

Information Handbook

under

**The Right to Information
Act, 2005**

**Government of India
National Commission for Minorities, New Delhi**

Chapter 1

Introduction

The Minorities Commission which was set up in January 1978 by a Resolution issued by Ministry of Home Affairs, Government of India became a statutory body with the enactment of the National Commission for Minorities Act, 1992 and renamed as National Commission for Minorities. The first Statutory National Commission was set up on 17 May rd

1993. Vide a Gazette notification issued on 23 October 1993 by Ministry of Welfare, Government of India, five religious communities viz; the Muslims, Christians, Sikhs, Buddhists and Zoroastrians (Parsis) were notified as minority communities. As per the 2001

Census, these five religious minority communities constitute 18.42% of the country's population. The educational and economic development of this section of the society and their mainstreaming are crucial for achieving the major national goals. It is necessary to create conditions in which the minorities are assured that their constitutional and legal rights are safeguarded, and educationally and economically they are at par with the mainstream. The main functions of the National Commission for Minorities (NCM) are to monitor the implementation of the Constitutional and legal safeguards provided to the five notified religious communities by the Union and State Governments, to make recommendations to them to ensure effective implementation and enforcement of such safeguards and to look into specific complaints regarding deprivation of such safeguards.

1.1 **Background of this handbook:-**

In order to promote openness, transparency and accountability in administration, the

Central Government had enacted the „Right to Information Act, 2005“ which enables a citizen of India to secure access to information under the control of public authorities. The definition of „public authority“ is given in Section 2(h) of the Act.

The Act applies to the „public authorities“ meaning any authority or body or institution of self-government established or constituted by or under the Constitution; by any law made by the appropriate Government of substantially financed directly or indirectly by the appropriate Government, and includes nongovernmental organizations, substantially financed by the government. NCM is a „public authority“ for the purpose of implementing the provisions of the Act. Section 4(1) of the Act prescribes a list of documents which need to be published. Keeping in view the above requirement, NCM has brought out this handbook in the form prescribed by Central Government.

1.2 **Objective / purpose of this handbook:-**

The main objective of publication of this handbook is to provide at one place the necessary information about the structure and functions of NCM.

1.3 **Who are the intended users of this handbook?**

Any member of public who has interest in the working of the Commission or any person belonging to the five notified minority communities viz; Muslims, Sikhs, Christians, Buddhists and Zoroastrians (Parsis) who has sent a complaint to the Commission regarding deprivation of rights and safeguards of the minorities is an intended user of this handbook.

1.4 **Organization of the information in this handbook.**

Information relating to the composition and functions of NCM, its organizational set-up and the levels of authority has been incorporated in this handbook.

1.5 **Definitions of various terms used in the handbook.**

The terms/phrases/expressions used in this handbook are to be construed with reference to the same expressions with their grammatical and cognate variations as used in the National Commission for Minorities Act, 1992 or NCM Act, 1992.

1.6 **Contact person in case some body wants to get more information on topics covered in the handbook as well as other information also.**

- Additional Secretary, National Commission for*
- (i) *Minorities* (Office Telephone Number 011 - 24601752) appointed as Central Public Information Officer of the Commission in terms of Section 5 of the Right to Information Act, 2005.
- (ii) *Under Secretary(A), National Commission for Minorities* (Office Telephone Number 011 - 24624128) appointed as Central Assistant

1.7 Procedure and Fee Structure for getting information not available in the handbook.

- (i) *In pursuance of the provisions of Section 6 (1) of the Right to Information Act, 2005 and in terms of the Right to Information (Regulation of Fee and Cost) Rules, 2005 notified by the Government of India on 16.9.2005, a person desirous*

of obtaining information (which is not available in this handbook) related to the functioning of NCM as well as any information related to his complaint under consideration in NCM, can make a request in writing or through electronic means in English or Hindi addressed to the Central Public Information Officer (CPIO) or Central Assistant Public Information Officer (CAPIO) of the Commission indicated in para 1.6 above. In case, such request cannot be made in writing, the CPIO or the CAPIO shall render all reasonable assistance to the person making the request orally, to reduce the same in writing. Each application is required to be accompanied by an application fee of Rs.10/-.

- (ii) *The application is required to be addressed to either of the following:-*
- (a) *Central Public Information Officer, National Commission for Minorities, 5th Floor, Lok Nayak Bhavan, Khan Market, New Delhi-110003; or*
- (b) *Central Assistant Public Information Officer, National Commission for Minorities, 5th Floor, Lok Nayak Bhavan, Khan Market, New Delhi-110003.*
- (iii) *The application may be handed over in person by the applicant either to the CPIO or CAPIO of the Commission.*
- (iv) *The application may also be sent by post through Registered A.D addressed to either the CPIO or CAPIO of the Commission.*
- (v) *In case the application is handed over in person, the application fee of Rs.10/-*

may be paid by cash to the Accountant, National Commission for Minorities who will issue a letter to the applicant in acknowledgement of receipt of the application as well as the amount of Rs.10/-. Such an applicant may also deposit the application fee of Rs.10/- by crossed banker's cheque or a Demand Draft in favour of DDO, National Commission for Minorities. In that event also he will be given a receipt in acknowledgement of receipt of the application as well as the amount of Rs.10/-.

- (vi) *In case the application is sent by Post through Registered A.D, the application fee of Rs.10/- may be payable by crossed banker's cheque or a Demand Draft in favour of DDO, National Commission of Minorities. The applicant will be issued by ordinary post a letter in acknowledgement of receipt of the application as well as the amount of Rs.10/-.*
- (vii) *In pursuance of the provisions of Section 7 of the Right to Information Act,*

2005 and in terms of the Right to Information (Regulation of Fee and Cost) Rules, 2005 notified by the Government of India on 16.9.2005, a person desirous of obtaining information (which is not available in this handbook) related to the functioning of NCM as well as any information related to his complaint under consideration in NCM, is required to pay additional fees at the following rates:-

- (a) *Rupees two for each page (in A-4 or A-3 size paper) created or copied by the Commission;*
- (b) *Actual charge or cost priced of a copy in larger size paper;*

- (c) *Actual cost or price for samples or models; and*
- (d) *For inspection of records, no fee for the first hour; and a fee of rupees five for each fifteen minutes (or fraction thereof) thereafter.*
- (e) *For information to be provided in electronic format i.e. by diskette or floppy, Rs.50/- per diskette or floppy.*
- (f) *For information to be provided in printed format, the price fixed for such publication or Rs. 2/- per page of photocopy for extract from the publication.*
- (viii) *Immediately on receipt of the application or request from the applicant, he will be informed of the additional fees payable by him as per para (vii) above and within a period of thirty days of receipt of the additional fees from him {as provided in Section 7 (iii) (a) of the Right to Information Act, 2005}; he will be provided with the information requisitioned by him or allowed to inspect the records as the case may be. The additional fees may be paid by him, either in person to the Accountant, National Commission for Minorities or by crossed banker"s cheque/Demand Draft in favour of DDO, National Commission for Minorities.*
- (ix) *In case the information called for falls in any of the categories provided in Section 8 (Exemption from disclosure of information) of the Right to Information Act, 2005 and/or includes infringement of copyright subsisting in a person other than the State, as provided in Section 9 of the Act, the Commission may reject the request of the applicant. The rejection will be communicated to the applicant by post within a period of 30 days of receipt of his request.*
- (x) *In terms of the proviso 2 to Section 7 (5) of the Right to Information Act, an applicant who is a person of Below Poverty Line (BPL) will not be required to pay any application fee indicated in sub-para (i) above or any additional fee indicated in sub-para (vii) above for obtaining any information or inspection of documents from this Commission, subject to production of his BPL card and satisfaction of the Commission of the genuineness of the BPL card produced by him.*

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Particulars of Organisation, Functions and Duties

2.1 Objective/purpose of the public authority

As per Section 3(2) of the NCM Act, 1992, the Commission consists of a Chairperson, a Vice-Chairperson and five Members to be nominated by the Central Government from amongst persons of eminence, ability and integrity Section 2(c) of the NCM Act defines the word „Minority“ as under:-

“„Minority“ for the purpose of this Act, means a community notified as such by the Central Government”.

