

No. Shiksha-II-Chha (11)-3/2011  
Government of Himachal Pradesh  
Department of Higher Education

From

The Addl. Chief Secretary (Edu.) to the  
Government of Himachal Pradesh

To

The Director, Higher Education,  
Himachal Pradesh, Shimla-1.

Dated Shimla-171002 19-6-2017.

Subject:-

Regarding appointment of Competent Authority under 10 and  
12 (B) of the NCMI Act, 2004 intimation of details of the  
Competent Authority.

Sir,

I am directed to refer to your letter No. EDN-H(8)-  
Misc/2015(Minority Status-Gen) dated 22-04-2017 on the subject cited above and to  
convey the approval of the Government for the norms for recognition of Education  
Institution as Minority Educational Institution in Himachal Pradesh under Section-10 of  
the NCMI Act, 2004.

You are, therefore, requested to take further action in the matter  
accordingly.

Yours faithfully,

Joint Secretary (Edu.) to the  
Government of Himachal Pradesh

19 JUN 2017

119503  
21-6-17

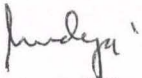
College

Shewts  
21/6

Endst. No.No .EDN-H(8)- Misc./2015(Minority Status- Gen)Shimla the July, 2017

Copy for information to: -

1. The Addl. Chief Secretary (Higher Edu.) to the, Govt. of Himachal Pradesh w.r.t. letter no. Shiksha-II-Chha(II)-3/2011 dated 19.06.2017.
2. All Registrars of Govt. /Pvt. Universities of Himachal Pradesh.
3. The Director of Elementary Education Himachal Pradesh.
4. All Deputy Director Higher/Elementary Education of Himachal Pradesh.
5. All Principals Govt./Pvt. College/Schools of Himachal Pradesh.
6. All Branch Officers of Directorate of Higher Education, Himachal Pradesh.
7. PA to Directorate of Higher Education, HP.
8. All Branch Supdt. Directorate of Higher Education, Himachal Pradesh.
9. ✓ Supdt. IT Cell, Directorate of Higher Education, Himachal Pradesh w.t.r. to upload the same on departmental website.
10. Guard file.

  
J. Pradeep  
Director of Hr. Education  
Himachal Pradesh.

No. Shiksha-II-Chha (11)-3/2011  
Government of Himachal Pradesh  
Department of Higher Education

From

The Addl. Chief Secretary (Edu.) to the  
Government of Himachal Pradesh

To

The Director, Higher Education,  
Himachal Pradesh, Shimla-1.

Dated Shimla-171002      19-6-2017.

Subject:-

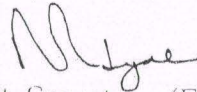
Regarding appointment of Competent Authority under 10 and  
12 (B) of the NCMI Act, 2004 intimation of details of the  
Competent Authority.

Sir,

I am directed to refer to your letter No. EDN-H(8)-  
Misc/2015(Minority Status-Gen) dated 22-04-2017 on the subject cited above and to  
convey the approval of the Government for the norms for recognition of Education  
Institution as Minority Educational Institution in Himachal Pradesh under Section-10 of  
the NCMI Act, 2004.

You are, therefore, requested to take further action in the matter  
accordingly.

Yours faithfully,

  
Joint Secretary (Edu.) to the  
Government of Himachal Pradesh

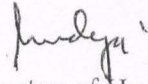
119503  
19 JUN 2017 21-6-17

College

Shewta  
25/6

Endst. No.No .EDN-H(8)- Misc./2015(Minority Status- Gen)Shimla the July, 2017  
Copy for information to: -

1. The Addl. Chief Secretary (Higher Edu.) to the, Govt. of Himachal Pradesh w.r.t. letter no. Shiksha-II-Chha(II)-3/2011 dated 19.06.2017.
2. All Registrars of Govt. /Pvt. Universities of Himachal Pradesh.
3. The Director of Elementary Education Himachal Pradesh.
4. All Deputy Director Higher/Elementary Education of Himachal Pradesh.
5. All Principals Govt./Pvt. College/Schools of Himachal Pradesh.
6. All Branch Officers of Directorate of Higher Education, Himachal Pradesh.
7. PA to Directorate of Higher Education, HP.
8. All Branch Supdt. Directorate of Higher Education, Himachal Pradesh.
9. Supdt. IT Cell, Directorate of Higher Education, Himachal Pradesh w.t.r. to upload the same on departmental website.
10. Guard file.

