

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

UNSTARRED QUESTION NO:3805
ANSWERED ON:12.08.2015
Admission on Religion Basis
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Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

- (a) whether it is a fact that admission is being given on religion basis in many educational institutions;
- (b) if so, the reasons therefor along with the number of such institutions, State-wise;
- (c) whether education is being imparted on the basis of religion in several States; and
- (d) if so, the action taken by the Government against these educational institutions?

Answer

MINISTER OF HUMAN RESOURCE DEVELOPMENT
(SMT. SMRITI ZUBIN IRANI)

(a) & (b): National Commission for Minority Educational Institutions (NCMEI) has informed that Hon'ble Supreme Court of India in P.A. Inamdar vs State of Maharashtra (2005) 6 SCC 537 has held that the minority institutions are free to admit students of their own choice, of their own community including students of non-minority community and also members of their own community from other states.

As such, minority educational institutions, after obtaining minority status declaration from the Competent Authority, are free to admit students of their own community. If the institution is receiving any financial aid from the State then Article 29(2) of the Constitution of India obligates the management to admit non-minority students to a reasonable extent.

Since its inception, the NCMEI has issued 11029 minority status certificates (upto 30-6-2015), to educational institutions. Statewise details are at Annexure.

(c) & (d): Certain institutions such as Madrasas, Vedic Pathshalas etc. are primarily imparting religious instructions. The provisions of Right of Children to Free and Compulsory Education (RTE) Act, 2009, as amended in 2012, do not apply to such institutions.