Vide a Gazette Notification issued on 23 October 1993 by Ministry of Welfare, five religious communities viz; the Muslims, Christians, Sikhs, Buddhists and

Zoroastrians (Parsis) were notified as minority communities. As such, all the functions of the Commission as led down in Section 9(1) of the NCM Act, 1992 are related to these five notified minority communities. As per, the proviso to Section 3 of the NCM Act 1992, atleast five Members including the Chairperson shall be from amongst the minority communities.

The Government of India attaches high importance to enforcement of the safeguards provided for the minorities and is of the firm view that effective institutional

arrangements are required for enforcement of the safeguards provided to the Minorities in the Constitution and the laws enacted by Parliament and State Legislatures.

2.2 Mission/Vision Statement of the public authority

The mission of the Commission is to monitor the working of the safeguards provided in the Constitution and in laws enacted by Parliament and the State Legislatures in so far as they are applicable to the five notified minority communities.

2.3 Brief history of the public authority and context of its formation

Setting up of Minorities Commission (a non -statutory body) was envisaged in the Resolution dated 12.01.1978, which, inter-alia, declared as under:-

„Despite the safeguards provided in the Constitution and the laws in force, there persists among the Minorities a feeling of inequality and discrimination. In order to preserve secular traditions and to promote National Integration the Government of India attaches the highest importance to the enforcement of the safeguards provided for the Minorities and is of the firm view that effective institutional arrangements are urgently required for the enforcement and implementation of all the safeguards provided for the Minorities in the Constitution, in the Central and State Laws and in the government policies and administrative schemes enunciated from time to time”.

The Minorities Commission which was set up in January 1978 by the above -cited Resolution of Ministry of Home Affairs, became a statutory body with the enactment of NCM

Act, 1992 and renamed as the National Commission for Minorities. The first Statutory Commission was set up on 17 May 1993

2.4 Duties of the public authority

The public authority is required to maintain all its records duly catalogued and indexed in a manner and the form which facilitates the right to information under this Act and ensure that all records that are appropriate to be computerized are, within a reasonable time and subject to availability of resources, computerized and connected through a network all over the country on different systems so that access to such records is facilitated. Such records may include (i) the particulars of its organization, functions

and duties; (ii) the powers and duties of its officers and employees; (iii) the procedure followed in the decision making process, including channels of supervision and accountability; and (iv) the norms set by it for the discharge of its functions.

2.5 Main activities/functions of the public authority

As per Section 9(1) of the NCM Act, 1992, the Commission is entrusted with the following functions, namely :

(i) to evaluate the progress of the development of minorities under the Union and States;

(ii) to monitor the working of the safeguards provided in the Constitution and in laws enacted by Parliament and the State Legislatures;

(iii) to make recommendation for the effective implementation of safeguards for the protection of the interests of Minorities by the Central Government or the State Governments;

(iv) to look into specific complaints regarding deprivation of rights and safeguards of the Minorities and take up such matters with the appropriate authorities;

(v) to cause studies to be undertaken into problems arising out of any discrimination against minorities and recommend measures for their removal;

(vi) to conduct studies, research and analysis on the issues relating to socio-economic and educational development of minorities.

(vii) to suggest appropriate measures in respect of any minority to be undertaken by the Central Government or the State Governments;

(viii) to make periodical or special reports to the Central Government on any matter pertaining to minorities and in particular difficulties confronted by them; and

(ix) any other matter which may be referred to it by the Central Government.

2.6 List of services being provided by the public authority with a brief write-up on them.

In addition to the functions of the Commission as laid down in Section 9 (1) of the NCM Act, 1992 as reproduced in para 2.5 above, the Commission has not been empowered to provide for any service or operate any fund for welfare schemes of the minority communities.

2.7 Organizational Structure Diagram at various levels namely State, directorate, region, district, block, etc. (whichever is applicable)

NCM has been constituted by the Central Government to perform the functions as laid down in Section 9 (1) of the NCM Act, 1992 in the interest of the five notified minority communities. The Commission has only one office located in New Delhi

and has no branch in any other part of India. So far, 15 State Governments have set up their own State Minority Commissions which function as per the provisions in the respective State Minority Commission Act or administrative instructions of the respective State Government.

2.8 Expectation of the public authority from the public for enhancing its effectiveness and efficiency

One of the functions of NCM is to look into specific complaints regarding deprivation of rights and safeguards of the minorities and take up such matters with the appropriate authorities. The complainants do not always give complete information regarding their specific grievance and do not indicate as to whether they have been discriminated on the ground of their religious faith. They do not indicate action taken by officials in the Central Government, State Governments, U.T Administrations and Public Sector Undertakings on account of which they feel aggrieved or the action which they feel should have been taken by the officials and full particulars of such officials. Absence of such information in the complaints causes delay in the disposal. Even when additional information is called for, the petitioners do not respond timely and sometimes do not send any reply. In many of the cases, the complainants even do not make any enquiry from the Commission relating to progress of their cases with the result that the current status of such complaints remains unknown.

Removal of such deficiencies is essential for expeditious and effective disposal of the complaints by the Commission.

2.9 Arrangements and methods made for seeking public participation/contribution

The Commission has its own Web site (www.ncm.nic.in) on which information relating to functioning of the Commission is given for public dissemination. A complainant can take help of the information available. NCM organizes annual conference of State Minorities Commissions every year and also holds special meetings with eminent intellectuals and leaders of notified minority communities from time to time to discuss contemporary issues related to the minority communities. The recommendations emerging from such meetings are considered by the Commission for reference to the Central Government in so far as they relate to any Union Ministry/Department. In case the recommendations relate to any State Government or UT Administration, the Commission considers such recommendations for reference to the concerned State/UT Government.

2.10 Mechanism available for monitoring the service delivery and public grievance resolution

On receipt of a complaint, the Commission examines the issue and informs the applicant about action taken in his case. The Commission has an inbuilt system of monitoring the pending complaints. The details in this regard have been indicated in the sub- para titled „Process of Execution“ in para 9.6 of this handbook.

2.11. Addresses of the main office and other offices at different levels (Please categorize the addresses district wise for facilitating the understanding by the user).

*National Commission for Minorities,
5th floor, Lok Nayak Bhavan,
Khan Market, New Delhi-110003*

(The Commission has only one office at New Delhi located at the above-mentioned address. It has no other office at any other part of the country.)

2.12 Morning hours of the office:	9.30AM
Closing hours of the office:	6.00 PM

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Chapter - 3 (Manual - 2)

Powers and Duties of Officers and Employees

3.1 Please provide details of the powers and duties of officers and employees of the organization.

<i>Designation</i>		
Powers	Administrative	<p>1. As per section 8(2) of the NCM Act, 1992 the Commission is empowered to “regulate its own procedure”. Such regulation of procedure includes, processing of complaints, monitoring disposal of complaints, conduct of business in meetings of the Commission and mode of follow- up action on decisions taken in such meetings.</p> <p>2. As per section 8(1) of the NCM Act, 1992, the Commission holds its meetings „as and when necessary at such time and place as the Chairperson may think fit”.</p> <p>3. In pursuance of Section 8(3) of the NCM Act, 1992, the orders and decisions of the Commission are authenticated by the Secretary or any other officer of the Commission duly authorized by the Secretary in this behalf.</p>
	Financial	<p>Ever since its creation in May, 1993, the entire budget of NCM has been in non-plan and is being presented in the Parliament in an itemized manner, as a part of the budget of Ministry of Social Justice & Empowerment.</p>
	Judicial	<p>Among the functions entrusted to the Commission as per Section 9 (1) of the NCM Act, 1992, the following are included:-</p> <p>(i) evaluate the progress of development</p>

