

CONCLUSIONS AND RECOMMENDATIONS

- 12.1 From the detailed presentations given in the previous chapters of this Annual Report, it is more than apparent that NCM worked tirelessly during the reported year to ensure that the constitutional and legal rights of the notified minority communities are adequately preserved and protected. In particular, the Commission tried its best to ensure justice for the victims of the Muzaffarnagar Riots of 2014. In fact, the Commission is still monitoring follow up action on its various recommendations in this regard.
- 12.2 Although recommendations of NCM have already been highlighted at appropriate places in the previous chapters, it would be worthwhile to recapitulate in brief the major recommendations made by NCM during the reported year.

The recommendations given during the Annual Conference of State Minority Commissions have already been highlighted in Chapter-8 of this Annual Report.

i. Visit of National Commission for Minorities to Assam (from 10th May to 12th May, 2014)

- ❖ Relief camp arrangements at Baksa and Kokrajharbe improved. Given the occurrence of such incidents on a regular basis, the state should be better prepared and provision could be made for more durable and weather resistant canvas tents.
- ❖ Occupants of relief camp be shifted to a better site given the low lying nature of the camp site and the weather conditions. The present site was highly vulnerable to flash floods.
- ❖ Better facilities for cooking, a common kitchen, if possible, to be set up or at least a pucca space that was rain proof and where cooking was not likely to be disrupted may be arranged.
- ❖ Better security for all the occupants, with especial provision of women police, given that women in such circumstances become particularly vulnerable.
- ❖ More adequate provision for police pickets on a permanent basis in the remote villages and vulnerable habitations.

- ❖ Efforts be made to follow up the cases registered in 1994 and since, on which no progress has been made. Fast track courts may be set up to enable justice to be meted out and for the guilty to be punished. The team strongly voiced their concern and suggested that the state must take responsibility and insist on speedy trials and convictions.
- ❖ Disarming of extremist elements and trouble makers operating in the area must be intensified and it should be on a continuous basis.
- ❖ Narayanguri village needs special attention as the original village was washed away and occupants have lost all legal rights to the property. They lived in a precarious condition of illegal occupancy of land to which no titles were available to them, which made them highly vulnerable. The administration needed to explore and resolve the issue with utmost urgency.
- ❖ An NCC battalion be raised in the Kokrajhar area with the objective of motivating the youth to join the national mainstream. This would benefit over 3000 students from nearby schools and colleges. A proposal to that effect was already lying with the State Government.

ii. Visit of National Commission for Minorities to Bihar

Visit to Araria (on 28th May, 2014)

- ❖ Director, Auro Sundaram should pay compensation and the breached wall should be constructed under the supervision of the District Administration.
- ❖ DM Araria would monitor action of M/s Auro Sundaram regarding giving of employment of at least one person from each family of Bhajanpura village, as also making arrangements for training of Bhajanpura villagers for upgradation of their skills. DM Araria would also ensure help from M/s Auro Sundaram for running of a school in Bhajanpura.

Visit to Bodhgaya (from 16th to 17th August, 2014)

- ❖ The NCM suggested for the establishment of a separate Bodh Gaya Development Authority, renaming of Gaya Airport as Buddha International Airport, Beautification of Bodh Gaya and rail linking of important Buddhist pilgrimage centres with Bodhgaya as Buddhist sentiments are attached with this place.

Visit to Muzaffarpur (from 11th March to 13th March, 2015)

- ❖ Government/Administration should give compensation for damage of house and other property to the family of Mohd. Ibrahim. Administration should facilitate shifting of members of family in their house.
- ❖ Government/Administration may consider increase in the amount of compensation to 95 affected families.
- ❖ As stated in the joint report of District Magistrate, Muzaffarpur and Senior Superintendent of Police, Muzaffarpur dated 10.03.2015, the proposed work plan for

ensuring that such incidents are not repeated may be prepared as soon as possible and a copy may be forwarded to the Commission and as mentioned, the proposed action regarding establishment of permanent Control Room at District/Sub-Divisional/Block level may be completed as soon as possible and a copy may be forwarded to the Commission.

