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महाराष्ट्र शासन
सक्षम प्राधिकारी तथा सहसचिव
अल्पसंख्याक विकास विभाग
मंत्रालय, मुंबई-४०० ०३२.

क्रमांक:- अशैसं-२०१४/प्र.क्र.५३३/का-५,

दिनांक :- ०५/१२/२०१४

अल्पसंख्याक दर्जाच्या मान्यतेचे प्रमाणपत्र

मारवाडी सम्मेलन, २२७ कालबादेवी रोड, मुंबई-४०० ००२ या शैक्षणिक संस्थेने त्यांच्या संस्थेस भाषिक (हिंदी) अल्पसंख्याक शैक्षणिक संस्था म्हणून दर्जाच्या मान्यतेचे प्रमाणपत्र मिळण्यासाठी दि.२४.०६.२०१३ रोजी अर्ज सादर केला होता. दि.०५.१२.२०१४ रोजी माझ्या सक्षम संबंधित संस्थेसोबत झालेल्या सुनावणी दरम्यान संस्थेच्या पदाधिकाऱ्यांनी केलेल्या सादरी करणाऱ्या आधारे सदर संस्था ही अल्पसंख्याक विकास विभाग, शासन निर्णय, क्रमांक: अशैसं-२०१२/प्र.क्र.२१/का-५, दि. २७.०५.२०१३ अन्वये विहित करण्यात आलेल्या निकषांतर्गत राज्य शासनाने घोषित केलेल्या भाषिक (हिंदी) अल्पसंख्याकामधील व्यक्तीकडून अथवा व्यक्तींच्या समुदायाकडून स्थापित व संचलित करण्यात येत असल्याबाबत माझे समाधान झाले आहे. परिणामतः सदर संस्था ही भारतीय संविधानाच्या कलम ३० अन्वये अल्पसंख्याक शैक्षणिक संस्था असल्याचे याद्वारे घोषित करण्यात येत आहे.

हे प्रमाणपत्र केवळ महाराष्ट्र राज्यापुरते लागू असेल. सदर संस्थेस प्रदान करण्यात आलेला भाषिक (हिंदी) अल्पसंख्याक दर्जा हा संस्था संचलित करत असलेल्या सर्व शैक्षणिक शाखांना लागू राहील.

उपरोल्लेखित शैक्षणिक संस्थेस याद्वारे प्रदान करण्यात आलेला भाषिक (हिंदी) अल्पसंख्याक दर्जा हा शैक्षणिक वर्ष २०१४-१५ पासून विधिग्राह्य असेल. संबंकधत संस्थेने अल्पसंख्याक विकास विभाग, शासन निर्णय, क्रमांक: अशैसं-२०१२/प्र.क्र.२१/का-५, दि. २७.०५.२०१३ अन्वये विहित करण्यात आलेल्या निकष व अटीची सातत्याने व विनिर्देशपूर्वक पूर्तता करणे बंधनकारक राहील.



(अनुल अत्तार)

सक्षम प्राधिकारी तथा सह सचिव
अल्पसंख्याक विकास विभाग, महाराष्ट्र शासन
मंत्रालय, मुंबई-४०० ०३२.

COLOUR XEROX COPY

Transliteration of the letter in Marathi

Government of Maharashtra
Minority Development Department
Mantralaya Mumbai 400 052

No. Ashais-2014?L No 533/Ka-5

5-12-2014

Subject: Certification of Recognition status as Minority Educational Institution

Educational Institute, Marwadi Sammelan, 227 Kalbadevi Road, Mumbai 400002, had applied on 24-06-2013 to obtain a certificate for recognition as a institute with minority status. On 5-12-2014, in a hearing in front of me, office bearers of this institute have made a presentation in front of me. On the basis of this presentation I am satisfied that, as per criteria specified by the Minority Development Department, Government of Maharashtra, GR No. AshaiS-2012/L No. 21/Ka-5, dated 27-05-2013, this institution has been founded and managed by the people who belong to linguistic minority (Hindi), as declared by Government of Maharashtra. Hence I declared that this institution, as mentioned in the Section no.30, Constitution of India, is a linguistic minority (Hindi) institution.

This certification is valid only in the state of Maharashtra. This certification of Minority Educational Institution is applicable to all the educational institutes conducted by this institution.

The afore mentioned educational institution has been granted Linguistic (Hindi) Minority Status, is valid from academic year 2014-15. This institution has to abide by rules specified by Minority Development Department, as per government regulations of No. AshaiS-2012/L No. 21/Ka-5, dated 27-05-2013.

Image of the first page of the pdf document containing the list of Educational Institutions granted minority status during 27-06-2007 to 19-08-2016, obtained from https://mdd.maharashtra.gov.in/Site/Upload/Pdf/educational_institute_list_2007-2016.pdf

महाराष्ट्र शासन

क्र: अशैस-२०१२/प्र.क्र.२२२/का.५
अल्पसंख्याक विकास विभाग,
मादाम कामा रोड, हुतात्मा राजगुरु चौक,
मंत्रालय, मुंबई-४०० ०३२.
दिनांक : २९.०८.२०१६.