	<p><i>of minorities under Union and States.</i></p> <p><i>(ii) monitor the working of the safeguards provided in the Constitution and in laws enacted by Parliament and the State Legislatures.</i></p> <p><i>(iii) look into specific complaints regarding deprivation of rights and safeguards of minorities and take up such matters with the appropriate authorities.</i></p> <p><i>Section 9 (4) of NCM Act, 1992, provides that the Commission, while performing any of the three functions listed at sub-paras(i) to (iii) above have all the powers of a civil court trying a suit and, in particular, in respect of the following matters, namely:-</i></p> <p><i>(i) summoning and enforcing the attendance of any person from any part of India and examining him on oath;</i></p> <p><i>(ii) requiring the discovery and production of any document;</i></p> <p><i>(iii) receiving evidence on affidavits;</i></p> <p><i>(iv) requisitioning any public record or copy thereof from any court or office;</i></p> <p><i>(v) issuing Commissions for the examination of witnesses and documents; and</i></p> <p><i>(vi) any other matter which may be prescribed.</i></p>
<p>Duties</p>	<p><i>The functions or duties of the Commission as per Section 9 (1) of the NCM Act, 1992 are as under:-</i></p> <p><i>(i) to evaluate the progress of the development of Minorities under the Union and States;</i></p> <p><i>(ii) to monitor the working of the safeguards provided in the Constitution and in laws enacted by Parliament and the State Legislatures;</i></p> <p><i>(iii) to make recommendation for the effective implementation of safeguards for the protection of the interests of Minorities by the Central Government or the State Government;</i></p> <p><i>(iv) to look into specific complaints regarding deprivation of rights and safeguards of the Minorities and take up such matters with the appropriate authorities;</i></p> <p><i>(v) to cause studies to be undertaken into problems arising out of any discrimination against Minorities and recommended measures for their removal;</i></p> <p><i>(vi) to conduct studies , research and analysis on the issues relating to socio-economic and educational development of Minorities.</i></p> <p><i>(vii) to suggest appropriate measures in respect of any Minority to be undertaken by the Central Government or the State Governments;</i></p> <p><i>(viii) to make periodical or special reports to the Central</i></p>

Government on any matter pertaining to Minorities and in particular the difficulties confronted by them; and (ix) y other matter which may be referred to it by the Central Government.

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Chapter - 4 (Manual - 3)

Rules, Regulations, Instructions, Manual and Records, for Discharging Functions.

4.1 Please provide list of rules, regulations, instructions, manual and records,

held by public authority or under its control or used by its employees for discharging functions as per the following format. This format has to be filled for each type of document.

Name/title of the document	<i>Handbook of Laws, Rules and Regulations</i>
Type of document	<i>Rules and Regulations including the NCM Act, 1992</i>
Choose one of the types given below (Rules, Regulations, Instructions, Manual, Records, Others)	
Brief Write-up on the Document	
<i>Section 8(2) the NCM Act,1992 empowers the Commission to regulate its own procedures. In exercise of the power conferred by Section 8(2) of the Act, the</i>	
<i>Commission adopted the NCM (Procedures and Processes) Regulations: 1997 on 17 June 1997. The Handbook of Laws, Rules and Regulations contains one copy each of such Regulations, the NCM Act, 1992 and the NCM (Salaries & Allowances and</i>	
<i>Conditions of Service of Chairperson & Members) Rules : 1995 which were notified by the Central Government on 17.8.1995 in exercise of the powers conferred by Section 15 read with Section 4 (5) of the NCM Act, 1992.</i>	
From where one can get a copy of rules, regulations, instructions, manual and records	
<i>Under SecretaryF,</i>	
<i>National Commission for Minorities,</i>	
<i>5th floor, Lok Nayak Bhavan,</i>	
<i>Khan Market, New Delhi-110003</i>	
<i>Telephone No : 24601752</i>	
<i>Fax- 24693302</i>	
Fee charged by the department for a copy of rules, Regulations, instructions, manual and records (if any)	
<i>Rs. 25/- as fee will be charged by the National Commission for Minorities for supply of a printed copy of the handbook. Any person desirous of obtaining a printed copy of the handbook is required to pay an amount of Rs. 25/- by cash to the Accountant, National Commission for Minorities or by crossed banker"s cheque or a Demand</i>	
<i>Draft in favour of DDO, National Commission for Minorities. The copy may be obtained in person from the Commission. In case the copy is desired by post, the requisite postal charges will be payable.</i>	

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Chapter - 5 (Manual - 4)

Particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof

5.1 Formulation of Policy

Whether there is any provision to seek consultation/participation of public or its representatives for formulation of policies? If there is, please provide details of such policy in following format.

Sr. No.	Subject/Topic	Is it mandatory to ensure public participation (Yes/No)	Arrangements for seeking public participation.

This will help a citizen understand on what basis public participation in formulation and implementation of policy matters is decided upon.

The functions and duties of the Commissions as laid down in Section 9 (1) of NCM Act, 1992 have been reproduced in para 3.1 of this handbook. The Commission has not been empowered to formulate any specific policy in respect of the rights and safeguards of the notified minority communities or in respect of any welfare scheme for their socioeconomic development in addition to the Government policies. Therefore, the above format is not applicable to NCM.

However, NCM organizes annual conference of State Minorities Commissions every year and also holds special meetings with eminent intellectuals and leaders of notified minority communities from time to time to discuss contemporary issues related to the minority communities. The recommendations emerging from such meetings are considered by the Commission for reference to the Central Government in so far as they relate to any Union Ministry/Department. In case the recommendations relate to any State Government or UT Administration, the Commission considers such recommendations for reference to the concerned State/UT Government.

Implementation of Policy

5.2 Whether there is any provision to seek consultation/participation of public or its representatives for implementation of policies? If there is, please provide details of provisions in following format

Sr. No.	Subject/Topic	Is it mandatory to ensure public participation (Yes/No)	Arrangements for seeking public participation.
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The functions and duties of the Commissions as laid down in Section 9 (1) of NCM Act, 1992 have been reproduced in para 3.1 of this handbook. The Commission has not been empowered to formulate any specific policy in respect of the rights and safeguards of the notified minority communities or in respect of any welfare scheme for their socioeconomic development in addition to the Government policies. Therefore, the above format is not applicable to NCM.

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Chapter - 6 (Manual - 5)

A statement of the categories of documents that are held by it or under its control

6.1 Use the format given below to give the information about the official documents. Also mention the place where the documents are available for e.g. at secretariat level, directorate level, others (Please mention the level in place of writing "Others")

<i>Sr. No.</i>	<i>Category of the document</i>	<i>Name of the document and its introduction in one line</i>	<i>Procedure to obtain the document</i>	<i>Held by/under control of</i>
<i>(i)</i>	<i>Handbook</i>	<i>Handbook of</i>	<i>These</i>	
<i>(ii)</i>	<i>Act</i>	<i>Laws, Rules and Regulations.</i> <i>The National Commission for Minorities Act-1992.</i>	<i>documents can be obtained by making written application in English or Hindi addressed to any of the officers indicated in the last column.</i>	<i>(i)Under Secretary, National Commission for Minorities (Office Telephone Number 011 - 24616174) appointed as Central Public Information Officer of the Commission in terms of Section 5 of the Right to Information Act, 2005.</i>
<i>(iii)</i>	<i>Form</i>	<i>Form „A” (Statutory Recommendation by the Commission),</i> <i>Form „B” (Acknowledgment of the complaint and Particulars to be submitted by the complainant),</i> <i>Form „C” (Notice to authorities for reply to NCM regarding a complaint),</i> <i>Form „C-1” (Reminder to Form „C” Notice),</i> <i>Form „D” (Summons for attendance of</i>		<i>(ii)Administrative Officer, National Commission for Minorities (Office Telephone Number 011 - 24618349) appointed as Central Assistant Public Information Officer of the Commission in terms of Section 5 of the Right to Information Act, 2005.</i>