  
J. Prudhyan  
Director of Hr. Education  
Himachal Pradesh.

## NORMS FOR RECOGNITION OF EDUCATIONAL INSTITUTION AS MINORITY EDUCATIONAL INSTITUTION IN HIMACHAL PRADESH.

Article 30 of the Constitution of India provides the right to all minorities, whether based on religion or language, to establish and administer educational institution of their choice. For identification of such minority educational institution already established and are being administered as such the State Government shall verify the status of such institutions in the light of norms prescribed hereunder and issue necessary certificate. The National commission for Minority Educational Institutions Act, 2004 stipulates: "Minority Educational Institutions means a college or institution (other than a university) established and maintained by a person or group of persons from amongst the minorities."

### I. CRITERIA TO BE SATISFIED BY A MINORITY EDUCATIONAL INSTITUTION TO BE IDENTIFIED AS SUCH:-

1. The educational institution must have been established and administered by the minorities to serve the interests of the concerned minority.
2. An educational institution which a minority community has established but has subsequently relinquished responsibility of management to other minority or non-minority, cannot acquire such status. In other words the ownership of the institution must belong to the minority and it must always be administered by that minority.
3. The organization sponsoring the educational institution should get registered as a Society/Trust/Committee/ Association comprising 100% members belonging to that religious/linguistic minority to which they claim to belong.
4. The aims and objects of the educational organization incorporated in its memorandum/by-laws should clearly specify that it is meant primarily to serve the educational interests of the minority community to which they claim to belong, in letter and spirit.
5. The memorandum of registration must contain the provision for such educational institution which is established and administered by the Society/Trust/Committee/Association.
6. The Educational Institution which satisfies the criteria prescribed under this guideline is entitled to be certified as Minority Educational institution and not the Society/Trust/Committee/Association which is managing the institution.
7. out of the total seats available in the Minority Institution as many seats as possible shall be filled in by all the available eligible minority students strictly as per rules framed by the appropriate authority governing admissions with transparency in admissions. The rest may be filled up from the general merit list.
8. Notwithstanding anything contained in the forgoing criteria the State Govt. may suo motu declare any educational institution as Minority Educational Institution which in the opinion of the govt. satisfied the spirit of Article 30(1) of the Constitution of India and was recognized and aided by the Govt. before coming into effect of the procedure herein prescribed.
9. The minority educational institution shall not compel any of its students or employees to take part in any of its religious activities.
10. The minority educational institution shall observe general laws of the land relating to educational institutions.
11. The minority educational institution will not use its privilege as minority institution for any pecuniary benefit.

12. The minority educational institution shall charge the fees as prescribed by Competent Authority.
13. The minority educational institution shall appoint teachers as per qualifications laid down by the authority concerned but it will be advisable for them to select teachers and other employees through employment exchange or open advertisement.
14. In all academic, administrative and financial matters rules and regulations laid down by the 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.

II. **AUTHORITY TO GRANT MINORITY STATUS INSTITUTIONS CERTIFICATE TO MINORITY EDUCATIONAL INSTITUTIONS:**

The Principal Secretary (Education) to the Government of Himachal Pradesh, Education Department or an officer duly authorized by him shall be the Competent Authority to grant Minority Status Certificate to all Religious/Linguistic Minority Educational Institution, provided that:

1. The educational institution falls within the ambit of the norms prescribed under Para-1.
2. For determining the religious status of a student for admission in Minority Educational institutions the school leaving certificate or any equivalent record shall be the basis for admission in Minority Educational institutions.

