

ABSTRACT.

S.No: 4

EDUCATION - Claiming of minority status by Private Educational Institutions - Guidelines for conferring minority status - Framed - Orders - Issued.

 HIGHER EDUCATION (J1) DEPARTMENT.

G.O.(Ms.) No.270

Dated: 17.6.1998.

READ:

1. G.O.Ms.No. 543, Education, Science and Technology, dated 2.5.84.
2. Orders of Supreme Court in I.A.No.20 in W.P.(C) No.317/83, dated 17.10.94.
3. G.O.Ms.No.371, Education, Science and Technology, dated 10.5.95.
4. G.O.Ms.No.270, Higher Education, dated 1.6.98.
5. From the Secretary, University Grants Commission, Lr.No.F.1.22/93 (CPP-II) dated 11.2.98.

ORDER:

In the Government order first read above, the Government have issued orders to the effect that the Government themselves will hereafter verify and determine as to whether an Educational Institution is a minority institution, within the meaning of Article 30(1) or Article 36 of the Constitution of India. It was also ordered that, the above orders will apply to all educational institutions including all schools, colleges, teachers training Institutes and Technical Institutions both aided and unaided in the State of Tamil Nadu. A number of private managements who have been permitted to start Engineering Colleges, Polytechnics and other Technological Institutions including Management studies have claimed minority status to the Institutions run by them and most of the Institutions have obtained declaration of minority status through the City Civil Courts, District Courts etc., on the basis of religion or language, as the case may be, to which they are said to belong,

2. In the orders passed by the Supreme Court of India in T.M.A. Pai Foundation and others case, second read above, the Supreme Court of India, have stayed the operation of all the decrees/orders which might have been given by any Civil Court in respect of the minority status to the Institutions concerned and directed that the Institutions claiming minority status shall approach the Government for a declaration that they are minority institutions, and till such time the Government issue an order declaring that it is a minority institution, they cannot operate as Minority Institutions.

3. In their orders third read above, the Government framed guidelines for declaration of minority status for private educational Institutions. In G.O.Ms.No.567, Education, Science and Technology, dated 15.7.85, the Government issued an amendment to the effect that the Guidelines framed in the earlier Government order, that is, in G.O.Ms.No.371, Education, Science and Technology