प्रति,

श्री दक्ष देसाई,
सल्लागार महाऑन लाईन,
मुंबई.

विषय:- अल्पसंख्याक दर्जाची मान्यता प्रदान करण्यात आलेल्या अल्पसंख्याक
शैक्षणिक संस्थांची यादी या विभागाच्या संकेतस्थळावर प्रसिध्द करण्याबाबत.

महोदय,

अल्पसंख्याक विकास विभाग, शासन निर्णय क्रमांक- अशैस-२००८ /
प्र.क्र.१३३/२००८/कार्या-१, दि. ०४ जुलै, २००८ व अशैस-२०१२/प्र.क्र. २१/का-५ , दि. २७ मे,
२०१३ च्या तरतूदीनुसार अल्पसंख्याक विकास विभागाने दि. २७.०६.२००७ ते
दि. १९.०८.२०१६ या कालावधीतील शैक्षणिक संस्थांना धार्मिक/भाषिक अल्पसंख्याक दर्जा
प्रदान करण्यात आलेल्या संस्थांची यादी सोबत जोडून पाठविण्यात येत आहे. आपणास विनंती
करण्यात येते कि सदर यादी अल्पसंख्याक विकास विभागाच्या
www.mdd.Maharashtra.gov.in या संकेतस्थळावर प्रसिध्द करण्यात यावी.

आपला



(दि.आ. शेंडगे)

कक्ष अधिकारी, महाराष्ट्र शासन

सोबत: वरिल प्रमाणे

Image of the page of the list with name of Marwadi Sammelan, obtained from
https://mdd.maharashtra.gov.in/Site/Upload/Pdf/educational_institute_list_2007-2016.pdf

२४२५	सेट फ्रान्सेस एज्युकेशनल ट्रस्ट, कुरार, मालाड (पुर्व), मुंबई-९७	मुंबई	०४.०९.२०१४	--	मल्याळम्	२६३	१७.११.२०१४
२४२६	जनता बहुउद्देशिय संस्था, वसंत नगर, मानोरा, ता. मानोरा, जि. वाशिम-४४४ ४०४	वाशिम	०९.१०.२०१४	मुस्लिम			
२४२७	मारावाडी सम्मेलन, २२७, कालबादेवी रोड, मुंबई-०२	मुंबई	२४.०६.२०१३	--	हिंदी	२६५	०५.१२.२०१४
२४२८	फलक एज्युकेशन सोसायटी, भाग्योदय नगर, कोढवा खुर्द, पुणे- ४११ ०४८	पुणे	०७.११.२०१४	मुस्लिम	--	२६६	०५.१२.२०१४
२४२९	आदर्श एज्युकेशन सोसायटी, आचोले रोड, मजिठाया पार्क, नालासोपारा (पूर्व), ठाणे	ठाणे	३०.०६.२०१४	--	गुजराती	२६७	०६.१२.२०१४

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सत्यमेव जयते

National Commission For Minority Educational Institutions

Government of India



Helpline No.: 011-23343782
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Rights of Minority Educational Institutions

The National Commission for Minority Educational Institutions Act 2004 (2 of 2005) as amended by the NCMEI (Amendment Act 2006) lays down rights of Minority Educational Institutions as under:-

Right to establish a Minority Educational Institution:-

1. Any person who desires to establish a Minority Institution may apply to the Competent authority for the grant of no objection certificate for the said purpose.
2. The Competent authority shall:-
 - On perusal of documents, affidavits or other evidence, if any; and
 - After giving an opportunity of being heard to the applicant, decide every application filed under sub-section (1) as expeditiously as possible and grant or reject the application, as the case may be:

Provided that where an application is rejected, the Competent authority shall communicate the same to the applicant.

3. Where within a period of ninety days from the receipt of the application under sub-section (1) for the grant of no objection certificate:-
 - The Competent authority does not grant such certificate; or
 - Where an application has been rejected and the same has not been communicated to the person who has applied for the grant of such certificate,

It shall be deemed that the Competent authority has granted a no objection certificate to the applicant.

After obtaining minority status certificate, the institutions have the following rights in terms of Article 30 (1) of the Constitution and Section 2(g) of the NCMEI Act.

1. To choose its governing body in whom the founders of the institution have faith and confidence to conduct and manage the affairs of the institution.
2. To appoint teaching and non-teaching staff.
3. To admit the students of its community. Non-minority students cannot be forced upon it. Neither the policy of reservation on admission can be enforced by the State nor any quota or percentage of admissions can be carved out to be appropriate by the State in a minority education institution. But if the institution is receiving any financial aid from the State then Sub-Article (2) of Article 29 of Constitution obligates the management to admit non-minority students to a reasonable extent.

4. To receive a reasonable fee structure of it's own.
5. To take disciplinary action against any member of it's erring staff.

It has been held by the Supreme Court in Case of P.A. Inamdar Vs. State of Maharashtra [2006 (6) SCC 537] that:

1. The policy of reservation in admission cannot be made applicable to a minority institution.
2. The policy of reservation in employment can not be made applicable to a minority institution.

Further, a minority educational institution covered under Article 30(1) of the Constitution including a Madarsa is exempted from the purview of the Right of Children to Free and Compulsory Education Act.



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