III. **DURATION OF MINORITY STATUS AND RENEWAL:**

1. Minority Institution Status Certificate shall be given for a period of 3 (Three) years and shall be renewed prior to its expiry period by making application about three months in advance. The Competent Authority will make necessary review of the affairs of the institution and renew or revoke the certificate. In case of revocation the institution shall be given an opportunity of being heard.
2. In order to give details of Minority students admitted the Minority Educational Institutions which are recognized or aided shall furnish the list of admitted candidates every year within 15 days from the cutoff date as fixed by the Government/University/Board/Council concerned to the Department of Minority Affairs for verification and/or onward transmission to the university or Council/Board concerned.
3. The minority Educational Institutions which are recognized or aided shall furnish the details of the number of and percentage of students belonging to the concerned minority community who are receiving scholarships, grants and free ships specifying the quantum and time period of the assistance.

IV. **APPLICATION FOR GRANT OF RECOGNITION AS MINORITY EDUCATION INSTITUTION:-**

1. The organization desirous of obtaining recognition of a particular institution as Minority Educational Institution shall make an application in the prescribed form in Annexure-1 to the Competent Authority along with necessary documentary evidence in support of society registration, by-Laws, religious status of the Governing body members of the society and also the inspection fee (Non-refundable) amounting to Rs. 10000/- (Rs. Ten Thousand) only through bank draft in favour of the Director of Higher Education, H.P. Shimla-171001.
2. The application shall be examined and disposed of by the Competent Authority within 60 days of the receipt of application complete in all respect.

3. Mere applying for recognition, will not entitle the educational institution to be regarded as a minority educational institution unless the institution has been issued a certificate to that effect by the Competent Authority.
4. A Committee consisting of the following members will inspect the institution seeking minority status after receiving the request of the concerned institution on the prescribed proforma and submit the inspection report to the Director of Higher Education, Himachal Pradesh, Shimla-171001 for issuing Minority status institution certificate:
  - (a) Additional Director/Joint Director/OSD(COLLEGES)/Additional director (Schools)/Joint Director(Schools).....Chairperson.
  - (b) Local SDM of the concerned area or his representative not below the rank of Naib Tehsildar.....Member.
  - (c) Superintending Engineer (B&R) HPPWD or his representative not below the rank of Assistant Engineer.....Member.
  - (d) Local Principal of College/Deputy Director of Higher Education of the concerned District.....Member.
  - (e) District Art and Language Officer of the concerned District.

V. **ENTAILMENT OF GENERAL EFFECT AFTER RECOGNITION AS MINORITY EDUCATIONAL INSTITUTION.**

1. Reservation policy for scheduled caste and Scheduled Tribes and Other Backward Classes shall not apply in recruitment of teachers and staff in Minority Educational Institutions.
2. There shall be no bar for the State government to provide the financial assistance to such Institution for the purpose of educational enlightenment and upliftment of the minorities.
3. Stipend/Scholarship and other such benefits may be allowed to students of such Institution as per Government norms.
4. There shall be no discrimination for such Minority Educational Institution for providing other aids by the government in consonance with the spirit of article 30(2) of the Constitution of India.
5. The Minority Educational Institution having obtained recognition from the State Government shall have all rights as granted under section 10 and 10 A of the National Commission for Minority Educational Institutions (amendment) Act 2006.

VI. **CONDITION UNDER WHICH THE RECOGNITION AS MINORITY EDUCATIONAL INSTITUTION CAN BE WITHDRAWN.**

The Competent Authority mentioned under Para-II is also the Competent Authority to withdraw the recognition granted to an institution as a Minority Educational Institution. The Competent Authority may withdraw the recognition under the following circumstances.

1. If the constitution, aims and objectives of the educational organization which has enabled it to obtain minority status to its educational institution has subsequently been modified/revised/amended in such a way that it no more reflects the spirit of minority intuition
2. If the educational organization fails to follow the norms and conditions pertaining to the fee structure, admission procedure, and pattern and various other conditions laid down by the Competent Authority from time to time to maintain academic standard and excellence of education, so far as they are not repugnant to the provisions of the constitution of India.

3. On verification of the records etc. if it is found that the educational institution has failed to admit students belonging to the concerned minority community in the institution, as per rules and prescribed proportion as in Para-I(14) during consecutive three years except in exceptional circumstances beyond control of the institution and to the satisfaction of the Competent Authority.

