

From

Director Secondary Education, Haryana, Panchkula.

To

1. The Chairman,
National Commission for Minority Educational Institutions,
Government of India, Gate No. 4, First Floor, Jeewan Tara
Building, Patel Chowk, Parliament Street, New Delhi -110 001.
2. Principal Secretary to Govt. Haryana, Medical Education
Department, Chandigarh.
3. Principal Secretary to Govt. Haryana, Higher Education
Department, Chandigarh.
4. Principal Secretary to Govt. Haryana, Technical Education
Department, Chandigarh.

Memo No. 35/9-2012 PS(2)
Dated Panchkula, the 14.08.2015

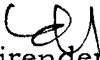
Subject: Guidelines for grant of No Objection Certificate (NOC) for Minority Status to the Schools to be set up by Minority Educational Institutions in Haryana.

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Reference the subject cited above.

It is intimated that the State Government has approved the guidelines for grant of Minority Status to the Minority Educational Institutions for setting up of schools in Haryana State and a copy of the same along with application form is enclosed for information and necessary action.

DA : As mentioned above.



(Virender Singh Sehrawat)
Additional Director (Admn.)
for Director Secondary Education, Haryana,
Panchkula.

Endst. No. Even

Dated Panchkula, the 14.08.2015

A copy is forwarded to the following for information and necessary action:-

1. PS/PSSE
2. PS/DSE
3. Director, Elementary Education, Haryana, Panchkula.
4. All the Distt. Education Officers in the State.
5. All the Distt. Elementary Education Officers in the State.
6. Supdt. Cood. Branch.


(Virender Singh Sehrawat)
Additional Director (Admn.)
for Director Secondary Education, Haryana,
Panchkula.

**POLICY GUIDELINES FOR GRANT OF N.O.C. TO MINORITY
EDUCATIONAL INSTITUTIONS IN HARYANA:**

Whereas the National Commission for Minority Educational Institutions Act, 2004 stands enacted to govern the matters connected with establishment, running and affiliation, etc. regarding minority educational institutions.

Whereas, as per section-10 of the said Act there is a requirement of "No Objection Certificate" (hereinafter referred to as NOC) for establishment of a minority educational institution.

Whereas, the NOC can be granted by the Competent Authority appointed by the Appropriate Government as per section-2 (ca) of the said Act.

Whereas, as per section-2 (aa) (ii) of the said Act, the "appropriate government" in relation to the educational institutions recognized for conducting its programme of studies under the State Act is the State Government in whose jurisdiction such institution is established. The State Act in relation to Haryana State is the Haryana School Education Act, 1995.

Whereas, the State of Haryana has already declared the competent authorities for the purposes of the said Act vide notification dated 13.03.2015 whereby Principal Secretary to Government of Haryana, School Education Department has been designated as the competent authority for the schools. To bring about uniformity and transparency for grant of such NOCs, the following policy guidelines are hereby notified for grant of minority status to educational institutions seeking No Objection Certificate from School Education Department, Govt. of Haryana:

1. Definitions

- i) "Minority communities" for the purpose of establishing minority educational institutions means a community notified as such by the Government of Haryana.
- ii) 'The Competent Authority' to grant recognition to minority educational institutions for setting up schools from Class I


11/11/2016

to XII in Haryana will be the Principal Secretary, School Education Department, Government of Haryana.

- iii) 'The Act' means the Haryana School Education Act, 1995
- iv) 'The Rules' means the Haryana School Education Rules, 2003.

2. Criteria for recognition of minority educational institutions

Prerequisites at the time of application (Eligibility Norms):

- (i) Minority status may be accorded to the applicant society by Government of Haryana if a minimum of 2/3rd of the members of the society/trust/company belong to the same minority community and a certificate issued by the Sub Divisional Officer (Civil) to this effect must be submitted for each member along with photograph and verified signatures of the members.
- (ii) At the time of submission of application, the sponsoring body should be in possession of the land specified in the rules according to its level (5th, 8th, 10th or 12th) either by way of ownership or on a perpetual irrevocable lease of at least 30 years. In case the proposed land falls in Municipal limits or controlled area, CLU/NOC from competent authority should also be submitted, as the case may be. On the proposed land, the Society/Trust/Company will give an undertaking that the land is meant only for the proposed institution and no other institution will be formed/established on this land
- (iii) The applicant should be a Non-profit Organization like a Public Trust/Society/Company registered under Union or State Law or a Company registered under section 25 of the Companies Act. The Registration document of the Society/Trust/Company along with membership and list of all office bearers with the name of minority community in the form as issued by the Sub Divisional Officer (Civil) with address and photographs and objectives of the Society/Trust/Company and terms & conditions governing them in the form of resolution of the

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Trust/Society/Company shall be submitted along with the application.

