

ANNUAL REPORT
2003-2004



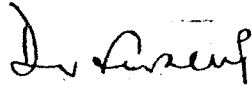
Dev Swarup, IAS
Secretary



National Commission for Minorities
Government of India

5th Floor, Lok Nayak Bhavan,
Khan Market, New Delhi - 110 003
Tel. : 24694816
Fax. : 24693302
e-mail : secretaryncm@ncm.delhi.nic.in

The Annual Report of the National Commission for Minorities for the financial year 2003-2004 has been prepared as per Section 12 of the National Commission for Minorities Act 1992 and Notification No. GSR 641 (E) dated 18th September, 1995. The report is forwarded to the Government for further necessary action as required under section 13 of the National Commission for Minorities Act 1992.


(Dev Swarup)



Dev Swarup, IAS
Secretary



National Commission for Minorities
Government of India

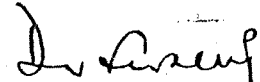
5th Floor, Lok Nayak Bhavan,
Khan Market, New Delhi - 110 003

Tel. : 24694816

Fax. : 24693302

e-mail : secretaryncm@ncm.delhi.nic.in

The Annual Report of the National Commission for Minorities for the financial year 2003-2004 has been prepared as per Section 12 of the National Commission for Minorities Act 1992 and Notification No. GSR 641 (E) dated 18th September, 1995. The report is forwarded to the Government for further necessary action as required under section 13 of the National Commission for Minorities Act 1992.


(Dev Swarup)

CHAPTER-I

Introduction

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

As per Section 9(1) of the NCM Act, 1992, the Commission is required to perform following functions:-

- (a) evaluation of the progress of the development of minorities under the Union and the States;
- (b) monitoring of the working of the safeguards for minorities provided in the Constitution and laws enacted by Parliament and the State Legislatures;
- (c) making recommendations for the effective implementation of safeguards for protection of interests of minorities by the Central Government or the State Governments;
- (d) looking into specific complaints regarding deprivation of rights and safeguards of minorities and taking up such matters with the appropriate authorities;
- (e) getting studies to be undertaken into the problems arising out of any discrimination against minorities and recommending measures for their removal;
- (f) conducting studies, research and analysis on issues relating to socio-economic and educational development of minorities;
- (g) suggesting appropriate measures in respect of any minority to be undertaken by the Central Government or the State Governments;
- (h) making periodical or special reports to the Central Government or 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.

Section 2 (c) of NCM Act, 1992 stipulates that 'Minority' for the purposes of the Act, means a community notified as such by the Central Government. Therefore,

all the functions of the Commission as laid down in Section 9(1) of the Act are related to the five notified communities.

14 Five communities, viz; Muslims, Christians, Sikhs, Buddhists and Parsis have been declared as minority communities by the Government vide Ministry of Welfare Notification S.O No.816 (E) dated 23.10.1993.

15 Section 9(4) of the Act provides that the Commission will enjoy all the powers of a civil court during the course of the performance of its functions laid down in the sub-clauses (a), (b) and (d) of Section 9(1) of the Act. These sub-clauses are indicated in sub-paras (a), (b) and (d) respectively of para 1.2 of prepare.

16 Section 12 of the NCM Act enjoins upon the Commission to prepare an Annual Report giving a full account of its activities during the previous financial year and forward it to the Central Government for being laid, as per Section 13 of the Act, before each House of Parliament along with a Memorandum of action taken on recommendations relating to Central Government as contained in the Annual Report

CHAPTER-2

Constitution of the Commission

2.1 The Commission is being constituted every three years under the NCM Act, 1992. The first statutory Commission was constituted on 17.5.1993. Justice Mohd. Sardar Ali Khan who was appointed as Chairman was conferred the status of a Cabinet Minister. Five members were also appointed. The NCM (Amendment) Act 1995 which was passed on 8.9.1995, amended Section 2 (b) and 3(2) of the principal Act thereby making provision for a Vice Chairperson in the Commission. Sh. B.S. Ramoowalia, Member was appointed as Vice Chairman on 20.10.1995. The second Commission was constituted on 26.11.1996. Prof. Dr. Tahir Mahmood was appointed as Chairman and Prof. Bawa Singh as Vice- Chairman. The third Commission was set up on 21.1.2000. Justice Mohammed Shamim was appointed as Chairman and Sardar Tarlochan Singh as Vice-Chairman.