		<p><i>Persons complained against/witnesses),</i></p> <p><i>Form „E“ (Notice for requisitioning documents/public records),</i></p> <p><i>Form „F“ (for</i></p> <p><i>Notice for issuing commissions for the examination of witnesses and documents),</i></p> <p><i>Form „G“ (Form for</i></p> <p><i>communicating interim decisions of NCM),</i></p> <p><i>Form „H“ (Form</i></p> <p><i>for communicating final decision of NCM),</i></p> <p><i>Form „I“ (Form for</i></p> <p><i>communicating to authorities, the</i></p> <p><i>recommendation of NCM in a complaint)</i></p> <p><i>(One copy each of</i></p> <p><i>the above mentioned forms is available in the Handbook of</i></p> <p><i>Laws, Rules & Regulations referred to para 4.1 of this Handbook)</i></p>		
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Chapter - 7 (Manual - 6)

A statement of boards, councils, committees and other bodies Constituted as its part

7.1 Please provide information on Boards, Councils, Committees and Other Bodies related to the public authority in the following format :-

- Name and address of the Affiliated Body
- Type of Affiliated Body (Board, Council, Committee, Other Bodies)
- Brief Introduction of the Affiliated Body (Establishment Year, Objective/Main Activities)
- Role of the Affiliated Body (Advisory/Managing./Executive/Others)
- Structure and Member Composition
- Head of the Body
- Address of main office and its Branches
- Frequency of Meetings
- Can public participate in the meetings?
- Are minutes of the meetings prepared?

Since no boards, councils, committees and other bodies have been constituted by NCM, , the above information is not applicable in respect of the Commission.

Chapter - 8 (Manual - 7)

The names, designations and other particulars of the Public Information Officers

8.1 Please provide contact information about the Public Information Officers, Assistant Public Information Officers and Departmental Appellate Authority of the Public authority in the following format.

Name of the Public Authority: National Commission for Minorities

<i>Sr. No.</i>	<i>Name</i>	<i>Work Related To</i>	<i>Designation</i>	<i>S.T.D</i>	<i>Ph. No.</i>	<i>Fax</i>	<i>Email</i>
1	<i>Shri Shariq Saeed, G & R(For his share of work Allocated)</i>	<i>Administration and GSS(For his share of work Allocated)</i>	<i>Under Secretary</i>	<i>011</i>	<i>24624128</i>		
2	<i>Shri Arunava Sengupta</i>	<i>G&R</i>	<i>Under Secretary</i>	<i>011</i>	<i>24624128</i>		

Department Appellate Authority

<i>Sr. No.</i>	<i>Name and Designation</i>	<i>Ph. No.</i>
1	<i>Shri T. M. Skaria, Director</i>	

Chapter - 9 (Manual - 8)

Procedure followed in Decision Making Process

9.1 What is the procedure followed to take a decision for various matters? (A reference to Secretariat Manual and Rule of Business Manual, and other Rules/Regulations etc. can be made)

1. *In terms of Section 9(1)(d) of the NCM Act 1992, specific complaints of deprivation of Minorities' rights and safeguards can be lodged with the Commission by an individual, institution or organization within its jurisdiction. These may be addressed to the Chairperson, a Member or the Secretary of the Commission. No fee will be chargeable for submitting a complaint to the Commission or for registration of the complaint.*

2. *Complaints of the following nature are not usually entertained by the Commission:*

- (i) *those not based on or relating to Minority status/rights/safeguards and not highlighting discrimination on the ground of religion;*
- (ii) *those concerning matters sub judice (pending before a court/quasi-judicial body);*
- (iii) *those for which ordinary judicial/quasi-judicial/administrative remedies are available elsewhere but have not been availed by the complainant without any reasonable justification.*
- (iv) *those relating to events which are one-year old or older;*
- (v) *those which are vague, anonymous, pseudonymous or frivolous;*
- (vi) *those not directly addressed to the Commission and sent to it by way of copies of complaints/representations addressed to any other authority.*

3. *Once a complaint is taken up for scrutiny, the requisite information is called for from the concerned authority giving the latter a reasonable time to respond.*

4. *If particulars regarding the complainant and details of his complaint are considered necessary, a Form „B“ is issued to the complainant for acknowledging his complaint and to obtain the desired particulars from him.*

5. *In case, there is inordinate delay in receiving the requisite information from the concerned authority in regard to a complaint, the Commission may issue a Form „C“ (Notice to authorities for reply to NCM regarding a complaint) to that authority to file a reply and the necessary documents along with a duly sworn affidavit testifying the same by a fix date.*

6. *If no response to the Form „C“ notice is received from the concerned authority by the fix date, the Commission may issue a notice to the authority in Form „C-1“ (Reminder to Form „C“ Notice) giving one more chance to the authority to file his reply by another date. While issuing the Form „C-1“ Notice to the authority, his attention is invited that in case his reply is not received by the date fixed through Form „C-1“, the Commission may decide to summon him.*

7. *In exercise of the powers conferred on the Commission by sub-Section(a) and (c) of Section 9 (4) of the NCM Act, 1992, the Commission may summon and enforce the attendance of any person from any part of India(except the State of Jammu & Kashmir), examining him on oath and receiving his evidence on affidavit. In some cases, the Commission may decide to exercise this power and issue summon to the concerned authority through Form „D” (Summons for attendance of Persons complained against/ witnesses) to appear before a specified Bench of Members of the Commission on a fixed date/time along with the necessary files/documents.*

8. *In exercise of the powers conferred on the Commission by sub-Section(d) of Section 9 (4) of the NCM Act, 1992, the Commission may issue Form „E” (Notice for requisitioning documents/public records)to any authority to call for the requisite documents/public record by a fixed date in order to examine a complaint.*

9. *In exercise of the powers conferred on the Commission by sub-Section(e) of Section 9 (4) of the NCM Act, 1992, the Commission may issue Form „C” (for Notice for issuing commissions for the examination of witnesses and documents) to any person to appear as a witness before NCM along with the necessary documents.*

10 *In some cases, the Commission may decide to communicate its interim decision to the concerned authority by issue of Form „G” (Form for communicating interim decisions of NCM) to him requesting for complying with the same. The Commission may also decide to communicate its final decision to the concerned authority by issue of Form „H” (Form for communicating final decision of NCM) for implementing the decision under intimation to the Commission.*

11. *In some cases, the Commission may also decide to communicate its recommendation on a particular complaint to the concerned authority by issue of Form „I” (Form for communicating to authorities, the recommendation of NCM in a complaint) to that authority directing him to accept the recommendation.*

12. *However, the above mentioned forms are used by the Commission sparingly and not as a matter of routine.*

13. *In respect of the complaints taken up by the Commission, the comments of the concerned authority along with the grievance of the complainant are submitted to Secretary/Chairperson in detailed notes suggesting the course of action to be taken in the particular case. If a Member of the Commission has received a complaint, the file of the Commission is put up to the Member.*

14. *In specific cases, the Commission may hold personal hearing to satisfy itself about the reasonableness of a complaint.*

15. *If considered necessary, the Commission may authorise one or more*

Members or any of its officers to undertake field visit for making enquiry in regard to a complaint and to submit a report.

16. *One copy each of the above-mentioned forms is available in the Handbook of Laws, Rules & Regulations referred to in para 4.1 of this handbook.*

17. *The Commission may also authorize any of its Members to hold meeting with senior officers of a State Government or UT Administration to review the cases of minority communities of the respective State or UT taken up by the Commission. One or more officers of the Commission may be authorized to assist the Member or Members of the Commission in such review meetings. On the basis of decisions taken in such meetings, the cases are finalized.*

9.2 What are the documented procedures/laid down procedures/Defined Criteria/Rules to arrive at a particular decision for important matters? What are different levels through which a decision process moves?

The National Commission for Minorities has two divisions, namely, G&R (Grievances & Redressal) Division and Administration Division. The Administration Division has two sections, namely, Establishment Section dealing with personnel matters, recruitment, etc. and GS (General Services) Section

dealing with office maintenance and purchase of stationery/office equipments. All complaints received from individuals and institutions of the notified minority communities are examined in G&R Division. G&R Division is also concerned with preparation of agenda papers and minutes of all meetings of the Commission and drafting of NCM publications (including newsletters) and Annual Reports. However, printing of NCM publications and Annual Reports is looked after by GS Section.

