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

Case No. 154 of 2025

In the matter of :-

Guru Nanak Public School, Sikharpur, Kaliaboda, Cuttack, Odisha - 765001.

…….. Petitioner

V/s

Director, Elementary Education, 5th Floor, HOD Building, Unit-V, Bhubaneswar, Khordha, Odisha-751001.

..…… Respondents

Present: Mr. Agneev Kumar Das, Advocate for the petitioner
None for the respondent

ORDER

DATED 04.11.2026

Dr. Shahid Akhter, Member, NCMEI

1. This petition has been received on 17.11.2025 by hand through Mr. Agneev Kumar Das, Advocate of the petitioner institution for grant of Minority Status Certificate (in short 'MSC') to Guru Nanak Public School, Sikharpur, Kaliaboda, Cuttack, Odisha - 765001.

2. Learned counsel for the petitioner filed an affidavit of Mr. Samrat Vikram Singh, Secretary of The Managing Committee of Guru Nanak Public School 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 also 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 copy of Unique ID No. : OR/2018/0185071 of the petitioner Society as given by the Niti Aayog Portal NGO Darpan, photocopy of application dated 14.08.2025 sent to the State Competent Authority alongwith postal receipt and its tracking report, certified copy of Certificate of Registration, Memorandum of Association, Rules & Regulations alongwith list of founding members of the Managing Committee of Guru Nanak Public School, Amended Memorandum of Association, Amended Rules & Regulations alongwith list of present members of the Managing Committee of Guru Nanak Public School, downloaded copy of order dated 04.06.2022 issued by the Deputy Secretary/Joint Secretary(AFF.), CBSE granting affiliation to the unaided petitioner institution and resolution of the General Body of the Society in favour of Mr. Samrat Vikram Singh, Secretary of Managing Committee of Guru Nanak Public School 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 1374 students, 18 students were from the Muslim minority community, 20 students were from the Sikh minority community and 1336 students were Hindu. In the academic year 2024-25, it is mentioned that out of total 1520 students, 20 students were from the Muslim minority community, 25 students were from the Sikh minority community, 01 student was from the Jain minority community and 1474 students were Hindu and in the academic year 2025-26, it is mentioned that out of total 1720 students, 27

students were from the Muslim minority community, 30 students were from the Sikh minority community, 01 student was from the Jain minority community and 1662 students were Hindu. It is relevant to mention here that during the academic year 2023-24, out of the total 50 teachers, 04 teachers were from the Muslim minority community, 03 teachers were from the Sikh minority community and 43 teachers were Hindu. In the academic year 2024-25, out of the total 59 teachers, 04 teachers were from the Muslim minority community, 03 teachers were from the Sikh minority community and 52 teachers were Hindu and in the academic year 2025-26, out of the total 64 teachers, 04 teachers were from the Muslim minority community, 02 teachers were from the Christian minority community, 03 teachers were from the Sikh minority community and 55 teachers were Hindu.

5. It is stated in the petition that on dated 14.08.2025, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 16.08.2025 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 / email dated 17.12.2025, 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 12.02.2026. After service of letters/emails to the physical inspection committee dated 26.02.2026 and reminder dated 15.04.2026, Physical Inspection Committee, vide letter dated 05.10.2026 has sent Physical Inspection Report which was received by post in the Commission's Office on dated 08.10.2026 which was duly signed by all the members of the physical Inspection Committee wherein they have not recommended to grant minority status certificate to the petitioner institution. As per census of India report of 2011 percentage of Sikh minority community in the state of Odisha is 0.05%. As per the information supplied by Physical Inspection Report that in the academic year 2025-26, out of the total 1689 students, 30 students were from the Sikh minority community, which is 1.77% and is more than the state percentage i.e. 0.05 as per census of India, 2011.

7. Heard the learned counsel for the petitioner, perused the pleading of the petition, the documents filed by the petitioner and affidavit of Mr. Samrat Vikram Singh, Secretary of Managing Committee of Guru Nanak Public School.

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 Sikh minority community in the State of Odisha as per the census India, 2011 is 0.05%.

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 Sikh minority community and is being administered by Managing Committee of Guru Nanak Public School 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. Samrat Vikram Singh, Secretary of Managing Committee of Guru Nanak Public School.

10. I have perused the Amended Memorandum of Association of the petitioner institution which was registered before the Additional Registrar of Societies, Cuttack on dated

24.07.2023 which is before the filing of NOC applications U/s 10 of the NCMEI Act, 2004 dated 14.08.2025 and petition for grant of MSC on dated 17.11.2025. 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 24.07.2023 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 Guru Nanak Public School, Sikharpur, Kaliaboda, Cuttack, Odisha – 765001 run by Managing Committee of Guru Nanak Public School 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, Guru Nanak Public School, Sikharpur, Kaliaboda, Cuttack, Odisha – 765001 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, 04th Day of November, 2026.**

DR. SHAHID AKHTER
MEMBER

DSS