- ❖ District Administration may get the cases/applications enquired in an impartial manner so that innocent persons are not harassed and implicated.
- ❖ Principal Secretary, Home informed that issue regarding construction of wall of the factory in Araria district where incident of violence had taken place had been resolved and is under implementation. Action taken report may be sent to the Commission.
- ❖ Schemes under 15 Point Programme and MSDP may be reviewed periodically by the Government/Divisions/Districts.
- ❖ It was suggested that quarterly review of 15 Point Programme should be done by Division/Districts, so that achievements may go up. Commissioner was advised to review all the pending schemes and send action taken report to the Commission. It was further suggested that all available fund may be spent by March, 2015.
- ❖ It was desired that Commissioner should send a report regarding implementation of Indira Awas Yojana, Mid-day Meal, number of Madarsas, number of Urdu schools and details of construction of additional class rooms in these schools in the Division.
- ❖ District Magistrate, Muzaffarpur informed that, in Muzaffarpur, in 2013, National Development and Financial Corporation has provided loan of Rs. 4,67,500 to 11 persons belonging to minority communities. In 2012, Bihar State Minority Financial Corporation has provided loan of Rs. 2.27 crore to 233 beneficiaries under Mukhyamantri Alpsankhyak Rozgar Rin (loan) Yojana. The NCM addressed the Commissioner that he should make efforts that in other districts also required progress be achieved.

iii. Visit of National Commission for Minorities to Haryana

Visit to Faridabad (on 4th June, 2014)

- ❖ The NCM recommends removal of encroachments on Qabristan (Muslim Graveyard) in village Rajpur Phulera, District Faridabad.
- ❖ Demand of Sarb Gurdwara Committee for allotment of vacant plot of 600 square yards adjacent to Sector- 16 A for construction of Sikh Heritage Centre. to be in possession of Gurudwara.
- ❖ Allotment of land for construction of Sikh Heritage Centre.
- ❖ Allotment of 5 acres of land for construction of school in New Industrial Township (NIT), Faridabad.
- ❖ Regularisation of occupation and allotment of a small residential plot for addition of Gurudwara complex.

iv. Visit of National Commission for Minorities to Uttar Pradesh

Visit to Saharanpur (on 31st July, 2014)

- ❖ A High Level Commission to enquire into the Saharanpur violence may be constituted.
- ❖ The administration should complete the survey of loss suffered in Saharanpur violence.
- ❖ Innocents, if any, arrested should be released and the real perpetrators of rioting and arsoning should be apprehended and speedily brought before justice.
- ❖ All possible security arrangements must be made to prevent recurrence of violence.
- ❖ The District Administration should facilitate the setting up of peace committees all across the district to ensure conflict resolution and soothing of tempers across all communities.
- ❖ A Joint Committee comprising of members of both the Muslim and the Sikh communities under the Chairmanship of the District Magistrate, Saharanpur may be set up to settle the land dispute amicably.

Visit to Muzaffarnagar (on 28th June, 2014) and to Lucknow (on 11th August, 2014)

- ❖ The directions of the Supreme Court in their judgment of 26th March 2014 regarding investigation of criminal cases be complied with in letter and spirit and without further delay.
- ❖ All pending disputes/cases of compensation must be scrutinized and settled dispassionately and at the earliest possible. The relocation compensation of Rs. 5 lakhs should be interpreted in a positive manner so that families consisting of several married siblings who had been living in one house but maintaining different 'chulhas' were not deprived.
- ❖ SIC must complete investigation of all pending cases and all charge sheets must be filed. Subsequently, SIC must monitor the efforts of the local police in following up the cases.
- ❖ To confirm deaths of those listed as missing and where the bodies were not traceable, the possibility of applying the Uttarakhand model in such cases should be tried.
- ❖ Investigations in all cases of rape and murder must be completed without further loss of time.
- ❖ Measures be taken to restore the faith of all communities in the state administration and especially the state Police. The NCM in its visits had found that in several cases people had alleged that police was sympathetic to the trouble - makers and therefore not taking any action against the culprits in spite of their presence on the troubled spots.
- ❖ Set up peace committees representing all communities to enable dialogue with and within the different religious communities. This would keep channels open for dialogue and peaceful resolution of disputes as has been done in Saharanpur after the trouble broke out. The Commission suggested that it might be advisable to initiate such dialogue in sensitive and troubled areas across the state to pre-empt such instances.