- (v) The Society/Trust/Company will undertake that a minimum of 50% students admitted will be from minority communities
- (vi) All properties, assets and the academic support services shall be required to be recorded in the name of the Institution.
- (vii) The educational institution will be set up for the benefit of students of minority community.
- (viii) A resolution of the Society/Trust/Company for opening of the minority educational institution.
- (ix) The Educational Society/Trust/Company will have to give an undertaking that the proposed School shall observe the provisions of the Acts, Statutes, Ordinance and Regulations of the Government as amended from time to time. The Educational Society/Trust/Company will submit the undertaking required by the Government in the Form of an Affidavit.
- (x) An undertaking in the form of an affidavit that the information and documents submitted by the applicant are authentic and true.
- (xi) An undertaking in the form of an affidavit that the Society/Trust/Company will submit its Audit reports every two years and will file the annual returns of staff and students to the competent authority.

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3. An application in the prescribed format containing the proposal with a detailed project report (DPR) shall be submitted to the Director, Elementary Education (for Schools upto class 8th) or Director, Secondary Education (for schools having classes 9th to 12th) by the applicant.

The Detailed Project Report submitted by the Society/Trust/Company shall contain information on the infrastructure/facilities. The details of plans for creating such as specified should include:

- The background of the Society/Trust/Company with reference to its experience, if any in promoting, managing and operating educational institutions, details of its promoters including their background, their activities in education spheres since inception.
- Development plan for the School spelling out its phase wise growth plan over the first 5 years in terms of academic programmes and increase in student intake.
- Details of building and the architectural master plan indicating the land use pattern with future projections.
- Sources of financing of capital and operating expenditure besides funds to be generated through student fee.

4. The norms for building of School shall be as under:

- (a) **Administrative Block:** There shall be an administrative block consisting of Principal's room with basic amenities, Office room, staff room with toilets (M & F), etc.
- (b) **Building:** There shall be the academic block building to provide separate class rooms for general class for each section sufficient to accommodate 50 students as per the requirement of per student, floor space as specified in the rules and common room for staff.
- (c) **Library:** The library shall have adequate reading room space for at least 25% of the enrolled students according to per capita reading space specified in the Rules. There shall be adequate space in the library for computer facility with

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access to internet for national and international library access and data bases.

(d) Laboratories: The school shall have adequate laboratory facilities for various courses of studies, if offered in the curriculum for Science, practical subjects. At least one computer laboratory with facilities for 50 students for providing computer education must be available. The standard of such laboratory, per capita space, equipments, supplies, and other facilities shall be as specified in the Rules etc.

(e) Hostels: There may be facilities of hostels separately for boys and girls students (for boarding schools) as per specifications in the Rules.

(f) Essential Services:

i) Adequate facilities (water, electricity, sewerage, ventilation in conformity with PWD norms)

ii) There should be adequate play grounds for the students.

iii) There should be separate toilets/wash rooms for boys and girls.

iv) Adequate standardized furniture for students and faculty.

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5. Principal and Staff: There shall be a whole time Principal in the School who shall have minimum qualifications prescribed in the rules of the State Govt. Appointment of the academic staff having eligible qualifications as per the Rules of the State Govt. shall be made for teaching and non-teaching staff.

6. Endowment Fund-Minimum Capital Fund Requirement:


The applicant shall create a non-transferable Endowment Fund of Rs.1 Crore in the name of the Company or Society or Trust, as the case may be.

Out of this 1 Crore of the Endowment Funds, Rs 25.00 Lacs for each applicable stage of the school i.e. Primary, Middle, Secondary and Senior Secondary shall be pledged in the name of the Director Secondary Education, Haryana or Director Elementary Education, Haryana, as the case may be.

The Pledge shall be in the shape of Fixed Deposit (FD) in any scheduled bank, the papers of which shall be deposited in the office of the Director Secondary Education, Haryana or Director Elementary Education, Haryana, as the case may be, within 30 days of issuance of NOC.

7. If any violation/contravention/misrepresentation/misconduct comes to notice, NOC shall be liable to be withdrawn and endowment fund shall be forfeited.

However, the recognition/ no objection certificate once given will not be withdrawn unless a sufficient opportunity to the minority institution to show cause as to why the recognition/NOC given should not be withdrawn has been accorded by the competent authority.