The complaints at the initial stage are examined by the Research Assistants (RAs) and Research Investigators (RIs) of G&R Division. Each RA/RI has been allotted particular States/UTs. Complaints received from the residents of a particular State/UT is examined by the RA or RI accountable for that State or UT. The complaints received from residents of States of Uttar Pradesh, Gujarat, Rajasthan,

Tamilnadu, Bihar, Jharkhand, Kerala, Uttaranchal and West Bengal and the UTs of Delhi, Chandigarh and Pondicherry are put up by the RIs/RAs to Research Officer.

From Research Officer, such files are put up to Under Secretary who submits the files to Joint Secretary.

The complaints received from residents of States of Andhra Pradesh, Chhatisgarh, Haryana, Himachal Pradesh, Karnataka, Maharashtra, Madhya Pradesh, Orissa and Punjab are put up by the RIs/RAs to Legal Officer. From Legal Officer, such files are put up to Joint Secretary.

The complaints received from residents of Goa, the North-Eastern States and the Union Territories other than Delhi, Chandigarh and Pondicherry are put up to Deputy Secretary who submits such files to Joint Secretary.

From Joint Secretary, the files are submitted to Secretary. All complaints from individuals/institutions of important nature bearing the signature of the Chairperson and his directions thereon are put up to him through Secretary in relevant files along with the necessary information including comments/observations obtained from the concerned authorities and copies of necessary documents obtained from them. The file dealing with a complaint received from a notified minority community is put up through Secretary to the member of the Commission representing the same community. The decision taken by the Chairperson on such files are implemented. The other complaints are decided at the level of Secretary. However, the files dealing with complaints addressed to the Vice Chairperson and any Member of the Commission are put up through Secretary to the Vice Chairperson or the Member as the case may be. The Vice Chairperson and any Member of the Commission can call for any file of the Commission dealing with a complaint. Such files are put up to the Vice Chairperson/Member through Secretary.

The Deputy Secretary is concerned with drafting the newsletters and

annual reports of the Commission. The work of drafting publications of the Commission are also entrusted to the Deputy Secretary from time to time.

9.3 What are the arrangements to communicate the decision to the public?

Decision taken by the Commission on a complaint is communicated to the complainant in the form of a letter. The Commission holds meetings and seminars with prominent public representatives, intellectuals, religious leaders and opinion makers to discuss various issues concerning the notified minority communities. The proceedings in such meetings and seminars are covered by the print and electronic media. The consensus arrived at in such meetings and seminars is also communicated by the Commission through Press Releases for publication in newspapers for public dissemination. At times, the Resolution adopted in such meetings are also communicated to the appropriate authorities in the Central Government and the State Governments as statutory recommendation of the Commission under Section 9 of NCM Act, 1992.

9.4 Who are the officers at various levels whose opinions are sought for the process of decision making?

The officers are Research Officer, Legal Officer, Under Secretary, Deputy Secretary, Joint Secretary, Secretary, Members, Vice Chairperson, Chairperson.

9.5 Who is the final authority that vets the decision?

Chairperson of the Commission is the final authority that vets the decision.

9.6 Please provide information separately in the following format for the important matters on which the decision is taken by the public authority.

<p><i>Subject on which the decision is to be taken</i></p>	<p><i>Complaints received from organisations and individuals on any matter which falls within the scope of the work of the Commission i.e. where protection of rights of the five notified minority communities is involved and where Commission feels that a person or an organisation belonging to any of the five notified minority communities(Muslims, Christians, Sikhs, Buddhists and Parsis) has been discriminated against.</i></p>
<p><i>Guideline/Direction, if any</i></p>	<p><i>In terms of Section 9(1)(d) of the NCM Act 1992, specific complaints of deprivation of Constitutional safeguards provided in the Constitutions and in law enacted by Parliament and the State legislatures for the minorities(i.e. any of the five notified minority communities) can be lodged with the Commission by an individual, institution or organization. The complaints may be addressed to the Chairperson, Vice Chairperson, a Member or the Secretary of the Commission.</i></p> <p><i>2. Complaints of the following nature are not usually entertained by the Commission:</i></p> <p><i>(i) those not based on or relating to Minority status/rights/safeguards;</i></p> <p><i>(ii) those concerning matters sub judice (pending before a court/quasi-judicial body);</i></p> <p><i>(iii) those for which ordinary judicial/quasi-judicial/administrative remedies are available elsewhere but have not been availed by the complainant without any reasonable justification.</i></p> <p><i>(iv) those relating to events which are one-year old or older;</i></p> <p><i>(v) those which are vague, anonymous, pseudonymous or frivolous;</i></p> <p><i>(vi) those not directly addressed to the Commission and sent to it by way of copies of complaints/representations addressed to any other authority.</i></p>
<p><i>Process of Execution</i></p>	<p><i>1. Once a complaint is taken up for scrutiny, the requisite information is called for from the concerned Ministry/department of the Central Government or the concerned</i></p>

department of the State Government/UT Administration giving the latter a reasonable time to respond. In case the complaint relates to a Public Sector Undertaking, a Bank, a private company or an Autonomous Body, information is called for from the Head of the respective PSU, Bank, private company, autonomous body etc.

2. If the Commission needs specific

information regarding the complainant, the nature of his complaint and the authority in Govt./private company concerned with the complaint, a Form „B” is issued to the complainant to obtain the necessary details.

3. In case, there is inordinate delay in receiving the requisite information from the concerned authority in regard to a complaint, the

Commission may issue a Form „C” (Notice to authorities for reply to NCM regarding a complaint) to that authority to file a reply and the necessary documents along with a duly sworn affidavit testifying the same by a fixed date.

4. If no response to the Form „C” notice is received from the concerned authority by the fixed date, the Commission may issue a notice to the authority in Form „C-I” (Reminder to

Form „C” Notice) giving one more chance to the authority to file his reply by another date. While issuing the Form „C-I” Notice to the authority, his attention is invited that in case his reply is not received by the date fixed through Form

„C-I”, the Commission may decide to summon him.

5. In exercise of the powers conferred on the Commission by sub-section(a) and (c) of Section 9(4) of the NCM Act, 1992, the

Commission may summon and enforce the attendance of any person from any part of India(except the State of Jammu & Kashmir) for examining him on oath and receiving his evidence on affidavit. In some cases, the Commission may decide to exercise this power and issue summon to the concerned authority through Form „D”

(Summons for attendance of Persons complained against/ witnesses) to appear before a specified Bench of Members of the Commission on a fixed date/time along with the necessary files/documents.

6. In exercise of the powers conferred on the Commission by sub-Section(d) of Section 9 (4) of the NCM Act, 1992, the Commission

may issue Form „E“ (Notice for requisitioning documents/public records) to any authority to call for the requisite documents/public record by a fixed date in order to examine a complaint.

7. *In exercise of the powers conferred on the Commission by sub-Section(e) of Section 9 (4) of the NCM Act, 1992, the Commission may issue Form „C“ (for Notice for issuing*

commissions for the examination of witnesses and documents) to any person to appear as a witness before NCM along with the necessary documents.

8. *In some cases, the Commission may decide to communicate its interim decision to the concerned authority by issue of Form „G“ (Form for communicating interim decisions of NCM) to him requesting for complying with the same. The Commission may also decide to communicate its final decision to the concerned authority by issue of Form „H“ (Form for communicating final decision of NCM) for implementing the decision under intimation to the Commission.*

9. *In some cases, the Commission may also decide to communicate its recommendation on a particular complaint to the concerned authority by issue of Form „I“ (Form for communicating to authorities, the recommendation of NCM in a complaint) to that authority directing him to accept the recommendation.*

10. *One copy each of the above mentioned forms is available in the Handbook of Laws, Rules and Regulations referred to in para 4.1 of the Handbook.*

11. *However, the above mentioned forms are used by the Commission sparingly and not as a matter of routine.*

12. *In respect of the complaints taken up by the Commission, the comments of the concerned authority along with the grievance*

of the complainant are submitted to Secretary/Chairperson in detailed notes suggesting the course of action to be taken in the particular case. If a Member of the Commission has received a compliant, the file of the Commission is put up to the Member.

