



Minority Status to Aligarh Muslim University

Why in News?

Recently, [The Supreme Court](#) ruled on the **minority status of Aligarh Muslim University (AMU)**. The case stemmed from petitions seeking to restore AMU's minority status, which was struck down by the Allahabad High Court in 2006.

Key Points

- The **Court overruled the 1967 Constitution Bench decision**, which had stated that AMU could not be considered a minority institution as it was established by a statute and was a central university.
- **Key Observations:**
 - The court held that an institution created by a minority community qualifies as a minority educational institution, regardless of how it is legally constituted.
 - The purpose of such institutions is to **preserve the community's cultural fabric**.
 - Minority status does not depend on the institution being solely for the community, but predominantly benefiting it.
 - The Court found that the loss of administrative control by the community does not strip the institution of its minority character.
- **Article 30(1) Significance:**
 - [Article 30\(1\)](#) grants minorities the **right to establish and manage educational institutions** to preserve their educational and cultural values.
 - The right to administer does not require community members to manage the institution but ensures its autonomy to maintain community-specific educational goals.
- **The AMU Case:**
 - AMU, established in 1875, was granted minority status by Parliament through the **AMU (Amendment) Act, 1981** but this provision was **invalidated by the Allahabad High Court in 2006**.
- **Government's Argument:**
 - The Centre argued that AMU, as an institution of national importance, **cannot be considered a minority institution** due to its national character.
 - The government contended that **AMU is not limited to any particular religion or community**.
- **University's Stand:**
 - AMU maintained that it was **originally established by the Muslim community** to provide education and empowerment to its members