VII. PROCEDURE FOR WITHDRAWAL OF RECOGNITION AS MINORITY EDUCATIONAL INSTITUTION:-

Under any one or more of the circumstances referred to under Para-VI if the Competent Authority is of the opinion that any educational institution which has been accorded recognition as minority educational institution no longer deserves the status of minority educational institution, it may withdraw the recognition so accorded by following the procedure, prescribed below:-

1. The Competent Authority or the officer authorized by him shall issue a show cause notice giving 14 days time to explain why the recognition as Minority Educational Institution accorded to the institution shall not be withdrawn.
2. If the educational organization fails to comply with the notice or the explanation submitted is not to the satisfaction of the authority the Competent Authority may proceed to withdraw the recognition of the educational institution as Minority Educational Institution.
3. If the educational organization which has been served with the show cause notice as stated in Sub-Para(1) above rectifies the deficiencies pointed out in the notice, the Competent Authority may continue the recognition, subject to fulfillment of such other conditions which the authority may prescribe as deemed fit.
4. If the Competent Authority is not satisfied with the explanation submitted by the educational agency the latter shall be given an opportunity of being heard before deciding for revocation of minority status under Sub-Para(2) above.
5. Educational Institution whose recognition as Minority Educational Institution has been withdrawn shall not be entitled for restoration of the recognition in the subsequent period.

VIII. RIGHTS OF A MINORITY EDUCATIONAL INSTITUTION:-

Right to establish a Minority Educational Institution:-

1. Subject to the provisions contained in any other law for the time being in force, any person, who desires to establish a Minority Educational Institution, may apply to the Competent Authority for the grant of no objection certificate for the said purpose.
2. The Competent Authority Shall;
  - (a) on perusal of documents, affidavits or other evidence, if any; and
  - (b) 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,-
  - (a) The Competent Authority does not grant such certificate; or
  - (b) 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.

4. The applicant shall, on the grant of a no objection certificate or where the Competent Authority has deemed to have granted the no objection certificate, be entitled to commence and proceed with the establishment of a Minority Educational Institution in accordance with the rules and regulations, as the case may be, laid down by or under any law for the time being in force.

Explanation- For the purposes of this section,-

- (a) "applicant" means any person who makes an application under sub-section(1) for establishment of a Minority Educational Institution;
- (b) "No objection certificate" means a certificate stating therein, that the Competent Authority has no objection for the establishment of a Minority Educational Institution.

#### IX. RIGHT OF A MINORITY EDUCATIONAL INSTITUTION TO SEEK AFFILIATION-

1. A Minority Educational Institution may seek affiliation to any university of its choice subject to such affiliation being permissible within the Act under which the said university is established.
2. Any person who is authorized in this behalf by the Minority Educational Institution, may file an application for affiliation under sub-section(1) to a university in the manner prescribed by the Statute, Ordinance, Rules or Regulation of the University;  
Provided that such authorized person shall have right to know the status of such application after the expiry of sixty days from the date of filing of such application.

#### X. 1. APPEAL AGAINST ORDERS OF THE COMPETENT AUTHORITY-

1. Any person aggrieved by the order of refusal to grant no objection certificate under sub-section (2) of section 10 by the Competent Authority for establishing a Minority Educational Institution, may prefer an appeal against such order to the Commission.
2. An appeal under sub-section (1) shall be filed within thirty days from the date of the order referred to in sub-section (1) communicated to the applicant:

Provided that the Commission may entertain an appeal after the expiry of the said period of thirty days, if it is satisfied that there was sufficient cause for not filing it within that period. 3. An appeal to the commission shall be made in such form as may be prescribed and shall be accompanied by a copy of the order against which the appeal has been filed.

4. The Commission, after hearing the parties, shall pass an order as soon as may be practicable, and give such directions as may be necessary or expedient to give effect to its orders or to prevent abuse of its process or to secure the ends of justice.

5. an order made by the commission under sub-section(4) shall be executable by the commission as a decree of a civil court and the provisions of the Code of Civil Procedure, 1908(5 of 1908), so far as may be, shall apply as they apply in respect of a decree of a civil court.