13. *In specific cases, the Commission may hold personal hearing to satisfy itself about the reasonableness of a complaint.*

14. *If considered necessary, the*

	<p><i>Commission may authorize one or more Members or any of its officers to undertake field visit for making enquiry in regard to a complaint and to submit a report.</i></p> <p><i>15. The Commission may also authorize any of its Members to hold meeting with senior officers of a State Government or UT Administration to review the cases of minority communities of the respective State or UT taken up by the Commission. One or more officers of the Commission may be authorized to assist the Member or Members of the Commission in such review meetings. On the basis of decisions taken in such meetings, the cases are finalized.</i></p>
<i>Designation of the officers involved in decision making</i>	<p><i>(i) Joint Secretary</i></p> <p><i>(ii) Secretary</i></p> <p><i>(iii) Chairperson.</i></p> <p><i>[In case of a complaint from any of the five notified minority communities, the Member of the Commission representing the minority community, is also involved in decision making before a final decision on the complaint is taken by the Chairperson.] .</i></p>
<i>Contact information of above mentioned officers</i>	<p><i>(i) Joint Secretary: 24693639</i></p> <p><i>(ii) Secretary : 24694816</i></p> <p><i>(iii) Chairperson : 24690592</i></p>
<i>If not satisfied by the decision, where and how to appeal</i>	<p><i>The appeal can be made by writing a letter either to Secretary or to Chairperson of the Commission.</i></p>

Directory of Officers and Employees

FAX: 24693302/24642645/24698410/24623710/24693639

Name/Designation		Office	
Syed GhayorulHasanRizvi Chairperson Email: chairman-ncm@bic.in APS: InderjitDhamrait		24690592 24646312 24690592	
Shri George Kurian Member		24642527	
Shri Sunil Singhi Member		24621177	
Ms.SulekhaKumbhare Member		24623710	
VadaDasturjiKhurshedKaikobadDastoor Member Email: kkdncm17@gmail.com P.S.: Ms.Radha Sharma P.A : Ms.KanchanKaul		24601720 "	
Shri J Rama Krishna Rao Secretary PPS: Shri K. Vishwanathan		24694816 "	
ShriAjoy Kumar Additional Secretary P.A: Mohd. Yousuf		24693639 "	
Shri T.M. Skaria Director P.A.: Smt. D. Ambika		24690809 "	
ShriArunavaSengupta Under Secretary (G & R) P.A. : Smt. BinduSadana		24624128	
ShriShariqSaeed Under Secretary (Admn.) P.A. : Smt. BinduSadana		24624128	
Shri Q. J. Ahmed, Consultant		24615583	
ShriSudhirGoel, A.O.		24616174	
Accounts Section (Ms.AamnaKhattoon)		24616174	

Reception (Gate No.2) Intercom No. 215,

10.1 Please provide information district wise in following format

Sr. No.	Name	Designation	S.T.D. Code	Ph. No.		Fax		Email Address	
				Office	Home				

Not applicable since there is no district office of National Commission for Minorities.

Chapter - 11 (Manual - 10)

The Monthly Remuneration Received by Each of its Officers and Employees, Including the System of Compensation as Provided in Regulations

The officers and the employees in NCM are being paid monthly remuneration in their respective scale of pay as mentioned below and the allowances as applicable :-

Sl. No.	Name of the Post	Pay Band with (Grade Pay)
1.	Chairman	Rs. 80,000/- fixed
2.	Vice Chairman	Rs. 80,000/- fixed
3.	Members	Rs. 80,000/- fixed
4.	Secretary	Rs. 80,000/- fixed
5.	Joint Secretary	Rs. 37400-67000 (Rs.10000)
6.	Deputy Secretary	Rs. 15600-39100(Rs.7600)
7.	PS to Chairman	Rs. 15600-39100(Rs.6600)
8.	OSD	Rs. 15600-39100(Rs.6600)
9.	Under Secretary	Rs. 15600-39100(Rs.6600)
10.	Legal Officer	Rs. 15600-39100(Rs.6600)
11.	Research Officer	Rs. 15600-39100(Rs.5400)
12.	Administrative Officer	Rs. 15600-39100(Rs.5400)
13.	Principal Private Secretary	Rs. 15600-39100(Rs.6600)
14.	Section Officer	Rs. 9300-34800 (Rs.4800)
15.	Private Secretary	Rs. 9300-34800 (Rs.4600)
16.	Asstt. Private Secretary	Rs. 9300-34800 (Rs.4600)
17.	PA to Chairman	Rs. 9300-34800 (Rs.4200)
18.	Librarian	Rs. 9300-34800 (Rs.4200)
19.	Research Investigator	Rs. 9300-34800 (Rs.4200)
20.	Hindi Translator	Rs. 9300-34800 (Rs.4200)
21.	Urdu Translator	Rs. 9300-34800 (Rs.4200)
22.	Assistant	Rs. 9300-34800 (Rs.4200)
23.	Accountant	Rs. 9300-34800 (Rs.4200)
24.	Personal Assistant	Rs. 9300-34800 (Rs.4200)
25.	Research Assistant	Rs. 9300-34800 (Rs.4200)
26.	Upper Division Clerk	Rs.5200-20200 (Rs.2400)
27.	Stenographer Grade 'D'	Rs.5200-20200 (Rs.2400)
28.	Urdu Stenographer	Rs.5200-20200 (Rs.2400)
29.	Lower Division Clerk	Rs.5200-20200 (Rs.1900)
30.	Staff Car Driver	Rs.5200-20200 (Rs.1900)
31.	Despatch Rider	Rs.5200-20200 (Rs.1900)
32.	Gestetner Operator	Rs.5200-20200 (Rs.1800)
33.	Daftari	Rs.4440-7440 (Rs.1600)
34.	Jamadar	Rs.5200-20200 (Rs.1800)
35.	Library Attendant	Rs.4440-7440 (Rs.1300)
36.	Peon	Rs.4440-7440 (Rs.1300)
37.	Safaiwala	Rs.4440-7440 (Rs.1300)

Chapter - 12 (Manual - 11)

The Budget Allocated to each Agency

(Particulars of all plans, proposed expenditures and reports on Disbursement made)

12.1 Please provide information about the details of the budget for different activities under different schemes in the given format

The budget allocated to the Department in 16-17

Sl.No.	Sub Head	Allocated BE for 2016-17	Allocated RE for 2016-17	Actual Expenditure for 2016-17
1	Salary	47900	50000	49511
2	Wages	100	100	4
3	OTA	150	150	120
4	TE(D)	4500	2100	1611
5	TE (F)	500	-	-
6	O.E.	20500	20500	20043
7	Medical Treatment	900	900	567
8	Research Studies & Publications	2100	800	50
	Total	76650	74550	71906

The entire budget of NCM is in non-plan.

Chapter - 13

The Manner of Execution of Subsidy Programmes

13.1 Please provide the information as per the following format :

- Name of Programme/scheme
- Duration of the programme/scheme
- Objective of the programme
- Physical and financial targets of the programme (for the last year)
- Eligibility of Beneficiary
- Pre-requisites for the benefit
- Procedure to avail the benefits of the programme
- Criteria for deciding eligibility

- Details of the benefits given in the programme (also mention the amount of subsidy or other help given)
- Procedure for the distribution of the subsidy
- Where to apply or whom to contact in the office for applying
- Application Fee (where applicable)
- Other Fees (where applicable)

- Application format (where applicable. If the application is made on plain paper please mention it along with what the applicant should mention in the application).
- List of attachments (certificates/documents)
- Format of Attachments
- Where to contact in case of process related complaints

- Details of the available fund (At various levels like District Level, Block Level etc.)
- List of beneficiaries in the format given below

Serial Number/Code	Beneficiary Name	Amount of Subsidy	Parent/Guardians	Address			

Since no subsidy programme is implemented by the National Commission for Minorities, the above information is not applicable in respect of the Commission.