Visit to Sarnath (on 7th November, 2014)

- ❖ Archaeological Survey of India and Uttar Pradesh Police to take necessary steps to curb the obscene activities of young boys and girls in the Park premises where Dhamek Stupa and many ancient Buddhist monuments existed, to maintain sanctity of Pilgrimage Park.

Visit to Hathras (on 7th December, 2014)

- ❖ The District Magistrate, Hathras may use his good offices for repair of road from village Shehzadpur to village Pakwara (2.2 km) and road from village Pakwara to Saiema Mansoor Public School. This would also help in attracting more students to this school.
- ❖ It would be advisable for the District Magistrate, Hathras to see if Government funding for the proposed ITI or a sizable portion thereof would be possible.
- ❖ The District Magistrate, Hathras may explore the possibility of making available funds to Noorul Uloom Education Society (NUES) for the construction of the girl's school building which would cost Rs. 5- 6 crores.

v. Visit of National Commission for Minorities to Maharashtra

Visit to Mumbai (from 10th to 12th April, 2014)

- ❖ Reservation of two seats per term for Parsi Students in Institutions endowed by the Parsis.
- ❖ Defunct Anjumans should be revived.

Visit to Pune (from 30th May, 2014 to 1st June, 2014)

- ❖ A survey might be conducted on the social and economic status of the Sikligar Sikh Community which was mainly settled in the districts of Aurangabad, Ahmednagar, Purbhani, Nanded and Jalna in Maharashtra. They were in need of small loans and Government support to set up cooperatives and Self Help Groups (SHGs) to help them start their own workshops for manufacturing and sale of their products/crafts.

Visit to Pune & Mumbai (from 24th to 27th August 2014)

- ❖ Shri Mobeen, the younger brother of the deceased, Shri Mohsin Sheikh who was allegedly killed by members of Hindu Rashtra Sena (HRS) might be given a permanent government job.
- ❖ Desirability of ban on HRS to send a strong message that such hate-mongering would not be tolerated and would be dealt with, quickly and decisively.
- ❖ Round-the-clock protection may be provided to the family of the deceased Shri Mohsin Sheikh and other key eye witnesses in the case who had reasonable apprehension of threat to their lives.

- ❖ The trial of the murder case of Shri Mohsin Sheikh may be assigned to a fast track court.
- ❖ Adequate compensation should be given to the business and religious establishments that were affected in the violence.

Visit to Nanded and Aurangabad (from 18th to 21st November, 2014)

- ❖ A survey may be carried out to ascertain the population and socio-economic status of the Sikligar Sikh Community of Maharashtra.
- ❖ The Sikligar Sikhs may be issued Ration Cards and Voter ID Cards.
- ❖ A housing scheme may be drawn for the Sikligar Sikhs wherein they may be given the option to pay for built-up houses through EMIs.
- ❖ Women belonging to the Sikligar Sikh Community may be included as members of the Women & Child Welfare Committees of the State.
- ❖ Direct flights from Delhi to Nanded be resumed and air connectivity between Amritsar and Nanded may be explored.
- ❖ The problems of Muslim families of the Kannad Taluka of Aurangabad district may be addressed by ascertaining whether they fall within the Municipal area or the Village Panchayat.

vi. Visit of National Commission for Minorities to Uttarakhand (from 23rd to 25th July, 2014)

- ❖ Various benefits and schemes under the PM's New 15 Point Programme needed to be publicised by both the State Government and District administration.
- ❖ State Government be advised to implement PM's 15 Point Programme vigorously to achieve the goals set by the Gol.
- ❖ Computers in Madrasas needed to be updated as they were over 10 years old.
- ❖ As no provisions had been made for meeting the cost of power for AC installed in computer rooms, the State Government needed to address the issue on urgent basis.
- ❖ The number of beneficiaries in the self-employment scheme of the State Government needed to be increased substantially.

(from 16th to 18th October, 2014)

- ❖ Introduction of 'bridge courses' for Madrasas students on the pattern of AMU needs to be expedited.
- ❖ Allotment of land to Gurudwara Govind Ghat which had been washed away in the floods, as assured by the Chief Minister, should be expedited.
- ❖ Need for an increase in budget allocation for programmes suggested by the State Government.

