

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

Case No. 125 of 2025

In the matter of :-

**St. Joseph’s School, 531/1, Sadwa Kalan, Naini, Prayagraj, Uttar Pradesh
- 211010.**

..... Petitioner

V/s

**Additional Chief Secretary, Secondary Education Department,
Government of U.P., Babu Bhawan, 7th Floor, Lucknow, Uttar Pradesh.**

..... Respondent

**Present: Mr. Jose Abraham, 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 07.10.2025 by hand through Mr. Jose Abraham, Advocate of the petitioner institution for grant of Minority Status Certificate (in short ‘MSC’) to St. Joseph’s School, 531/1, Sadwa Kalan, Naini, Prayagraj, Uttar Pradesh - 211010.
2. Learned counsel for the petitioner filed an affidavit of Rev. Fr. Isidore D’Souza, Secretary of Diocese of Allahabad Education 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 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. : UP/2017/0158861 of the petitioner Society as given by the Niti Aayog Portal NGO Darpan, copy of application dated 07.03.2025 sent to the State Competent Authority alongwith postal receipt and its tracking report, notarized copies of Certificate of Registration, Memorandum of Association, Rules and Regulations alongwith list of founding members, Amended Memorandum of Association dated 27.04.2017 alongwith list of present members of the Diocese of Allahabad Education Society, downloaded copy of Central Board of Secondary Education granting affiliation for the period of 01.04.2025 to 31.03.2030 to the unaided petitioner institution and resolution of the General Body of the Society in favour of Rev. Fr. Isidore D’Souza, Secretary of Diocese of Allahabad Education 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 2238 students, 110 students were from the Muslim minority community, 35 students were from the Christian minority community, 09 students were from the Sikh minority community, 02 students were from the Jain minority community and 2082 students were Hindu. In the academic year 2024-25, it is mentioned that out of total

2219 students, 105 students were from the Muslim minority community, 35 students were from the Christian minority community, 09 students were from the Sikh minority community, 02 students were from the Jain minority community and 2219 students were Hindu and in the academic year 2025-26, it is mentioned that out of total 2446 students, 123 students were from the Muslim minority community, 40 students were from the Christian minority community, 11 students were from the Sikh minority community, 01 student was from the Jain minority community and 2446 students were Hindu. It is relevant to mention here that during the academic year 2023-24, out of the total 67 teachers, 04 teachers were from the Muslim minority community, 20 teachers were from the Christian minority community, 01 teacher was from the Sikh minority community and 42 teachers were Hindu. In the academic year 2024-25, out of the total 82 teachers, 08 teachers were from the Muslim minority community, 26 teachers were from the Christian minority community, 01 teacher was from the Sikh minority community and 47 teachers were Hindu and in the academic year 2025-26, out of the total 119 teachers, 13 teachers were from the Muslim minority community, 40 teachers were from the Christian minority community, 01 teacher was from the Sikh minority community and 65 teachers were Hindu.

5. It is stated in the petition that on dated 07.03.2025, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 11.03.2025 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 23.10.2025, 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 14.01.2026. After service of letter/emails to the physical inspection committee dated 20.01.2026 and reminders dated 24.03.2026 and 18.05.2026. Physical Inspection Committee, vide letter dated 13.05.2026 has sent Physical Inspection Report which was received by post in the Commission's Office on dated 18.05.2026 and by email on 15.05.2026 which was duly signed by all the members of the physical Inspection Committee wherein they have not given any adverse remarks. As per census of India report of 2011 percentage of Christian minority community in the state of Uttar Pradesh is 0.18%. As per the information supplied by Physical Inspection Report that in the academic year 2026-27, out of the total 2624 students, 37 students were from the Christian minority community, which is 1.41% the total student which is more than the state census of 2011 i.e. 0.18%.
7. Heard the learned counsel for the petitioner, perused the pleading of the petition, the documents filed by the petitioner and affidavit of Rev. Fr. Isidore D'Souza, Secretary of Diocese of Allahabad Education 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 Christian minority community in the State of Uttar Pradesh as per the census of 2011 is 0.18%.

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 Diocese of Allahabad Education Society 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. Isidore D'Souza, Secretary of Diocese of Allahabad Education Society.
10. I have perused the Amended Memorandum of Association of the petitioner institution which was registered before the Sub - Registrar, Firms Societies and Chits, Allahabad on dated 27.04.2017 which is before the filing of NOC applications U/s 10 of the NCMEI Act, 2004 dated 07.03.2025 and petition for grant of MSC on dated 07.10.2025. 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 dated 27.04.2017 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 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.
12. Relying on the said unrebutted evidence produced on behalf of the petitioner, we find and hold that St. Joseph's School, 531/1, Sadwa Kalan, Naini, Prayagraj, Uttar Pradesh – 211010 run by Diocese of Allahabad Education 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 Christian minority community.
13. Consequently, St. Joseph's School, 531/1, Sadwa Kalan, Naini, Prayagraj, Uttar Pradesh - 211010 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**