2.2 The present Commission, fourth, was constituted on 7.2.2003 under the Chairmanship of Sardar Tarlochan Singh, as follows:-

S.No.	Name	Designation	Date of Assumption of charge
(i)	Sardar Tarlochan Singh	Chairman	10.2.2003
(ii)	Dr. M.S. Usmani	Vice-Chairman	10.2.2003
(iii)	Sh. V.V. Augustine	Member	10.2.2003
(iv)	Lt. Gen. (Retd.) A.M. Sethna PVSM, AVSM	Member	10.2.2003
(v)	Sh. Ahmad Rashid Shervani	Member	10.2.2003
(vi)	Smt. K.Santha Reddy	Member	11.2.2003
(vii)	Ven. Bhante Arya Nagarjuna Surei Sasai	Member	11.2.2003

2.3 Chairman and Vice Chairman of 4th Statutory Commission conferred status of Union Ministers

Sardar Tarlochan Singh, Hon'ble Chairman and Dr. M.S. Usmani, Hon'ble Vice-Chairman have been conferred the status of the Union Cabinet Minister and the Union Minister of State respectively with effect from 10.2.2003 vide Office Memorandum No. 12/6/2003-Public dated 16.7.2003 of Ministry of Home Affairs.

2.4 Commission gets new Secretary

Smt. Sarita J. Das, Secretary, NCM retired on superannuation on 31.3.2004. She served the Commission from 9.4.2001 to 31.3.2004. Sh. Dev Swarup, IAS joined the Commission as Secretary on 1.4.2004. He has worked in various capacities in the Union Ministries/Departments as well as Government of Himachal Pradesh. Before joining NCM, he was Additional Secretary in the Ministry of Home Affairs.

* * * * *

CHAPTER-3

Meetings of the Commission

Meetings of the National Commission for Minorities

The Commission continued to hold its meetings in which various matters concerning minorities including educational issues and internal administration of NCM were decided. There were two types of meetings, viz; (i) Formal meetings and (ii) other meetings. During 2003-04, the Commission held 5 Formal Meetings and 25 other meetings.

3.1 NCM meeting held on 4.7.2003 to discuss the judgment in Best Bakery Case.

The Commission held an urgent meeting on 4.7.2003 to consider the judgment delivered by a Gujarat Court in the Best Bakery case, in which a violent mob had killed 14 people and had restored to arson and looting in Vadodara. In this case, the Hon'ble Court had commented upon shoddy investigation and fabrication of statements by the police in order to help the accused. These comments were discussed in detail in the Commission's meeting held on 4.7.2003. The Commission felt that if there were lacunae in the investigations, the State Government should present the correct facts before a higher court by filing an appeal. In this meeting, it was decided that Commission should approach the Government of Gujarat for filing an appeal. On 4th July, 2003 itself, Sardar Tarlochan Singh, Chairman, NCM wrote a d.o. letter to Sh. Narendra Modi, Chief Minister, Gujarat expressing Commission's concern on the judgment in Best Bakery case and suggested that the State Government should file an appeal against the judgment. Chairman, NCM also suggested to Chief Minister, Gujarat to engage a lawyer of eminence to file the appeal so that the correct position gets presented. The State Government accepted this recommendation and filed an appeal against the judgment in Best Bakery case.

3.2 Interfaith meeting at Guwahati on 4-6.11.2003.

For the first time, an Interfaith meeting in the North-Eastern region of the country was organized by the Commission. The Interfaith meeting at Guwahati was held on 4-6.11.2003. His Grace Archbishop Dr. Thomas Menamparambil presided over the meeting which was inaugurated by S. Tarlochan Singh, Chairman, NCM. The meeting was attended by the 119 religious leaders of various communities of the seven North Eastern States. Sardar Tarlochan Singh, Chairman, and Sh. V.V. Augustine, Member, NCM attended this meeting. In his address to the participants, Chairman, NCM stated that the minority leaders should focus on socio-economic upliftment of their respective communities. He opined that it would not be in the interest of the minorities to support a particular political party enblock during the elections. He specifically requested the Christian leaders to keep the Church away from election politics. He urged the Government of Assam to strengthen Assam State Minorities Commission to accommodate representatives from all the minority communities of the State. He stressed that the Constitutional right provided to the minorities by Article 30 (1) of the Constitution to administer or manage their own educational institutions should be honoured. He also urged the Government of Assam to facilitate issue of Permanent Resident Certificates to the students belonging to minority communities of the State so that they can seek admission in educational institutions. The representatives of various communities who attended the meeting assured the Commission that they were against insurgency and did not accept that the problems of the North-East could be solved by violence. On 6.11.2003, Chairman and Member, NCM had a meeting with Sh Tarun Gogoi, Chief Minister, Assam and apprised him of the functions of the Commission and the proceedings of the Interfaith Meeting.

