated 11.09.2023, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 14.09.2023 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 28.05.2024 and 14.08.2024, Director, Directorate of School Education (Secondary), Punjab School Education Board has sent letter dated 20.09.2024 which was received before the Commission's office on 24.09.2024. 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 24.09.2024. After service of letter/emails to the physical inspection committee dated 25.09.2024 and reminders dated 23.12.2024, 05.03.2025 and 09.05.2025, Physical Inspection Committee, has sent letter dated 30.04.2025, which was received by post in the Commission's Office on dated 28.05.2025 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 learned counsel for the petitioner, perused the pleadings, the documents filed by the petitioner and affidavit of Rev. Fr. Remy Cardozo, President of Society of Pilar, Punjab - Haryana 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 Society of Pilar, Punjab - Haryana 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 Rev. Fr. Remy Cardozo, President of Society of Pilar, Punjab - Haryana 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 Societies, Sirsa, Haryana on dated 24.05.2023 which is before the filing of NOC application U/s 10 of the NCMEI Act, 2004 dated 11.09.2023 and petition for grant of MSC on dated 20.03.2024. 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 24.05.2023 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 St. Xavier's School, Satkoha (Naushera Majha Singh), Gurdaspur, Punjab – 143518 run by Society of Pilar, Punjab - Haryana 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 subserving the interests of the Christian minority community.

13. Consequently, St. Xavier's School, Satkoha (Naushera Majha Singh), Gurdaspur, Punjab – 143518 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, 05th day of August, 2026.**

DR. SHAHID AKHTER
MEMBER

DSS