(from 15th to 19th December, 2014)

- ❖ About 2000 students have not received scholarship for 2014-15. This may be looked into.
- ❖ A sum of Rs. 1.63 Crores for teachers of 45 Madrasas for the year 2012-13 is due, which may be looked into.
- ❖ Rs. 1.23 crores for the year 2012-13 for construction of toilets and computer rooms in 47 schools. Construction of a hostel in Govt. Polytechnic, Haridwar has been proposed under Ms D. P. The work should be completed in stipulated time.

vii. Visit of National Commission for Minorities to Trilokpuri of Delhi (on 29th October, 2014)

The Commission recommended that all those responsible for instigating the violence should be punished but no innocent citizens should be subjected to harassment and coercion.

viii. Visit of National Commission for Minorities to Andaman and Nicobar Islands (from 5th to 10th January, 2015)

The Commission recommended the following measure relating to this Union Territory:

- ❖ All minority schools which have been certified by the NCMEI should be recognized by the A&N Islands' Administration and may be extended infrastructural development grants and all necessary facilities including internet connectivity.
- ❖ The list of teachers duly appointed by the minority schools may be approved by the UT Administration.
- ❖ The scholarships and schemes available to the minorities may be widely publicized by the Administration through specially constituted teams under the guidance and supervision of Director, Education.
- ❖ At least 3 meetings of the Advisory Committee for Minorities may be held in a year and copy of the minutes may be sent to the NCM.
- ❖ The Settler's Quota may be restored to the Punjabi settlers who are excluded from the benefits of the OBC Quota.
- ❖ Ship service between Port Blair and Campbell Bay may be provided twice a week and also a weekly 25-seater winged connectivity.
- ❖ Better air connectivity may be provided between Port Blair and the Indian mainland and the request of the permanent inhabitants of the Islands for subsidized travel to the mainland may be considered.

ix. Visit of National Commission for Minorities to Lakshadweep (from 24th to 28th November, 2014)

- ❖ The UT Administration should review the system of security checks and scanning for islanders when boarding vessels from the mainland. Some system of spot checking or

other less intrusive means of security may be explored to make this essential travel for the local citizens less harrowing.

- ❖ A review may be done of the present system of entry permits for legal professionals and lawyers who are often needed at short notice for civil and criminal cases with consideration for the dates set by the courts and the need for their presence.
- ❖ Grant of stay permits for spouses be made less complicated.
- ❖ Increase in Haj quota for the islanders is recommended in view of the fact that there are no tour operators on the Islands.
- ❖ The filling up of vacancies in Government departments to be expedited.
- ❖ Some steps be taken to vitalize the fisheries and coconut cultivation and to create opportunities for marketing them more effectively since these are the major means of livelihood for the Islanders.

x. Visit of National Commission for Minorities to West Bengal (from 1st to 5th February, 2015)

- ❖ Efforts be made to reassure Minorities especially the Muslims and Christians that the state is committed to protect them. The Muslim community feels besieged after the Burdwan blasts and has requested for police and other law enforcing agencies to be sensitized against communal bias. The Christian community is apprehensive about the calls to Ghar Wapsi which are being voiced in West Bengal and expects the state to take measures to prevent incidents that are likely to create an atmosphere of insecurity and of communal tension.
- ❖ The abysmally low and inordinately disproportionate rates of employment of Muslims at all levels, both in the Government as well as the private sector, be reviewed.
- ❖ That Urdu be taught as a subject in schools, where there is need for it, in districts with a large Muslim population.
- ❖ ITIs and Colleges and other institutions that are being set up under schemes to help the minorities, to be set up in areas which are easily accessible to minorities and in minority concentrated blocks.
- ❖ Some level of reservation for the block residents should be put in place so that they are not deprived because of influx of students from more developed districts and blocks.
- ❖ The proposed Minority Bhawans be made functional in each district so that minorities can have easier access to the administration.
- ❖ Better health care facilities for Muslim dominated areas.
- ❖ Better publicity and outreach to all sections of minority communities so that awareness of schemes is accessible to the most deserving.
- ❖ Better facilities for government schools that cater to minority groups. The decline in these schools is giving way to a variety of privately run institutions, not all of which are able to provide good quality education.

