



GOVERNMENT OF KERALA

Abstract

Minority Welfare Department – Appointment of Competent Authority under Section 10 and 12(B) of the National Commission for Minority Educational Institutions Act, 2004 - Orders issued.

GENERAL ADMINISTRATION (MINORITY WELFARE) DEPARTMENT

G.O.(P)No. 2/2020/GAD

Dated, Thiruvananthapuram, 09.01.2020.

Read:- 1. The National Commission for Minority Educational Institution Act 2004.

2. D.O. No.T-10/2015-NCME/1746 dated 07.11.2019 of the Chairman NCMEI.

ORDER

The National commission for Minority Educational Institutions (NCMEI) Act has been enacted to safeguard the educational rights of the minorities enshrined in Article 30(1) of the constitution. Powers of the Commission includes deciding all questions relating to the status of any institution as a Minority Educational Institution (MEI). It also serves as an appellate authority in respect of dispute pertaining to minority status. Educational institutions aggrieved by the order of refusal to grant minority status certificate by the Competent Authority, can appeal to the Commission against such orders. The Commission also have the power to cancel the minority status of an educational institution on grounds laid down in the Act. For the purpose of the Act, minority means a community notified as such by the Central Government. The Central Government has notified six religious minority communities viz, Muslim, Christian, Sikh, Buddhist, Parsi and Jain. Minority Educational Institutions are College or an educational institution established and administered by a minority or minorities.

As per the National Commission for Minority Educational Institutions Act, any person who desires to establish a Minority Educational Institution must apply to the State Competent Authority for grant of No Objection Certificate under Section 10 of the Act. In case the State Competent Authority does not take any action on the application for grant of No Objection Certificate within 90 days it is deemed that the State Competent Authority has granted No Objection Certificate to the applicant Institution.

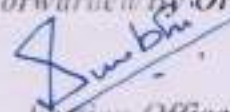
The State Government is mandated to appoint Competent Authority under section 10 of National Commission for Minority Educational Institutions Act, 2004 and as per provision contained in the National Commission for Minorities Act, 1992(19 of 1992) to decide on the issues regarding No Objection Certificate for the establishment of educational institutions by the minorities and the Minority Status of educational institution respectively.

In the circumstances, Government are pleased to appoint the Director, Directorate of Minority Welfare as the Competent Authority under Section 10 of National Commission for Minority Educational Institutions Act, 2004 to decide on the applications regarding No Objection Certificate for the establishment of educational institutions by the minorities and the Secretary, General Education Department as the Competent Authority under Section 12(B) of National Commission for Minority Educational Institutions Act, 2004 to decide on the applications regarding Minority Status of educational institution.

By order of the Governor
A.SHAJAHAN
SECRETARY

To

1. The Chairman, National Commission for Minority Educational Institutions, New Delhi.
2. Principal Secretary, Higher Education Department
3. Principal Secretary, Health and Family Welfare Department
4. Secretary, General Education Department
5. Secretary, Labour and Skills Department
6. The Director, Directorate of Minority Welfare, Vikas Bhavan, Thiruvananthapuram.
7. The Principal Accountant General (Audit A&E), Kerala, Thiruvananthapuram.
8. Information & Public Relations Department (for up-loading in the website and for wide publicity)
9. ✓ Stock File/Office Copy.

Forwarded By Order,

Section Officer.