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

Case No. 271 of 2024

In the matter of :-

Kid Star Public School, Domehla Raod, Rampur, Uttar Pradesh - 244901

…….. Petitioner

V/s

Additional Chief Secretary/Principal Secretary/ Secretary, Basic Education Department, Government of Uttar Pradesh

..…… Respondent

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

ORDER

DATED 14.10.2026

Dr. Shahid Akhter, Member, NCMEI

1. This petition has been received on 26.09.2024 by hand through Mr. Junais P., Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to Kid Star Public School, Domehla Raod, Rampur, Uttar Pradesh - 244901.

2. Learned counsel for the petitioner filed an affidavit of Ms. Shazia Mateen, Chairman of Star Educational 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 and later on dated 09.10.2026 he has also filed separate affidavit of Ms. Shazia Mateen 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 a copy of Unique ID No. : UP/2024/0444196 of the petitioner Society as given by the Niti Aayog Portal NGO Darpan, copy of application dated 03.02.2024 sent to the State Competent Authority alongwith postal receipt and its tracking report, notarized copy of renewed certificate of registration, certified copies of Memorandum of Association and Rules & Regulations alongwith list of founding members of the Society alongwith list of present members of Star Educational Welfare Society, notarized copy of order dated 11.01.2019 issued by the District Basic Education Officer, Rampur granting affiliation to the unaided petitioner institution and original resolution of the General Body of the Society in favour of Ms. Shazia Mateen, Chairman of Star Educational 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 2024-25, it is mentioned that out of total 1060 students, 999 students were from the Muslim minority community and 61 students were Hindu. In the year 2025-26, it is mentioned that out of total 1175 students, 1107 students were from the Muslim minority community and 68 students were Hindu and in the year 2026-27, it is mentioned that out of total 1270 students, 1207 students were

from the Muslim minority community and 63 students were Hindu. It is relevant to mention here that during the academic year 2024-25, out of the total 38 teachers, all teachers were from the Muslim minority community. In the academic year 2025-26, out of the total 41 teachers, all teachers were from the Muslim minority community and in the academic year 2026-27, out of the total 46 teachers, all teachers were from the Muslim minority community.

5. It is stated in the petition that on dated 03.02.2024, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 06.02.2024 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 25.10.2024, 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 15.01.2025. After service of letter / email to the physical inspection committee dated 21.01.2025 and reminders dated 21.01.2025, 01.04.2025, 10.06.2025, 15.09.2025, 11.11.2025, 05.02.2026, 17.04.2026 and 14.07.2026, Physical Inspection Committee, has sent physical inspection report, which was signed by only District Basic Education Officer, Rampur vide letter dated 02.04.2026 which was received by hand in the Commission's Office on dated 09.04.2026. Physical inspection committee failed to send a proper reply to the Commission. Accordingly, the case was proceeded ex-parte against them in terms of order dated 09.07.2026. As per census of India report of 2011 percentage of Muslim minority community in the state of Uttar Pradesh is 19.26%. As per the information supplied by petitioner institution that in the academic year 2026-27, out of the total 1270 students, 1207 students were from the Muslim minority community, which is 95.03% the total student which is more than the state census of 2011 i.e. 19.26%.

7. Heard the learned counsel for the petitioner, perused the pleading of the parties, the documents filed by the petitioner and affidavit of Ms. Shazia Mateen, Chairman of Star Educational Welfare 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 Muslim minority community and is being administered by Star Educational 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 Ms. Shazia Mateen, Chairman of Star Educational Welfare 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 Muslim minority community in the State of Uttar Pradesh as per the census of 2011 is 19.26%.

10. I have perused the Memorandum of Association of the petitioner Society which was registered before the Sub - Registrar, Firms Societies & Chits, Moradabad on dated 04.05.2011 which is before the filing of NOC applications U/s 10 of the NCMEI Act, 2004 dated 03.02.2024 and petition for grant of MSC on dated 26.09.2024.

11. The Memorandum of Association dated 04.05.2011 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 unrebutted evidence produced on behalf of the petitioner, we find and hold that Kid Star Public School, Domehla Raod, Rampur, Uttar Pradesh – 244901 run by Star Educational 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, Kid Star Public School, Domehla Raod, Rampur, Uttar Pradesh – 244901 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, 14th Day of October, 2026.**

DR. SHAHID AKHTER
MEMBER

DSS