

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

Case No. 07 of 2026

In the matter of :-

Shaheen Academy, Green Park Colony, Dhanasuta Road, Ratlam, Madhya Pradesh – 457001.

..... **Petitioner**

V/s

**Commissioner, Backward Classes and Minority Welfare Department,
Government of Madhya Pradesh, Madhya Pradesh.**

..... **Respondent**

**Present: Mr. Iftekhar Ahmed, Advocate for the petitioner
None for the respondent**

ORDER

DATED 29.09.2026

Dr. Shahid Akhter, Member, NCMEI

1. This petition has been received on 11.12.2025 by post through Mr. Iftekhar Ahmed, Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to Shaheen Academy, Green Park Colony, Dhanasuta Road, Ratlam, Madhya Pradesh – 457001.
2. Learned counsel for the petitioner filed an affidavit of Mohammad Parvez Rathor, President of Dare Arkam Education Welfare 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 Muslim minority community. He has also filed separate affidavit of Mohammad Parvez Rathor stating therein that the petitioner institution shall not deny admission of eligible candidate of the Muslim 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. : MP/2025/0688571 of the petitioner Society as given by the Niti Aayog Portal NGO Darpan, original copy of application dated 30.05.2025 by hand to the State Competent Authority, Certified Copies of Certificate of Registration, Memorandum of Association, Rules and Regulations alongwith list of present members of the Dare Arkam Education Welfare Society, notarized copy of order dated 21.05.2024 issued by Joint Director, Lok Shikshan Sanchalanalay, Ujjain, Madhya Pradesh granting affiliation to the unaided petitioner institution for the period of 2024-25 to 2028-29 and resolution of the General Body of the Society in favour of Mohammad Parvez Rathor, President of Dare Arkam Education Welfare 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 2023-24, it is mentioned that out of total 203 students, all students were from the Muslim minority community. In the academic year 2024-25, it is mentioned that out of total 418 students, all students were from the Muslim minority community and in the academic year 2025-26, it is mentioned that out of total 723 students, all students were from the Muslim minority

community. It is relevant to mention here that during the academic year 2023-24, out of the total 15 teachers, all teachers were from the Muslim minority community. In the academic year 2024-25, out of the total 26 teachers, all teachers were from the Muslim minority community and in the academic year 2025-26, out of the total 38 teachers, all teachers were from the Muslim minority community.

5. It is stated in the petition that on dated 30.05.2025, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 30.05.2025 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 dated 28.01.2026, 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 alongwith recommendation may be obtained from the Committee constituted by this Commission for issuance of MSC to the petitioner institution vide order dated 01.04.2026. After service of letter/emails to the physical inspection committee dated 02.04.2026 and reminder dated 02.06.2026. Physical Inspection Committee, vide letter dated 30.07.2026 has sent Physical Inspection Report which was received by post in the Commission's Office on dated 03.08.2026 and by email on 31.07.2026 which was duly signed by all the members of the physical Inspection Committee wherein they have recommended to grant minority status certificate to the petitioner institution.
7. Heard the learned counsel for the petitioner, perused the pleading of the petition, the documents filed by the petitioner and affidavit of Mohammad Parvez Rathor, President of Dare Arkam Education Welfare Society.
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 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 Muslim minority community in the State of Madhya Pradesh as per the census of 2011 is 6.57%.
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 Muslim minority community and is being administered by Dare Arkam Education Welfare Society which is managed and run by the members of the Muslim 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 Mohammad Parvez Rathor, President of Dare Arkam Education Welfare Society.

10. I have perused the Memorandum of Association of the petitioner institution which was registered before the Assistant - Registrar, Firms Societies and Chits, Ujjain on dated 10.07.2017 which is before the filing of NOC applications U/s 10 of the NCMEI Act, 2004 dated 30.05.2025 and petition for grant of MSC on dated 11.12.2025.
11. The Memorandum of Association dated 10.07.2017 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 Muslim 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 un rebutted evidence produced on behalf of the petitioner, we find and hold that Shaheen Academy, Green Park Colony, Dhanasuta Road, Ratlam, Madhya Pradesh – 457001 run by Dare Arkam Education Welfare 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 Muslim minority community.
13. Consequently, Shaheen Academy, Green Park Colony, Dhanasuta Road, Ratlam, Madhya Pradesh – 457001 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 **Tuesday, 29th Day of September, 2026.**

**DR. SHAHID AKHTER
MEMBER**

DSS