Chapter - 14 (Manual - 13)

Particulars of Recipients of Concessions, permits or authorization granted by it

14.1 Please provide the information as per the following format :

- Name of Programme
- Type (Concession/Permits/Authorization)
- Objective
- Targets set (For the last year)
- Eligibility
- Criteria for the eligibility
- Pre-requisites
- Procedure to avail the benefits
- Time limit for the concession/Permits/Authorizations
- Application Fee (where applicable)
- Application format (where applicable)
- List of attachments (certificates/documents)
- Format of Attachments
- List of beneficiaries in the format given below

Serial Number/Code	Beneficiary Name	Amount of Subsidy	Parent/Guardians	Address			
				District	City	Town/Village	House No.

Also provide the following information for Concession

- Detail of the benefit given
- Distribution of benefits

Since the National Commission for Minorities has no scheme for grant of any concession, permit or authorization, the above information is not applicable in respect of the Commission.

Norms set by it for the discharge of its functions

15.1 Please provide the details of the Norms/Standards set by the department for execution of various activities/programmes

The complaints at the initial stage are examined by the Research Assistants (RAs) and Research Investigators (RIs) of G&R Division. Each RA/RI has been allotted particular States/UTs. Complaints received from the residents of a particular State/UT is examined by the RA or RI accountable for that State or UT. The complaints received from residents of States of Uttar Pradesh, Gujarat, Rajasthan,

Tamilnadu, Bihar, Jharkhand, Kerala, Uttaranchal and West Bengal and the UTs of Delhi, Chandigarh and Pondicherry are put up by the RIs/RAs to Research Officer. From Research Officer, such files are put up to Under Secretary who submits the files to Joint Secretary.

The complaints received from residents of States of Andhra Pradesh, Chhatisgarh, Haryana, Himachal Pradesh, Karnataka, Maharashtra, Madhya Pradesh, Orissa and Punjab are put up by the RIs/RAs to Legal Officer. From Legal Officer, such files are put up to Joint Secretary.

The complaints received from residents of Goa, the North-Eastern States and the Union Territories other than Delhi, Chandigarh and Pondicherry are put up to Deputy Secretary who submits such files to Joint Secretary.

From Joint Secretary, the files are submitted to Secretary. All complaints from individuals/institutions of important nature bearing the signature of the Chairperson and his directions thereon are put up to him through Secretary in relevant files along with the necessary information including comments/observations obtained from the concerned authorities and copies of necessary documents obtained from them. The file dealing with a complaint receive from a notified minority community is put up through Secretary to the member of the Commission representing the same community. The decision taken by the Chairperson on such files are implemented. The other complaints are decided at the level of Secretary. However, the files dealing with complaints addressed to the Vice Chairperson and any Member of the Commission are put up through Secretary to the Vice Chairperson or the Member as the case may be. The Vice Chairperson and any Member of the Commission can call for any file of the Commission dealing with a complaint. Such files are put up to the Vice Chairperson/Member through Secretary.

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Chapter - 16 (Manual - 15) Information

available in an electronic form

www.ncm.nic.in is the official website of the National Commission for Minorities, New Delhi.

16.1 Please provide the details of the information related to the various schemes which are available in the electronic format.

No scheme is being implemented by the National Commission for Minorities.

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Chapter - 17 (Manual - 16)

Particulars of the facilities available to citizens for obtaining Information

National Commission for Minorities Act, 1992 is contained in a booklet readily available in the office of NCM. In this booklet, the powers and functions of NCM are indicated. The booklet can be obtained from office of NCM. In addition, a booklet titled „Handbook of Laws, Rules and Regulations“ is also available in the office of NCM.

17.1 Means, methods or facilitation available to the public which are adopted by the department for dissemination of information.

The facilitation available in the Commission for dissemination for information to the public is given below:-

Office Library

The Commission has a well-stocked Library of about 20,000 books on minority issues, Constitutional matters, legal issues and other general subjects. For dissemination of information to members of public, the following booklets in adequate numbers have also been kept in the NCM Library:-

- (i) *Copies of the National Commission for Minorities Act, 1992 (Act XIX of 1992).*
- (ii) *Copies of (a) NCM Handbook of Laws, Rules and Regulations and (b) NCM Handbook of Laws of State Minorities Commissions & Boards.*
- (iii) *Copies of NCM Annual Reports which have been laid before each House of Parliament by the Central Government in pursuance of the provision of Section 13 of NCM Act, 1992.*

(Section 12 of NCM Act, 1992 requires the Commission to prepare Annual Report for each financial year and forward a copy of the same to the Central Government. Section 13 of NCM Act, 1992 requires the Central Government to place the Annual Report along with a Memorandum of Action Taken on the recommendations contained therein, as so far as they relate to Central Government and the audit report „as soon as may be after the reports are received“, before each House of Parliament.)

- (iv) *Copies of NCM Newsletters being published quarterly to describe the major activities of the Commission in the interest of the five notified minority communities (Muslims, Christians, Sikhs, Buddhists and Parsis) of the country as well as the efforts made by the Commission in the areas of promotion of communal harmony, national integration and inter-faith dialogue.*
- (v) *Copies of NCM publications detailing action taken by the Commission for protection of the Constitutional legal safeguards for the five notified minority*

communities and promotion of their socio-economic development. A few of the publications also indicate efforts made by NCM for inter-faith dialogue, promotion of communal harmony and national integration. A list of important publications is given below:-

- (i) „Gujarat Turmoil, 2002 & NCM- A catalogue“.
- (ii) „Problems of Muslim minority-Action taken by NCM“ (an Urdu publication).
- (iii) „Minorities India“, a special issue of NCM Newsletter brought out on the occasion of Minorities Rights Day on 18.12.2003 organised at Indian International Centre, New Delhi.
- (iv) „Minorities India“, a special issue of NCM Newsletter brought out on the occasion of Minorities Rights Day on 18.12.2004 organised at Jamia Hamdard(Hamdard University) Tigrqabad , New Delhi.
- (v) A booklet titled „The Sikhs and National Commission for Minorities“ published in Punjabi language in two volumes.
- (vi) Special issue of NCM newsletter released on the eve of 4th Annual Conference of State Minorities Commissions held on February 2005 at Constitutional Club, New Delhi.

2. Notice Board

The Commission has a big notice board to display copies of important news clippings on minority issues as well as advertisements for posts as and when circulated by the Commission.

3. Printed Manual Available

The following printed manuals are available in the Commission:-

- (i) Copies of NCM Handbook of Laws, Rules and Regulations.
- (ii) Copies of NCM Handbook of Laws of State Minorities Commissions & Boards.

4. Website of the public authority

The Commission has a website which can be accessed on www.ncm.nic.in

5. Other means of advertising

The Commission does not issue public advertisements in the print media for dissemination of information to the members of public or to obtain any information from them.

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Chapter - 18 (Manual - 17)

Other Useful Information

18.1 Frequently Asked Questions and their Answers by Public

Following questions which may be frequently asked by the members of the public are being replied to for facilitating their understanding

(i) What functions have been assigned to the Commission under the Act?

As per Section 9 (1) of the NCM Act, 1992, the following functions have been assigned to the Commission:-

(a) to evaluate the progress of the development of Minorities under the Union and States:

(b) to monitor the working of the safeguards provided in the Constitution and in laws enacted by Parliament and the State Legislatures;

(c) to make recommendations for the effective implementation of safeguards for the protection of the interests of Minorities by the Central Governments or the State Governments;

(d) to look into specific complaints regarding deprivation of rights and safeguards of the Minorities and take up such matters with the appropriate authorities;

(e) to cause studies to be undertaken into problems arising out of any discrimination against Minorities and recommend measures for their removal;

(f) to conduct studies, research and analysis on the issues relating to socio-economic and educational development of Minorities;

(g) to suggest appropriate measures in respect of any Minority to be undertaken by the Central Government or the State Governments;

(h) to make periodical or special reports to the Central Government on any matter pertaining to Minorities and in particular the difficulties confronted by them; and

(i) any other matter which may be referred to it by the Central Government.

