

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

Case No. 156 of 2026

In the matter of :-

Guru Nanak Public School, Vill. Jagaat Khanna, P.O. Manjholi, Tehsil Nalgarh, Solan Himachal Pradesh - 174101

..... **Petitioner**

V/s

Director, Directorate of Higher Education, Shimla, Himachal Pradesh

..... **Respondent**

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

ORDER

DATED 06.08.2026

Dr. Shahid Akhter, Member, NCMEI

1. This petition has been received on 22.07.2026 by hand through Mr. Jose Abraham, Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to Guru Nanak Public School, Vill. Jagaat Khanna, P.O. Manjholi, Tehsil Nalgarh, Solan, Himachal Pradesh - 174101.
2. Learned counsel for the petitioner filed affidavit of Mr. S. Nasib Singh, President of Gurmat Parchar Trust Himachal Pradesh and the authorized representative of the applicant institution i.e. Guru Nanak Public School, Vill. Jagaat Khanna, P.O. Manjholi, Tehsil Nalgarh, Solan, Himachal Pradesh – 174101 in support of the averments made in the petition and also to prove that the beneficiaries of the petitioner institution are members of the Sikh minority community and stating that the petitioner institution shall not deny admission of eligible candidate of the Sikh 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. : HP/2018/0227376 of the petitioner Trust as given by the Niti Aayog Portal NGO Darpan, copy of NOC application dated 13.04.2026 submitted before the State Competent Authority i.e. Director, Directorate of Higher Education, Shimla, Himachal Pradesh, certified copies of Trust Deed, Amended Trust Deed, notarized copy of order dated 07.06.2023 issued by the Deputy Secretary/ Joint Secretary(AFF.), CBSE granting affiliation to the unaided petitioner institution and resolution of the General Body of the Trust in favour of Mr. S. Nasib Singh, President of Gurmat Parchar Trust Himachal Pradesh and the authorized representative of the applicant institution for obtaining MSC from this Commission.
4. As per the information supplied by the petitioner institution with regards to students strength, it is mentioned that during the academic year 2024-25, out of total 1246 students, 46 students were from the Muslim minority community, 686 students were from the Sikh community and 514 students were Hindu. In the academic year 2025-26, out of total 1360 students, 46 students were from the Muslim minority community, 712 students were from the Sikh community, 01 student was from the Jain community and 601 students were Hindu and in the academic year 2026-27, out of total 1422 students, 46 students were from the Muslim minority community, 728 students were from the Sikh community, 01

student was from the Jain community and 647 students were Hindu. It is relevant to mention here that during the academic year 2024-25, out of the total 55 teachers, 01 teacher was from the Muslim minority community, 25 teachers were from the Sikh minority community and 28 teachers were Hindu. In the academic year 2025-26, out of the total 59 teachers, 01 teacher was from the Muslim minority community, 26 teachers were from the Sikh minority community, 01 teacher was from the Jain minority community and 31 teachers were Hindu and in the academic year 2026-27, out of the total 60 teachers, 01 teacher was from the Muslim minority community, 28 teachers were from the Sikh minority community, 01 teacher was from the Jain minority community and 30 teachers were Hindu.

5. It is stated in the petition that on dated 13.04.2026, the petitioner institution has applied to the State Competent Authority for grant of NOC before the Competent Authority i.e. Director School Education, Himachal Pradesh and the Competent authority vide letter No. EDN-SE(10)A(1)33/2026-(NOC)-(Minority) dated 29.05.2026 has granted No Objection Certificate to the petitioner institution.
6. Heard the Learned Counsel for the petitioner, perused the pleading of the petition, the documents filed by the petitioner and affidavit of Mr. S. Nasib Singh, President of Gurmat Parchar Trust Himachal Pradesh and the authorized representative of the applicant institution for obtaining MSC from this Commission. In facts and circumstances of the case, there appears no need to give notice of this petition as respondent has granted NOC in favour of the petitioner institution.
7. 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 Sikh minority community and is being administered by Gurmat Parchar Trust Himachal Pradesh which is managed and run by the members of the Sikh 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. S. Nasib Singh, President of Gurmat Parchar Trust Himachal Pradesh and authorized representative of petitioner institution.
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 this 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 Sikh minority community in the State of Himachal Pradesh as per the census of 2011 is 1.16%.
9. I have perused the Amended Trust Deed which was registered before Sub - Registrar, Nalagarh, Himachal Pradesh on dated 21.09.1999, which is before the filing of NOC application U/s 10 of the NCMEI Act, 2004 dated 13.04.2026 and petition for grant of MSC on dated 22.07.2026. So it is clear that the amendment has been done before filing the petition for grant of MSC before this Commission.
10. The Amended Trust Deed dated 21.09.1999 and all the documents produced by the petitioner institution clearly reflects that the beneficiaries of the petitioner institution are primarily the members of the Sikh 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 Guru Nanak Public School, Vill. Jagaat Khanna, P.O. Manjholi, Tehsil Nalgarh, Solan, Himachal Pradesh – 174101 run by Gurmat Parchar Trust Himachal Pradesh 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 Sikh minority community.
12. Consequently, Guru Nanak Public School, Vill. Jagaat Khanna, P.O. Manjholi, Tehsil Nalgarh, Solan, Himachal Pradesh – 174101 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.
13. A minority status certificate be issued accordingly.
14. However, it is made clear that if state Government has any objection in granting MSC in favour of the petitioner institution i.e. Guru Nanak Public School, Vill. Jagaat Khanna, P.O. Manjholi, Tehsil Nalgarh, Solan, Himachal Pradesh – 174101, the State is free to file an application for cancellation of MSC under Section 12C of the NCMEI Act, 2004.
15. In view of the above, the present petition is disposed of in accordance with this order.

Signed, pronounced and published on **Thursday, 06th of August 2026.**

DR. SHAHID AKHTER
MEMBER

DSS