#### XI. POWER OF COMMISSION TO DECIDE ON THE MINORITY STATUS OF AN EDUCATIONAL INSTITUTION-

1. Without prejudice to the provisions contained in the National Commission for Minorities Act, 1992(19 of 1992), where an authority established by the Central Government or any State Government, as the case may be, for grant of Minority status to any educational institution rejects the application for the grant of such status, the aggrieved person may appeal against such order of the authority to the Commission.
2. An appeal under sub-section(1) shall be preferred within thirty days from the date of the order communicated to the applicant:

Provided that the Commission may entertain an appeal after the expiry of the said period of thirty days, if it is satisfied that there was sufficient cause for not filing it within that period.

3. An appeal to the Commission shall be made in such form as may be prescribed and shall be accompanied by a copy of the order against which the appeal has been filed.

4. On receipt of the appeal under sub-section (3), the Commission may, after giving the parties to the appeal an opportunity of being heard, and in consultation with the state Government decide on the minority status of the educational institution and shall proceed to give such direction as it may deem fit and, all such directions shall be binding on the parties.

## XII. GENERAL INSTRUCTIONS:-

### 1. (A) THESE NORMS/GUIDELINES APPLY TO UNDER MENTIONED COURSES FOR COLLEGES.

- i) Graduate courses in Arts, Science, Medical/Journalism, Commerce, Law including BBA, BCA and other courses affiliated to the University recognized by the UGC.
- ii) POST Graduate Courses in Arts, Science, Media Journalism, commerce, Law, business administration including PGDCA and other courses affiliated to university recognized by the UGC.
- iii) Graduate & postgraduate Courses in Sanskrit.

These norms & Guidelines do not apply to the Courses which relate to other Department like:

- i) Technical & Professional courses including MCA.
- ii) Undergraduate & Postgraduate courses including MCA.
- iii) Medical Courses including B.Sc. (Nursing).

II. The Course Unit means a course in each subject with an intake of 60 students or part thereof in undergraduate and an intake of 30 students or part thereof in Postgraduate.

### III. Application Fee:-

Each application is to be made as per, form at annexure "B" with its supporting documents as per annexure C,D & E and accompanies with a bank draft of Rs. 10000/- for each Course Unit (Non refundable in favour of Director, Higher Education, Himachal Pradesh and is to reach the Directorate of Higher Education, Shimla H.P.

### IV. Fee Structure:

Fee Structure for above mentioned courses will be fixed by affiliating University.

### V. Endowment Fund:

A sum of Rs. 2.00 lac. for each course unit is to be pledged to the Director of Higher Education as a security deposit to ensure compliance of the norms in the shape of Fixed Deposit.

### VI. Land and Buildings:

The Minority Trust/Society must have land and building as under:

(a) For Establishment of a new Private College, land measuring at least 3750sq. meters/5 Bighas/10 Kanals is required and there shall be open ground space for extracurricular activities of minimum 500 square meters. Existing Private colleges will not be considered for additional courses if these are running in residential area or does not fulfill the above mentioned requirement.

(b) The built up area should be at least 500 square meters and sitting space per student should be at least 10 square feet.

(c) The society/Trust should have in possession required land on the date of application. The land free from all encumbrances could be either on ownership basis or on lease from Govt./Govt. institutions or private party for a period of not less than 30 years.

(d) One class room of minimum 60 sq. meter size for each cause unit of undergraduate and 40 square meter for each course unit of postgraduate.

(e) one common seminar room with the facility of LCD Projector and seating capacity of at least 60 students.

(f) The overall built up area should not be less than 5 sq. mtrs per student.

#### VII. IT Equipment:

A well equipped computer lab with computer students ratio of at least 1:20 subject to a minimum of 10 computers. The college should have unlimited Broadband internet connection. In addition to this for BCA course and additional lab of 20 computers with unlimited Broadband internet connection is required for IIIrd year students.

#### VIII. Library:

Purchase books and journals including subscription thereof at least worth Rs. 50,000/- per course units in the first year and undertaking to purchase books and journals of Rs. 50000/- per course units annually in the next two years.

