

## CONCLUSIONS AND RECOMMENDATIONS

**12.1** From the detailed presentations given in the preceding chapters of this Annual Report, it is quite clear that the National Commission for Minorities worked vigorously during the year under report to ensure that the constitutional and legal rights of the notified minority communities are effectively preserved and protected. It succeeded in a large measure to implement its mandate as a watchdog for the implementation and protection of the minorities' constitutionally guaranteed legal rights.

**12.2** Although the recommendations of the Commission have already been highlighted at appropriate places in the previous chapters, it would be worthwhile to recapitulate in brief the major recommendations made by it during the reported year.

**i) Visit of the National Commission for Minorities to Haryana**

**Visit to village Dingerheri, District Mewat (on 22nd September, 2016)**

- ❖ The incident has shaken the people of the area and there is a lot of resentment, especially among Muslim community, partly due to allegations that the culprits were 'gaurakshaks'. The role of the police in handling the case is also being widely criticized. Although, on the demand of the people of the area the State Govt. has transferred the case to CBI, but since law & order is the state subject, the State Govt. is well advised to take steps to promote communal harmony and restore people's confidence in the functioning of the police. There is a need to convey a clear message that culprits of such heinous crimes would not be spared. Such a step is more relevant in the context of Mewat district.



- ❖ The State authorities should co-ordinate with CBI to ensure quick completion of investigation in the case by the latter. This will go a long way in restoring the confidence of the people of the area in the functioning of police.
- ❖ It is worth appreciating that the State Govt. is paying compensation to the victims at double the rate of compensation recommended by the district administration under the existing rules. The same spirit of magnanimity is expected in the matter of giving jobs to the victims and their dependants, as the case may be. Offering of casual employment at D.C. rates is inadequate in the light of reported assurance given by the Chief Minister, Haryana to give employment to the victims or their kins. It is, therefore, strongly urged that the matter may be reconsidered and regular employment may be given to the victims/ their kins.

## ii) Visit of National Commission for Minorities to Jharkhand

**Visit to Districts of Hazaribagh and Latehar (from 10th to 12th May, 2016)**

### (A) Pertaining to the incidents in Hazaribagh

- ❖ Loss in each shop/house should be properly assessed and adequate compensation be paid to each victim.
- ❖ State Govt must issue strict instructions to the District Administration to explore if the Ramnavmi celebrations could be restricted to only one day as in other parts of the country.
- ❖ All perpetrators and instigators of violence must be identified and proceeded against as per law and a speedy trial be initiated.
- ❖ Mohd Hafeez, whose forearms have been shattered in an attack should be provided urgent medical attention by referring him to AIIMS, Delhi.



**(B) Pertaining to the incidents at Latehar:**

- ❖ Adequate compensation should be given to the victims' families at the earliest possible.
- ❖ All efforts be made to punish the guilty and all those associated with the crime either directly or indirectly.
- ❖ Immediate steps to be taken to monitor the Gau Rakshak Committees and to take serious action against those who are attempting to create communal tensions and encouraging vigilante groups into taking the law into their own hands.
- ❖ The Muslim community must be reassured about their physical safety and protection of their livelihoods.
- ❖ The events of 18/03/2016 should be properly screened and charges against the innocent to be dropped.
- ❖ Serious allegations against Ratan K. Singh Sub-inspector Chandwa Thana be investigated and appropriate action be taken.

**iii) Visit of National Commission for Minorities to Assam**

**Visit to districts of Kokrajhar, Kamrup and Baksa from 7th to 10th September, 2016**

**(A) For MoMA**

- ❖ That the MsDP funding be reviewed and local needs be taken into consideration at the time of allotting funds. It seems that some of the schemes that were appropriate earlier - like adding classrooms in schools have become redundant due to investments through the SSA programme.
- ❖ That the scholarship programmes be given extra administrative assistance. For the truly needy to access these funds, there is a need for administrative personnel who can attend to the many problems that are coming up with the digitisation of the schemes and also in assisting



students to access the schemes - for example by setting up special windows where applicants can access forms, fill in applications etc.

