

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

Case No. 96 of 2024

In the matter of :-

**Akal Academy Telipura, P.O. Choukhandi, Via Kashipur, Tehsil Tanda,
District Rampur, Uttar Pradesh – 244 713**

..... **Petitioner**

V/s

**Additional Chief Secretary, Secondary Education Department,
Government of Uttar Pradesh, Bapu Bhawan, 7th Floor, Lucknow,
Uttar Pradesh- 226 001**

..... **Respondent**

**Present: Mr. Junais P., for the petitioner
None for the respondent**

ORDER

DATED 06.08.2026

Dr. Shahid Akhter, Member, NCMEI

1. This petition has been received on 22.02.2024 by hand through Mr. Junais P., Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to Akal Academy Telipura, P.O. Choukhandi, Via Kashipur, Tehsil Tanda, District Rampur, Uttar Pradesh – 244713.
2. Learned counsel for the petitioner filed an affidavit of Dr. Davinder Singh, President of Kalgidhar Educational Society 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. He has also filed separate affidavit of Dr. Davinder Singh stating therein 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 a copy of Unique ID No. : UP/2017/0175432 of the petitioner Society as given by the Niti Aayog Portal NGO Darpan, photocopy of application dated 20.03.2023 sent to the State Competent Authority alongwith postal receipt and its tracking report, notarized copies of Certificate of Registration, Memorandum of Association and Rules & Regulations alongwith list of founding members and present member of Kalgidhar Educational Society, notarized copy of recognition order dated 23.11.2021 issued by the Deputy Secretary/Joint Secretary(AFF.),CBSE granting affiliation to the unaided petitioner institution and original resolution of the General Body of the Society in favour of Dr. Davinder Singh, President of Kalgidhar Educational Society 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 2024-25, it is mentioned that out of total 527 students, 46 students were from the Muslim minority community, 04 students were from the Christian minority community, 291 students were from the Sikh minority community, 02 students were from the Jain minority community and 184 students were Hindu. In the year 2024-25, it is mentioned that out of total 572 students, 58 students were from the Muslim minority community, 02 students were from the Christian minority community, 309 students were from the Sikh minority community and 203 students were Hindu .It is relevant to mention here that during the academic year 2024-25, out of the total 28 teachers, 02 teachers were from the Muslim minority community, 01 teacher was from the Christian minority community, 16 teachers were from the Sikh minority community and 09 teachers were Hindu. In the year 2025-26, out of the total 26 teachers, 02 teachers were from the Muslim minority community, 01 teacher was

from the Christian minority community, 14 teachers were from the Sikh minority community and 09 teachers were Hindu.

5. It is stated in the petition that on dated 20.03.2023, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 28.03.2023 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 06.03.2024 and 17.05.2024, 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 alongwith recommendation may be obtained from the Committee constituted by this Commission for issuance of MSC to the petitioner institution vide order dated 29.08.2024, After service of letter/emails to the physical inspection committee dated 17.09.2024 and reminders dated 18.11.2024, 12.02.2025, 01.05.2025, 05.08.2025, 23.09.2025, 21.11.2025 and 09.02.2026, Physical inspection committee for sending Physical Inspection Report but the members of the said committee failed to send report to the Commission in terms of order dated 04.02.2026. Hence, the case was proceeded ex-parte against members of the said committee. As per census of India report of 2011 percentage of Sikh minority community in the state of Uttar Pradesh is 0.32%. As per information supplied by petitioner institution that in the year 2025-26, out of the total 572 students, 309 students were from the Sikh minority community, which is 54.02%, which is more than the state census of 2011 i.e. 12.69%.
7. Heard the learned counsel for the petitioner, perused the pleading of the parties, the documents filed by the petitioner and affidavit of Dr. Davinder Singh, President of Kalgidhar Educational Society.
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 Sikh minority community and is being administered by Kalgidhar Educational Society 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 Dr. Davinder Singh, President of Kalgidhar Educational Society.
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 the 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 Uttar Pradesh as per the census of 2011 is 0.32%.
10. I have perused the Amended Memorandum of Association of the petitioner Society which was registered before the Sub - Registrar, Firms Societies and Chits, Bareilly on dated 28.11.2020 which is before the filing of NOC applications U/s 10 of the NCMEI Act, 2004 dated 20.03.2023 and petition for grant of MSC on dated 22.02.2024. 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 28.11.2020 for the petitioner society 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.
12. Relying on the said unrebutted evidence produced on behalf of the petitioner, we find and hold that Akal Academy Telipura, P.O. Choukhandi, Via Kashipur, Tehsil Tanda,

District Rampur, Uttar Pradesh – 244713 run by Kalgidhar Educational Society 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.

13. Consequently, Akal Academy Telipura, P.O. Choukhandi, Via Kashipur, Tehsil Tanda, District Rampur, Uttar Pradesh – 244713 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