#### IX. Teaching staff:

Give an undertaking to appoint teachers on merit by advertising the vacancies in at least two prominent newspapers and making recruitment in accordance with the norms laid down by the affiliating University/body. The management concerned shall make a provision to cover its employees under EPF scheme as required.

#### X. Special Requirement:

(1) To start law classes the applicant must fulfill the norms of Bar council of India and the affiliating University in addition to the requirements at sr. No. 6(a) & (b).

(2) Undertake to construct an Auditorium with a minimum sitting capacity of 300 persons within three years.

#### XI. Procedure:

(a) an Inspection Committee consisting of following members will inspect and evaluate the proposal:

1. Chairman: Additional Director/Jt. Director/OSD(C) Directorate of Higher Education, Shimla-1.
2. Member: Principal of a Govt. College nominated by Director of Higher Education.
3. Member: SDM or his nominee not below the rank of Naib Tehsildar.

4. Member: a Nominee of the S.E. HPPWD of the concerned area and not below the rank of Assistant Engineer.

5. Member: District Language Officer of the concerned District.

(b) The committee shall submit its report to the Director of Higher Education containing photographs of position of infrastructure available and ongoing construction work who along with his recommendation will forward it to the government. On receipt of the report and recommendations if the government is satisfied that it is advisable to allow the opening of an Institution/ introduction of course, NOC will be given.

(c) Inspection Fee amounting to Rs. 20000/- (Rs. Twenty Thousand) (Non-Refundable) through Bank Draft in favour of Director of Higher Education, Himachal Pradesh, Shimla-171001 for establishing/obtaining Minority status Institution Certificate for Minority Colleges and Rs. 15000/- (Rs. Fifteen Thousand) only for establishing High/Senior Secondary Schools for obtaining Minority Status Institution Certificate should be submitted along with the application Form as given in annexure-I.

#### XII. Validity:

NOC issued will be valid for a period of three years. If the concerned society/Trust/Institution fails to start the courses within three years, NOC issued shall automatically be deemed to be cancelled.

#### XIII. Closure of the institute:

A notice of three months before the beginning of next academic session to be given to the Government for closure of an institute/or a course. However, the institute should make alternative arrangement for completion of course.

#### XIV. Other Conditions:

(I) In the first year not more than three undergraduate courses with maximum intake of 60 students in each course will be permitted.

(II) The institution has to create its own website.

(III) The fee structure, including price of prospectus, details of infrastructure like building, IT facilities, labs, sports facilities etc., name, qualification and experience of the faculties, list of books and periodicals subscribed, details of management, details of courses in the institute, result of each subject in the last five years are to be put up on the website of the institute.

(IV) The fee to be charged from the students for a session cannot be increased during the mid session.

(V) The institution will be bound to implement the programmes/schemes of the State and Central government as required.

(VI) Each institute shall seek accreditation from an agency/body which the government may establish for the purpose after five years of running the college, the management shall seek assessment and accreditation from the National Council for Assessment and Accreditation (NAAC).

(VII) The institute will be bound to provide information/statistics as required.

#### 1 (B) FOR ESTABLISHING/OBTAINING MINORITY INSTITUTION STATUS CERTIFICATES FOR HIGH AND SENIOR SECONDARY SCHOOLS FOLLOWING ARE THE NORMS:-

(i) Attested copy of proper registration certificate of the society.

(ii) Detail of society members, along with their designation (copy to be attached).