- ❖ That fund disbursement be made more efficient and the digitized disbursement of funds be carefully streamlined and possible bugs within the system be rectified.

### **(B) For the State Government**

- ❖ Projects that are funded by MoMA need to be thought through and longer terms and recurrent expenditure that is needed for their effective implementation is put into place. For example in the case of ITIs, funding for running the programmes, appointing faculty, and ascertain that minorities will be adequately represented both at the level of faculty as well as students needs to be thought out in advance.
- ❖ That increased effort be made to reach out and create greater awareness of all the schemes available
- ❖ Efforts are also needed to help the target populations to apply for benefits that are available since these are mainly the poor and illiterate who need support for understanding as well as applying for the benefits.
- ❖ That some means of co-ordinating the funds coming from various schemes and different departments be devised so that they can be better utilised.
- ❖ The issue of identifying illegal residents be carefully reviewed so as not to target helpless and disfranchised sections of Muslim population. At present it seems that large numbers of Bengali speaking people have been picked up and put in detention centres without adequate investigation or notice. This is creating extreme uncertainty and anxiety amongst large sections of the labouring poor.
- ❖ That those affected by the violence in Baksa in 2014 be given some form of police protection in the village and to ensure their safety and



that the legal procedures to punish the guilty be expedited. It is a sad commentary that more than two years after the violence there is no enquiry and its follow up.

### **Visit to Assam from 22nd to 25th December, 2016**

#### **For Central Government**

- ❖ It was found that some of the Commissioners/Secretaries of the State Governments were not fully conversant with all the schemes being run by the Ministry of Minority Affairs. To obviate this problem, it is recommended that Secretary, Ministry of Minority Affairs may convene a one-day workshop in Delhi for all Commissioners/Secretaries, Director and other officers of the Directorate to familiarise the officers of the North East with the schemes, process and procedures.
- ❖ The State Government of Assam complained that they are not getting the prescribed 2% for "Administrative and Allied Expenses at the State, District and Block level including the expenses relating to engagement of Block Level Facilitator" as detailed in Para 11.1 of the MsDP. This may be probably due to lack of thorough knowledge of the guidelines. This particular point may also be addressed by the Ministry of Minority Affairs in the above mentioned meeting.

#### **For State Government Meghalaya**

- ❖ The State Govt. may consider declaring BuddhPurnima, Guru Nanak Jayanti and Baisakhi as Public/Restricted holidays as former two are observed as public holiday in Central Govt..

#### **For State Government Assam**

- ❖ State Govt. may consider declaring Mahavir Jayanti as Public Holiday.
- ❖ State Govt. may consider strengthening of State Minorities Commission to 5 members (including the Chairman).



**iv) Visit of the National Commission for Minorities to West Bengal from 25th to 27th September, 2016**

**For MoMA**

- ❖ To look into the problems in the disbursement of scholarship and other issues that recipients are facing and to resolve them in consultation with the Ministry of Minority Affairs and Madrasah Education Department (MAME) of the West Bengal Government

**For West Bengal Government**

- ❖ To be alert to the insecurities of the Christian and Muslim communities and to put in place mechanisms for prevention and control of vigilante activities.
- ❖ To verify the complaints of Sikh community that their passport applications are being sent for IB scrutiny.

**Visit to West Bengal from 3rd to 6th December, 2016**

**For MoMA and Central Government:**

- ❖ The present limit for eligibility of the income of parents has not taken into account the inflation from the time this limit was set. It should, therefore, be increased by 50% and linked to inflation for year to year basis.
- ❖ The scholarship being given has also not taken into account the increase of population thus leaving many eligible students out of its purview. The present scholarships going out of the Ministry of Minority Affairs are in the region of Rs. 1200 crores. This should be increased in the next budget by at least Rs. 600 crores to cater to those eligible for these scholarships who are left out of the fold.
- ❖ Reservation for 5-10% may be considered for specific minorities in States where a particular minority community has an overwhelming majority. This will ensure that no minority group is left out from the ambit of the scheme.



- ❖ As requested by the Buddhist community, "Gautam Buddha Express" train from Sealdah/Howrah to Bodh Gaya should be revived.