(ii) What powers have been vested with the Commission?

While performing any of the functions indicated in sub paras (a), (b) and (d) above, the Commission has been conferred with, as per Section 9 (4) of NCM Act, 1992, all the powers of a civil court trying a suit and, in particular, in respect of the following matters, namely;

- (a) summoning and enforcing the attendance of any person from any part of India and examining him on oath;
- (b) requiring the discovery and production of any document ; (c) receiving evidence on affidavit;
- (d) requisitioning any public record or copy thereof from any court or office; (e) issuing commissions for the examination of witnesses and documents; and (f) any other matter which may be prescribed.

(iii) What kind of complaints are not entertained by the Commission?

Complaints of the following nature are not usually entertained by the Commission:-

- (a) those not based on or relating to Minority status/rights/safeguards and not highlighting discrimination on the ground of religion ;
- (b) those concerning matters sub judice (pending before a court/quasi-judicial/body);
- (c) those for which ordinary judicial/quasi-judicial/administrative remedies are available elsewhere but have not been availed by complainant without any reasonable justification;
- (d) those relating to events which are one-year old or older;
- (e) those which are vague, anonymous, pseudonymous or frivolous;
- (f) those not directly addressed to the Commission and sent to it by way or copies of complaints/representations addressed into any other authority.

(iv) What is the responsibility of the Central/State Governments to which report/recommendations have been sent by the Commission?

One of the functions of the Commission as per Section 9 (1)(c) of the NCM Act, 1992, is to make recommendations for the effective implementation of safeguards for the protection of the interests of minorities by the Central Government or the State Governments.

Such recommendations of the Commission applicable to the Central Government and communicated to it by the Commission, will be laid before each House of Parliament by the Central Government along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Union and the reasons for the non-acceptance, if any, of any of such recommendations. This responsibility of the Central Government has been provided in Section 9 (2) of the NCM Act, 1992.

Where any recommendation of the nature [provided in Section 9 (1) (c) of the NCM Act, 1992] or any part thereof is such that any State Government is concerned, Commission shall forward it to that State Government who shall cause it to be laid before the Legislature along with a memorandum explaining the action taken or proposed to be taken or the recommendations relating to the State and the reasons for the nonacceptance, if any, of any of such recommendation or part. This responsibility of a State Government has been provided in Section 9 (3) of NCM Act, 1992.

(v) **What is the composition of the Commission?**

As per Section 3 (2) of NCM Act, 1992, the Commission shall consist of a Chairperson, a Vice-Chairperson and five Members. Section 4 (1) of the Act provides that the Chairperson and every member shall hold office for a term of three years from the date he assumes office. The existing Fourth Statutory Commission was constituted in February, 2003 with the following composition :-

Sh. Naseem Ahmad

Chairperson

Shri Praveen Davar

Shri Dadi E. Mistry

18.2 Related to seeking Information

Application Form

(Application in Hindi or English in the following format should be addressed to the Chairperson of this Commission. The application will be registered in the Commission and the applicant informed of the registration by a letter issued to his residential/office address by post.)

Name of the Applicant:

Profession:

Office/Organisation:

*(in case the applicant is employed
in an office or organisation)*

*Official/Residential Address:
(including Pin Code)*

Telephone/Mobile/Fax No: Nature of

Information required: Purpose for

obtaining the information:

Place :

Name and Signature

Date:

• Fee

Necessary information has been given in para 1.7 of this handbook.

• How to write a precise information request - Few Tips

The applicant seeking information should write, in his application, his name and address(including Pin Code). In case the applicant has a telephone either in his office or residence or a cellular(mobile) phone, he should indicate his office/residential telephone number and mobile telephone number in his application. The nature of information required by him from NCM and the purpose for obtaining such information should be specified in his application. The other information on the subject is available in para 1.7 of this handbook.

• Right of the Citizen in case of denial of information and procedure to appeal.

In case of denial of information within a period of 30 days of receipt of the application addressed to the Chairperson of National Commission for Minorities, the applicant may prefer an appeal to Joint Secretary of the Commission. If the appeal is rejected by Joint Secretary of the Commission, the rejection will be communicated to the applicant by a letter issued to his residential/office address by post through Registered

A.D. On receipt of the rejection letter, the applicant may prefer a second appeal, within a period of 90 days of receipt of rejection of the first appeal, to the Central Information Commissioner appointed under Section 12 of the Right to Information Act, 2005.

18.3 With relation to training imparted to public by Public Authority

- Name of training programme with brief description
- Time period for Training Programme/Scheme
- Objective of training
- Physical and Financial Targets (Last Year)
- Eligibility for training
- Perquisite for training (If any)
- Financial and other form of help (If any)
- Description of help (Mention the amount of Financial help, if any)
- Procedure of giving help
- Contact Information for applying
- Application Fee (Wherever applicable)
- Other Fees (Wherever applicable)

- Application Form (In case the application is made on plain paper, please mention the details which the applicant has to provide)
- List of enclosures / documents
- Format of enclosures/documents
- Procedure of application
- Selection Procedure
- Time table of training programme (In case available)
- Process to inform the trainee about the training schedule

- Arrangement made by the Public Authority for creating public awareness about the training programmes
- List of Beneficiary of the training programme at various levels like district level, block level, etc.

Since no training programme is conducted by the National Commission for Minorities, the above information is not applicable in respect of the Commission.

18.4 With relation to Certificate, No Objection Certificate etc. issued by the Public Authority not included in Manual - 13

- Name and description of the certificates and NOCs
- Eligibility for applying
- Contact Information for applying
- Application Fee (Wherever applicable)
- Other Fees (Wherever applicable)

- Application Form (In case the application is made on plain paper, please mention the details which the applicant has to provide)
- List of enclosures / documents
- Format of enclosures/documents
- Procedure of application
- Process followed in the Public Authority after the receipt of application
- Normal time taken for issuance of certificate
- Validity period of certificate (If applicable)
- Process of renewal (If any)

Since no certificate is issued by the National Commission for Minorities, the above information is not applicable in respect of the Commission.

18.5 With relation to registration process:-

- Objective
- Eligibility for registration
- Pre-requisites (If any)
- Contact Information for applying
- Application Fee (wherever applicable)
- Other Fees (Wherever applicable)

- Application Form (In case the application is made on plain paper, please mention the details which the applicant has to provide)
- List of enclosures/documents
- Format of enclosures/documents
- Procedure of application
- Process followed in the Public Authority after the receipt of application
- Validity period of registration (If applicable)
- Process of renewal (If any)

Since no registration of any institute or body is done by the National Commission for Minorities, the above information is not applicable in respect of the Commission.

18.6 With relation to collection of tax by Public Authority Corporation, Trade Tax, Entertainment Tax, etc.) **(Municipal**

- Name and description of tax

- Purpose of tax collection
- Procedure and criteria for determination of tax rates
- List of major defaulters

Since no tax is collected by the National Commission for Minorities, the above information is not applicable in respect of the Commission.

18.7 With relation to issuing new connection electricity/water supply, temporary and permanent disconnection, etc. (This will be applicable to local bodies like Municipal Corporation/Municipalities/UPCL)

- Eligibility for connection
- Pre-requisites (If any)
- Contact Information for applying
- Application Fee (wherever applicable)
- Other Fees/Charges (Wherever applicable)
- Application Form (In case the application is made on plain paper, please mention the details which the applicant has to provide)
- List of enclosures/documents
- Format of enclosure/documents
- Procedure of application
- Process followed in the Public Authority after the receipt of application
- Brief description of terms used in the bills
- Contact information in case of problems regarding Bills or service
- Tariff and Other Charges

Since no connection of electricity/telephone or of any other matter is provided by the National Commission for Minorities, the above information is not applicable in respect of the Commission.

18.8 Details of any other public services provided by the Public Authority

Such details are not applicable to the National Commission for Minorities.
