

19922



भारत सरकार
राष्ट्रीय अल्पसंख्यक शैक्षणिक संस्था आयोग
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR MINORITY EDUCATIONAL INSTITUTIONS

गेट नं० ४, प्रथम तल, जीवन तारा भवन, ५, संसद मार्ग
पटेल चौक, नई दिल्ली - ११० ००१
Gate No. 4, 1st Floor, Jeevan Tara Building, 5, Sansad Marg
Patel Chowk, New Delhi - 110 001

C E R T I F I C A T E

Dated.....

THIS IS TO CERTIFY THAT BY THE ORDER DATED 22ND DAY OF SEPTEMBER 2014 PASSED BY THE NATIONAL COMMISSION FOR MINORITY EDUCATIONAL INSTITUTIONS, NEW DELHI IN CASE NO. 1054 OF 2014 (ST. XAVIER'S CENTRAL SCHOOL, MANGALAMDAM P.O., PALAKKAD DIST., KERALA, VS. SECRETARY, GENERAL EDUCATION DEPARTMENT, GOVERNMENT OF KERALA), ST. XAVIER'S CENTRAL SCHOOL RUN BY ST. XAVIER'S EDUCATIONAL TRUST HAS BEEN DECLARED AS A MINORITY EDUCATIONAL INSTITUTION COVERED UNDER SECTION 2(g) OF THE NATIONAL COMMISSION FOR MINORITY EDUCATIONAL INSTITUTIONS ACT, 2004.

GIVEN UNDER MY HAND AND THE SEAL OF THE COMMISSION ON THIS 22ND DAY OF SEPTEMBER, 2014.




(RITA CHATTERJEE)
SECRETARY



BY REGISTERED POST

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Gate No. 4, 1st Floor, Jeevan Tara Building, 5 Sansad Marg
Patel Chowk, New Delhi - 110 001

F. NO. 1054 OF 2014 -19922 ✓

Dated.....

12th November 2014

To

Rev. Fr. Jose Alackakunnel,
Chairman,
St. Xavier's Educational Trust,
Mangalamdam P.O.,
Palakkad Dist.,
Kerala - 678 706

Sir,

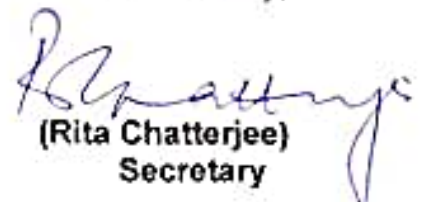
Please refer to your letter dated 28.03.2014, forwarding therewith application in the prescribed format for obtaining the certification of minority status for your school.

The Commission vide its Order dated the 22.09.2014 has decided to issue the Minority Status Certificate to St. Xavier's Central School, Mangalamdam P.O., Palakkad Dist., Kerala. Please find enclosed herewith the Minority Status Certificate dated the September 22, 2014 in original, in respect of the said school.

Please acknowledge receipt.

Enc: As above

Yours faithfully,


(Rita Chatterjee)
Secretary

F. NO. 1054 OF 2014
NATIONAL COMMISSION FOR MINORITY
EDUCATIONAL INSTITUTIONS

Present: Mr. Jose Abraham, Advocate for the petitioner.
Ms. Kavitha K T., Advocate for the respondent.

No reply has been filed on behalf of the respondent.

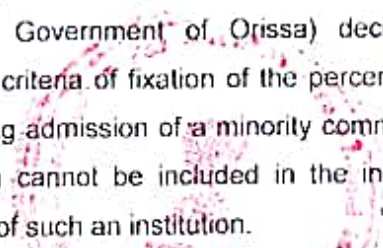
Learned counsel for the petitioner filed the affidavit of Fr. Jose Alackakunnel in support of the averments made in the petition and also to prove that the beneficiaries of the petitioner institution are members of the Christian community. Copy of the affidavit supplied to learned counsel for the respondent. Learned counsel for the petitioner produced the original Deed of St. Xavier's Educational Trust including the amended Deed of the said trust and the original Certificate of Affiliation dated 4.03.2014 granted by the CBSE to the petitioner institution, which after due verifications were returned to him.

Since the petitioner institution is affiliated to CBSE, the State Government does not have power to grant minority status certificate as sought by the petitioner. Hence it is a fit case for intervention by this Commission.

The petitioner institution has applied for grant of minority status certificate on the ground that the same has been established and is being administered by the St. Xavier's Educational Trust, which is a registered trust, constituted by members of the Christian community. All the trustees of the said trust are also Christian. 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 Fr. Jose Alackakunnel.

The amended Deed of the St. Xavier's Educational Trust clearly reflects that the beneficiaries of the petitioner institution are members of the Christian community. In addition, the said fact also stands proved from the affidavit of Fr. Jose Alackakunnel. Learned counsel for the respondent has not disputed the aforesaid facts.

We have already held in the Case No. 1320 of 2009 (Buckley Primary School vs. The Principal Secretary to Government, School & Mass Education Department, Government of Orissa) decided on 06.07.2010 that the identifying criteria of fixation of the percentage by the State Government governing admission of a minority community in a minority education institution cannot be included in the indicia for determining the minority status of such an institution.



In view of the admitted facts, we find and hold that the St Xavier's Central School, Mangalamdam P O, Palakkad Dt., Kerala, run by the St Xavier's Educational Trust, 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 subserving the interests of the Christian community. Consequently, St. Xavier's Central School, Mangalamdam P O, Palakkad Dt., Kerala, is declared as a minority educational institution within the meaning of Section 2(g) of the National Commission for Minority Educational Institutions Act. A minority status certificate be issued accordingly.

JUSTICE M.S.A. SIDDIQUI
CHAIRMAN

DR. MOHINDER SINGH
MEMBER

DR. CYRIAC THOMAS
MEMBER

ZAFAR AGHA
MEMBER

22.09.2014
Ks

Certified Copy
[Signature]
Secretary
National Commission For
Minority Educational Institutions
New Delhi