- (iii) Constitution/By Laws of society. (Copy be attached).
- (iv) Tatima/Jamabandi in r/o the detail in the name of society. If the building is owned by the society. (copy be attached)
- (v) The original copies of lease deed in case the land taken on lease basis from land owned for the minimum period thirty year and rent deed in case building taken on rent basis for the minimum period of five years to be attached.
- (vi) Required rooms for high schools i.e. Nursery to 10th class, 12 rooms, one library, one laboratory, one Principal Office, one clerk office, one staff rooms (total 17 rooms). The senior secondary schools having Arts Stream should have 03 class rooms, Commerce Stream 03 class rooms and Science Stream 05 class rooms and 02 laboratories. Total 30 rooms are required for Nursery to 10+2 in all streams.
- (vii) Detail of building available with the society (showing all the classrooms/library/laboratory/Principal room/staff room etc. (copy be attached).
- (viii) Map of building drawn and attested by at least a Diploma Holder in Civil engineering/Junior Engineer (Showing all the classrooms/Library/Laboratory/Principal room/staff room etc.) (blue print copy be attached).
- (ix) Detail of playground with copy of affidavit/rent agreement from the land owner showing Khasra No. and dimensions of play ground not less than 100X40 mtr. (Original copy be attached.)
- (x) Detail in r/o availability of the facility of drinking water and electricity bill/certificate from concerned department.
- (xi) Detail in r/o the toilet facilities with photographs (four toilets are compulsory) i.e. (one for male staff & one for female staff) one for boys and one for girls.
- (xii) Detail of staff alongwith their designation, educational and professional qualifications and the pay scale/salary paid by the school management alongwith photocopy of salary register according to concerned Board.
- (xiii) The affidavit regarding source of income to ensure that in case financial crisis, the society member will donate funds to run the school smoothly in future.
- (xiv) Certificate of chartered Accountant in r/o financial position of the society.
- (xv) Photographs of the location/infrastructure of the school.
- (xvi) Proposed fee structure.
- (xvii) The vouchers (not bill alone) of laboratory equipments, library books, furniture and other facilities being provided by the school management committee along with photocopy of stock register duly maintained as per stock maintenance norms.  
Voucher means: A bill must have
  - 1) Stock entry certificate.
  - 2) Specified voucher.
  - 3) Recommendation by the Auditor/Chartered Accountant.
  - 4) Pass Order by head of the institution.
- (xviii) Affidavit in favour of Education Department that the school management committee/School Principal/any other employee or any higher authority of the school will not claim any Grant-in-aid in further from Education Department.

The affidavit will have to be got attested by Executive Magistrate/any Competent Authority (Original be attached).

- (xix) Non encroachment certificate of land showing khasra no. name of land owner and school issued by the Revenue Authority.
- (xx) Case be sent on the prescribed proforma issued by education department.
- (xxi) Copy of fire safety certificate issued by chief Fire Officer, Shimla.
- (xxii) School building Safety certificate issued by HPPWD Department.
- (xxiii) Society/Management will ensure that where 20 or more employees are employed provident funds facility is to be provided (attached affidavit in original).
- (xxiv) Inspection fee (non-refundable) amounting to Rs. 15000/- (Rs. Fifteen Thousand) only through Bank Draft in favour of the Director of Higher Education, Himachal Pradesh, shimla-171001 alongwith application form given in Annexure-1 for establishing/obtaining minority High/Senior Secondary Schools status certificate.
- (xxv) An inspection committee consisting of the following members will inspect and evaluate the proposal.
  - (i) Chairperson: Additional Director/Joint Director(Schools) Directorate of Higher Education, H.P. Shimla-1
  - (ii) Member: SDM of the concerned area or his nominee not below the rank of Naib Tehsilar.
  - (iii) Member: Superintendent Engineer, HPPWD (B&P) or his nominee not below the rank of assistant Engineer;
  - (iv) Member: Dy. Director of Higher Education of the concerned district.
  - (v) Member: The District Language Officer of the concerned district.

2. No educational institution shall be entitled for the privilege which is allowed for recognized minority educational institution unless it is recognized as minority educational institutions by the Competent Authority.

3. The State, through the departmental machinery is empowered to enforce the rules and regulations of the Department so far as they are not repugnant to the provisions of the Constitution of India aiming at the furtherance of educational standards and excellence of education and to check mal-administration in the minority educational institutions.

4. Government or any other authority on their behalf are competent to bring to the notice of the affiliating authority, after necessary inquiry, if an institution is found to be indulging in any mismanagement and to see that the academic standards and excellence of education are maintained.

5. Every educational institution shall follow the instructions issued by the Competent Authority from time to time which are meant to strengthen and streamline the educational standards and discipline and the welfare of the concerned minority.

6. All the rules prescribed for the establishment, registration, recognition, administration and control of other private educational institutions shall also be applicable to the corresponding categories of minority educational institution so far as they are not repugnant to the relevant provisions of the Constitution of India.