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Annexure I

**APPLICATION FOR NOC FOR MINORITY STATUS
(School Education Department, Government of Haryana)**

1. (a) Name and address of the institution:
(b) Name, address, phone no. and e-mail ID of the President/Secretary of the Trust/Society/Company
(c) Objective of opening of minority educational institution
2. Whether the applicant institution's claim is based on religious minority status?
3. Whether the applicant institution has been established or administered by
 - (a) Religious minority or
 - (b) Linguistic minority?
4. List of members of the Society/Trust/Company along with minority community certificate for each member issued by Sub-Divisional Officer (Civil)/Competent authority.
5. Whether an application has already been moved with the authority concerned?
If yes, attach a copy of your application with the following information:
 - (a) Date of application
 - (b) The application status
 - (i) stands rejected
 - ii) still pending.
 - (c) In case of rejection, the reasons therefor.
(Attach a copy of the order of rejection)
 - (d) The date on which the order of rejection has been communicated to you.
6. Date(s) of reminder(s) sent by you to the competent authority and replies received, if any, in this regard.

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7. **Details pertaining to the Society/ Trust/Company**

a) Name and Address of the Society/Trust/Company

(b) Whether it is registered (attach a attested copy of the certificate of registration)

(c) Whether an attested copy of the resolution of Society/ Company /Trust has been attached?

(d) Name and addresses of the founding Members/ Trustees and their religion.

Sr. No.	Name	Religion
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(e) Whether the Society/ Trust Deed has been amended at any time?

If yes, attach a certified copy of the amendments.

8. **Details pertaining to the Institution**

(a) The year in which the institution was established

(b) Who established the institution?

(c) Percentage of students from the minority community admitted in the Institution

(Show community-wise break-up of student population admitted in the institution in current academic year through an affidavit of the Principal).

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Sr. No. Religion Students population

- d) Names, Addresses, and telephone numbers of the present Members of the Governing Body and their religion.
- (e) Whether the Trust/Society/Company has been recognized as a Religious minority society by the competent authority? If yes, provide details.
- (f) Whether the minority status of the applicant institution has been withdrawn by the competent authority at any time?
If yes, on what grounds?
- (g) Whether the name of the institution or its ownership has changed since its inception?
If so the details thereof.
- (h) Have you ever approached any judicial forum including Supreme Court or High Court regarding minority status certificate? If so, furnish details and give present status.
- (i) Is the institution affiliated to the State Board or CBSE?
Furnish details including copy of order/ letter of affiliation.
9. Whether the institution is aided/un-aided?
10. Details of land or CLU, as the case may be. (Attach attested photocopies)
11. Details of Infrastructure attach DPR: (Attach blue print of building and photographs of class rooms, office, staff room, playground, canteen, computer lab, etc.)
12. Undertakings in the shape of affidavits for admissions of 50% minority students and submission of Audited accounts of previous two years and annual returns of staff and students to the Department.

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13. Details of Financial Instrument of the Bank :

Name of the Bank:

IFSC Code:

Bank Draft Number:

Amount:

Date:

Pledged in the name of (DEE or DSE):

14. We are aware of the following conditions on which this NOC will be granted and we undertake to abide by the same:

- The aims and objectives of the educational agency should clearly specify in its bye-laws that it is primarily meant to serve the interests of the minority community which it belongs to.
- At least 2/3rd members of Trust/Society/Company should belong to the minority community.
- A minimum of fifty percent of seats permitted should to be filled up from the students of minority communities.
- All admissions shall be made strictly on the basis of merit.
- The minority educational institution shall not compel any of its students or employees to take part in any of its religious activities.
- The minority educational institution shall observe general laws of the land relating to educational institutions.
- The minority educational institution will not use its privilege as minority institution for any pecuniary benefit.

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- In all academic, administrative and financial matters, rules and regulations, as framed by respective statutory authorities from time to time, shall be wholly applicable to these institutions.
- The minority educational institution shall do nothing which may come in the way of communal and social harmony.
- The competent authority can withdraw the approval or recognition of any minority educational institution, in case, the instructions, rules and regulations issued from time to time by the Affiliating Boards/State Government are not abided by the institution.
- The institution shall charge only such fee and funds from the students as prescribed by the Affiliating Board/State Government, from time to time.
- If there is any change in the address of the institution or society or any member of the society/trust, the same must be intimated to the competent authority within fifteen days, in writing.

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UNDERTAKING (JUDICIAL PAPER OF Rs. 20/-)

I, _____ Chairman/Secretary
on behalf of the _____ Society,
hereby aver that the particulars the Society / Truést has furnished
the following documents/particulars alongwith the affidavit to the
Department:

- i) _____
- ii) _____
- iii) _____
- iv) _____
- v) _____

11/10/2016
It is also undertaken that that the documents mentioned
above are true to the best of my knowledge and that if any
information is found false on verification or inspection to be
false/otherwise, the institution shall forfeit the minority status
certificate awarded to it. The decision of the State Government in this
regard shall be final.

Chairman/ Secretary
(for and on behalf of the Institution)

Place:
Date: