

STATE CAN REGULATE MINORITY INSTITUTIONS: SC

Relevant for: Indian Polity | Topic: Indian Constitution - Features & Significant Provisions related to Fundamental Rights, Directive Principles and Fundamental Duties

The Supreme Court on Monday held that the State is well within its rights to introduce a regulatory regime in the “national interest” to provide minority educational institutions with well-qualified teachers in order for them to “achieve excellence in education.”

The managements of minority institutions cannot ignore such a legal regime by saying that it is their fundamental right under Article 30 of the Constitution to establish and administer their educational institutions according to their choice.

In a 151-page judgment, a Bench of Justices Arun Mishra and U.U. Lalit said the regulatory law should however balance the dual objectives of ensuring standard of excellence as well as preserving the right of the minorities to establish and administer their educational institutions. Regulations that embrace and reconcile the two objectives were reasonable.

The judgment came on a challenge to the validity of the West Bengal Madrasah Service Commission Act of 2008.

The State Act mandated that the process of appointment of teachers in aided madrasahs, recognised as minority institutions, would be done by a Commission, whose decision would be binding.

Special discount offer on The Hindu subscription only for Today's paper readers

Already have an account ? [Sign in](#)

Find mobile-friendly version of articles from the day's newspaper in one easy-to-read list.

Enjoy reading as many articles as you wish without any limitations.

A select list of articles that match your interests and tastes.

Move smoothly between articles as our pages load instantly.

A one-stop-shop for seeing the latest updates, and managing your preferences.

We brief you on the latest and most important developments, three times a day.

*Our Digital Subscription plans do not currently include the e-paper ,crossword, iPhone, iPad mobile applications and print. Our plans enhance your reading experience.

To continue enjoying The Hindu, You can turn off your ad blocker or Subscribe to The Hindu.

[Sign up for a 30 day free trial.](#)

END