7. Government/Head of the Department/University/State Councils/Affiliating Board Concerned are empowered to issue instructions or prescribe rules and regulations as deemed necessary for various categories of educational institutions separately and shall be applicable to all the educational institutions including those administered by the Minority communities, unless otherwise repugnant to the Provisions of the Constitution.

8. The Institutions, which fail to obtain the renewal of recognition within the prescribed period i.e. by the time of expiry of the existing period shall be treated as non-minority institutions.

9. The Competent Authority shall take suo moto action for suspension or cancellation of Minority Status Certificate issued by him either on permanent or temporary basis, in case the educational institution fails to comply with the above instructions.

10. For any issue/issues which remained uncovered by the foregoing guidelines and for any exceptional circumstances on granting or revocation of minority status of an educational institution the matter shall be decided by the Govt. of Himachal Pradesh.

#### Annexure-I

#### Application for Minority Institutions status certificate

1. (a) Name and address of the institution.  
(b) Name & Address of the President/Secretary of the trust/society:  
(c) The year of establishment of the Trust/Society.  
(d) Name of the trust/Society/Charitable Organization/Others who has established the institution.  
(e) Purpose for which the institution was established-----relevant extract of the memorandum/constitution/Bye-Laws.  
(f) Students of which community was the institution started for:
2. Whether the applicant institution's claim is based on religious or linguistic Minority? (attach copies of relevant documents).
3. whether the applicant institution has been established or administered by:
  1. Religious Minority.
  2. Linguistic Minority.
4. Details pertaining to the society/Trust which is administering the institution.
  - (a) Name and address of the society/Trust.
  - (b). Whether it is registered (attach a copy of the certificate of registration).
  - (c). Name & address of the Founding Members/trustees and their relation (attach documents).  
Name office status occupation address relation:
    - 1.
    - 2.
    - 3.
    - 4.
    - 5.
    - 6.
    - 7.
  - (d) Whether the MOA of the society/Trust has been amended at any and if yes, attach the amendments.

5. Details pertaining to the institution:

(i) The year in which the institution has been established:

(ii) Percentage of the students from the minority:

Community admitted in the institution.

(iii) Total no. of students belonging to Minority:

Community for which the institution was initially founded.

(Example.....a Christian school will specify the number of Christian students).

(iv) Number of needy students belonging to Minority: communities (percent) receiving

(a) Scholarship.

(b) annual Book Grant

(c) annual Uniform Grant.

(v) Name & address of the present Trustee/Members of the governing body and their religion.

(vi) Whether the institution is recognized/affiliated to any lawful Education authority like University/Council/Board etc. If yes, on what grounds?

(vii) Whether the recognition/affiliation of institution has been withdrawn by the Competent Authority at any time. If yes, on what ground?

(viii) Whether the name of the institution or its ownership has changed since its inception and if so the details there of.

6. Land and Building:

(a) Land title ownership

(b) Specification of land in Bighas/Kanals/Sq. mtrs.

(c) Playground size.

(d) The land Tatima/Jamabandi and building approved drawing are to be enclosed.

Building Details:

(e) No of class rooms with size.

(f) Principal Office.

(g) Clerk Office.

(h) Library

(i) Laboratories.

(j) I.T. Laboratory.

(k) No. of toilets for staff and students.

(l) Any other facilities.

7. Inspection Fees Details:

Bank Draft No.-----amounting to Rs.-----dated-----

Bank/Issuing Branch-----



8. Endowment Fund:

Endowment fund pledged to the Director of Higher Education, Himachal Pradesh, Shimla-171001 for establishing New Minority College amounting to Rs. 200000/- (Rs. Two Lacs) only vide fixed deposit receipt (FDR) No.-----dated-----and the name of the FDR issuing National Bank is -----District.-----.

Declaration:

I, hereby aver that the particulars furnished above are true to the best of my knowledge and that if any detail is found on verification/inspection to be otherwise, the institution shall forfeit the minority certificate awarded to it. The decision of the Competent Authority in this regard shall be final.

\*\*\*\*\*