

**GOVERNMENT OF INDIA  
HUMAN RESOURCE DEVELOPMENT  
LOK SABHA**

UNSTARRED QUESTION NO:4459

ANSWERED ON:21.12.2011

MINORITY STATUS

Baitha Shri Kameshwar ;Meghwal Shri Arjun Ram

**Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:**

- (a) the number of universities and colleges set up and granted minority status in the country so far;
- (b) the reasons for granting minority status to such universities and colleges;
- (c) whether the reservation for the students belonging to the Scheduled Castes, Scheduled Tribes and Other Backward Classes in admission has been discontinued in such universities and colleges; and
- (d) if so, the details thereof?

**Answer**

MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DR. D. PURANDESWARI)

(a) While information regarding recognition by states of the minority status of universities and colleges is not maintained centrally, among the Central Universities, Aligarh Muslim University (AMU) Act, 1920 defines the University as "the educational institution of their choice established by the Muslims of India, which originated as the Muhammadan Anglo-Oriental College, Aligarh and which was subsequently incorporated as the Aligarh Muslim University". The matter regarding minority status of AMU is presently sub-judice before the Supreme Court of India. The National Commission for Minority Educational Institutions (NCMEI) is also empowered under section 11(f) of NCMEI Act, 2004, (2 of 2005), to decide all questions relating to minority status of an educational institution and declare its status as such. As on 31.10.2011, the Commission has granted minority status certificates to 5041 educational institutions. The Commission under the power vested in it by the National Commission for Minority Educational Institutions Act, 2004, (2 of 2005), has granted minority status to Jamia Millia Islamia University, Delhi and Yenepoya University (a deemed to be University), Mangalore. The matter regarding minority status of Jamia Millia Islamia is also presently sub-judice.

(b)to(d) The question as to whether an educational institution enjoys minority status under Article 30(1) of the Constitution is determined by the provisions of the Act/Statutes/Memorandum of Association establishing that institution. The minority status to an educational institution is conferred by the central/state government, under whose jurisdiction the institution falls. As per Section 11(f) and 12 (B) of NCMEI Act, 2004 (2 of 2005), the Commission can decide questions relating to the minority status of an institution and entertain and issue orders on the appeals filed before it relating to minority status of an institution. Article 30(1) of the Constitution guarantees the right of religious or linguistic minorities, to establish and administer educational institutions of their choice. Article 15(5) of the Constitution exempts the minority educational institutions covered under Article 30(1), from the provision of reservation in admission to educational institutions for any socially and educationally backward classes of citizens or for Scheduled Castes or Scheduled Tribes. Section 4(c) of the Central Educational Institutions (Reservation in Admission) Act, 2006, in consonance with the provisions of the Constitution, exempts the minority educational institutions from the purview of the said Act.