- ❖ Demand from the Sikh community to pay government salaries to Sikh priests, as has been done for Imams, may be looked into.
- ❖ Some flexibility be allowed in using of funds within the minority schemes so that they can be utilized where needed. For example, the scheme for additional classrooms is not serving all schools well. There are many schools that have been brought under this scheme where there is a much greater need for maintaining and making available playgrounds or for maintenance and repair of existing classrooms, rather than adding more rooms where there is little space for it.
- ❖ Budh Purnima, which has been declared a National Holiday, be declared as such within the state of West Bengal.
- ❖ The system of disbursement of scholarships to students be reviewed. The system of issuing cheques is causing major problems in the districts and for many students since there are often problems of wrong spellings, and discrepancies of other types. It is extremely difficult for illiterate parents and young children to be able to solve these problems. A system of direct transfers to the accounts of the students would save them from such difficulties.
- ❖ The state needs to be commended on the up-gradation of the Aliah University, but it will need support to become a leading institution for maintaining high academic standards and the democratic and secular ideals of the Indian Constitution. The University has initiated several programmes for the welfare of the minorities e.g. vocational and skill development courses etc. While these need to be commended, the University must not be allowed to lose intellectual and academic character that is critical for an institution of higher learning. The University should be encouraged and supported in creating linkages with the government school system across the state in an effort to revitalize the basic education system and encourage and support teachers and students in schools that serve the minorities and other deprived communities. The government school system, especially schools serving the poor and the minorities, is steadily losing ground to private institutions of all kinds which is bound to marginalize and exclude the poor and deprived even further.
- ❖ The University could also be supported in offering its new entrants bridge courses in English and if necessary in other disciplines on the basis of a preliminary screening, to help them to cope better with University standards.

xi. Visit of National Commission for Minorities to Himachal Pradesh (from 8th to 12th February, 2015)

- ❖ The State Government should take action to increase facilities for Urdu schools and Urdu teachers in all the Districts where the shortages are reported. In District Sirmaur, there are 11 schools which have been identified for Urdu teaching.
- ❖ Demarcation and fencing of Christian cemetery and Muslim graveyards in all the Districts and action to vacate encroachment of such lands.

Himachal Pradesh

- ❖ The existing limit of Rs. 1 lakh for pre-matric and Rs. 2 Lakh for post-matric levels needs to be raised to Rs. 3 lakhs and Rs. 5 lakhs as a number of those with low incomes are left out.
- ❖ The State Government of Himachal Pradesh be advised to set up coaching institutes for training to candidates of minority communities with the aim of raising their standard for competing in entrance exams for Police, Central and State services.

West Bengal

- ❖ Minimum levels of income for eligibility to scholarships to be raised so that more children could become eligible.
- ❖ Number of pre and post-matric scholarships be increased. The demand is coming from several states where the demand far outstrips the present supply.
- ❖ The mode of payment of scholarships instead of cheque should be changed to the form of direct transfer to the beneficiaries' accounts. Given that these children are mostly first generation learners, there are several problems of spellings, names and addresses which render the cheques invalid and the process of re-issuing makes it even more complicated.
- ❖ In the case of Jain Monks on pilgrimage where they travel on foot, it seems that incidents of accidents where the Monks are getting injured or killed have risen suddenly and there is a feeling within the community that they are being targeted. This is happening in many states although there have been no incidents in WB. This sensitive issue needs to be looked into.
- ❖ Reservation for Parsee students in Institutions set up by Parsees.
- ❖ Some flexibility be allowed in using of funds within the minority schemes so that they can be utilized where needed. The example of the scheme for additional classrooms is not serving all schools well. There are many schools that have been brought under this scheme where there is a much greater need for maintaining and making available playgrounds or for maintenance and repair of existing classrooms, rather than adding more rooms where there is little space for it. If there is any scope for doing so at the state level, it needs to be considered.

Chandigarh

- ❖ MoMA may be requested to consider the enhancement of annual family income limit for applicants for Minority Scholarships from Rs. 2 lakh to Rs. 5 lakh.
- ❖ MoMA may write to all the Universities and Higher Education Institutions in order to improve awareness of the "Padho Pardes" scheme.
- ❖ MoMA may consider setting up of a Madarasa Board at Chandigarh to oversee the running of madarasas in the UT of Chandigarh and the states of Punjab, Himachal Pradesh and Haryana.