**For State Government:**

- ❖ The State Govt. may be advised to consider declaring Buddha Purnima as a State/Gazetted holiday.

**v) Visit of National Commission for Minorities to Uttar Pradesh:**

**Visit to Muzaffarnagar and Shamli on 17th October, 2016**

**(A) For the Ministry of Minority Affairs (MoMA):**

- ❖ To explore the need for setting up of additional inter-colleges for women in Kairana for which a demand was made by the local community under schemes like MsDP etc.

**(B) For District Muzaffarnagar:**

- ❖ That a survey of the displaced persons of the Muzaffarnagar violence be undertaken to assess their present status in terms of physical living conditions as well as the status in terms of employment, health, education of children etc is concerned. A comprehensive survey conducted by Aman Biradari and Afkar Foundation done in 2016 is already available and should provide a valuable data base for a state sponsored survey.
- ❖ That the resettlement colonies be provided with basic infrastructure like water electricity, roads, medical centres, anganwadis etc. and special funds be requisitioned from the state or central government for this purpose.

**(C) For District Shamli:**

- ❖ Some special efforts be made to reach out to the deprived sections of the Jain community to create awareness of minority schemes.
- ❖ To look into the issue of Digambar Jain inter-college and to support its functioning.



**vi) Visit of National Commission for Minorities to Chennai, Tamil Nadu from 22nd to 26th October, 2016**

- ❖ NCM should write to NCMEI to accord minority status to educational institutions run by the minorities. Christian organizations in Tamil Nadu feel that NCMEI is not helpful to them.
- ❖ MoMA may look into the complaint as to why Christians in Tamil Nadu are not able to get scholarships and grants for buildings from Maulana Azad Education Foundation.

**vii) Visit of the National Commission for Minorities to Bihar, Districts of Bodhgaya and Patna from 28th to 31st July 2016**

**For Central Government**

- ❖ Letter to be written by Chairman/Member, NCM to Union Minister of Tourism regarding developing Bodhgaya as tourism destination, hospitals for foreign tourists, furnishing registration office for foreign tourists and air/rail links between historical Buddhist spots.
- ❖ The suggestion regarding broadcasting Buddhist religious scriptures may be taken up with Minister for I&B.
- ❖ The suggestion regarding Khuda Bhaksh library may be taken up by the Ministry of Culture.

**For State Government**

**The following points may be taken up with CM/CS Bihar :**

- ❖ Stopping 'Pind Daan' at Bodhi temple.
- ❖ Creation of Bodhgaya Development Authority.
- ❖ Arrangement of 350th anniversary of Shri Guru Gobind Singh.

**For District Administration**

- ❖ DM may be asked to address the problem of drainage system and water supply.





- ❖ Ban on loud speakers after time laid down.

**viii) Visit of the National Commission for Minorities to Andhra Pradesh and Telangana, from 9th to 12th November, 2016**

**For MoMA**

- ❖ MsDP proposal worth Rs 59.97 crores are pending with the Central Govt. which may be released at the earliest.
- ❖ In the scheme of Pre-matric and Post-matric scholarship some percentage should be laid down for the students belonging to smaller minority groups in proportion to their population percentage.

**ix) Visit of the National Commission for Minorities to Uttrakhand Visit to Dehradun and Haridwar from 18th to 19th January, 2017**

- ❖ At the meeting in Dehradun, it was suggested by the Director, Minority Welfare Department that the MsDP blocks should be changed periodically, say once in 3/5 years, to enable minority population in other blocks to avail benefits of the schemes.

**12.3** The above recommendations clearly reflect the deep concern of the National Commission for Minorities to spare no efforts in resolving the problems of the notified minority communities, especially their socio-economic and educational empowerment, as also their safety concerns and other perceived handicaps. It is now for the concerned authorities to take remedial action in respect of these recommendations. In terms of section 13 of the NCM Act, 1992, a duty has been cast on the Central Government to lay the Annual Report of the Commission before each House of Parliament, together with a memorandum of action taken on the recommendations contained therein, in so far as they relate to the Central Government, and the reasons for the non-acceptance, if any, of any of such recommendations.