

## FAQs

- What functions have been assigned to the Commission under the Act?
- What powers have been vested with the Commission?
- What kind of complaints area not entertained by the Commission?
- What is the responsibility of the Central/State Governments to which report/recommendations have been sent by the Commission?
- What is the composition of the Commission?

### **1.What functions have been assigned to the Commission under the Act?**

The Commission shall perform all or any of the following functions, namely:-

- evaluate the progress of the development of Minorities under the Union and States.
- monitor the working of the safeguards provided in the Constitution and in laws enacted by Parliament and the State Legislatures.
- make recommendations for the effective implementation of safeguards for the protection of the interests of Minorities by the Central Governments or the State Governments.
- look into specific complaints regarding deprivation of rights and safeguards of the Minorities and take up such matters with the appropriate authorities.
- cause studies to be undertaken into problems arising out of any discrimination against Minorities and recommend measures for their removal.
- conduct studies, research and analysis on the issues relating to socio-economic and educational development of Minorities.
- suggest appropriate measures in respect of any Minority to be undertaken by the Central Government or the State Governments.
- make periodical or special reports to the Central Government on any matter pertaining to Minorities and in particular the difficulties confronted by them.
- any other matter which may be referred to it by the Central Government.

---

### **2.What powers have been vested with the Commission?**

The Commission shall have all the powers of a civil court trying a suit and, in particular, in respect of the following matters, namely:-

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

---

### **3.What kind of complaints area not entertained by the Commission?**

Complaints of the following nature are not entertained by the Commission and shall be rejected in limine, except when directed otherwise:

- a. those not based on or relating to Minority status/rights/safeguards.
- 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.

---

#### **4. What is the responsibility of the Central/ State Governments to which report/ recommendations have been sent by the Commission?**

The Central Government shall cause the recommendations to be laid before each House of Parliament 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.

Where any recommendation 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 non-acceptance, if any, of any of such recommendation or part.

---