3.3 Conferences of State Minorities Commissions

For sharing of experience in tackling the problems being faced by the minority communities in the States and arriving at a consensus regarding the remedial measures, NCM has been holding Conferences with State Minorities Commissions. The first Conference was held on 4.3.2003 in New Delhi. During 2003-04, the Second and Third Conferences were held on 21.10.2003 and 5.2.2004 respectively. The details of these two Conferences are given below.

Second Conference of State Minorities Commissions held at Bangalore on 22.02.2001.

The Second Conference of State Minorities Commissions was held at Bangalore with assistance from Government of Karnataka and Karnataka State Minorities Commission. The Conference was inaugurated by Sh. S.M. Krishna, Chief Minister, Karnataka and presided over by Sardar Tarlochan Singh, Chairman, NCM. The meeting was attended by Vice-Chairman and all the Members of the Commission, Chairpersons of State Minorities Commissions, Members of Parliament from Karnataka, Ministers of Karnataka and Sh. S. Bangarappa, former Chief Minister of the State.

Following recommendations were made in the Conference:

- (i) On recommendations of State Minorities Commissions, the concerned State Governments should issue Minority Community Certificates to the residents of the respective State belonging to minority communities.
- (ii) List of Minority Concentration Districts should be reviewed by Government of India keeping in view the economic and demographic profile of minorities emerging from 2001 census.
- (iii) The State Minorities Commissions should hold meetings with the General Managers of nationalized banks in their respective States to monitor credit flow to minority communities.
- (iv) The State Minorities Commissions should regularly prepare their Annual Reports. Information available in their Annual Reports should be utilized for formulation of plan proposals for enhancing allocation of funds for welfare and development of minorities.
- (v) School textbooks in various States should be reviewed for the purpose of deletion of material that is prejudicial to minority groups and to be replaced by material which is neutral and objective.

With reference to the above mentioned recommendations, the following

3.4.2 Third Conference of State Minorities Commissions held at New Delhi on 5.2.2004.

The Third Conference was held on 5.2.2004 at India International Centre, New Delhi. The following recommendations were made in this Conference:-

- (i) Religion should not be used in the ensuing Parliamentary Elections as a political tool for canvassing or for any other political purpose.
- (ii) Minority communities should resolve the contentious issues through dialogue which is the only means for amicable settlement.
- (iii) The Union Government and the State Governments should have independent investigation agencies to inquire into communal riots objectively. There should be speedy trials on the basis of day-to-day hearing. Adequate protection should be given to witnesses so that they do not turn hostile under coercion.
- (iv) There should be representation of minorities in Armed/Police Forces in proportion to their population.
- (v) Every State should have a State Minorities Commission.
- (vi) Socio-economic and educational surveys should be conducted for minorities in all States. State Committees should be formed for the promotion of minority education.
- (vii) The Scheme of Modernization of Madrasas should be adopted and implemented by all Madrasas of the country. Madrasa Education Boards should be set up in each State.
- (viii) There should be a separate Ministry/Department for Minorities in the Union Government as well as in the State Governmen s.

* * * * *

CHAPTER 4

Highlights of the year

During the year 2003-04, NCM took a number of initiatives for protecting the interest of the minority communities of the country. The highlights of such initiatives are as follows:-

4.1 Commission writes to Ministry of External Affairs for changes in a video produce by US Government showing Sikhs as terrorist.

Sardar Tarlochan Singh, Chairman, NCM wrote a d.o letter to Foreign Secretary on 2.7.2003 stating that during his visits to USA he was informed that the Bureau of Public Affairs of US Government prepared a video titled 'A War Without Borders'. Copies of the videos were distributed to 5,000 teachers of middle and high schools throughout USA. This video film covered twelve terrorist events from 1979 to 2001 and the idea behind the programme was to educate the American students about terrorism. Many Sikh organizations approached the US Government authorities mentioning that projecting the Sikhs as terrorists to young Americans would create permanent hostility towards the Sikhs who had settled in the US in large numbers. In his d.o letter dated 2.7.2003 to Foreign Secretary, Chairman, NCM suggested that Ministry of External Affairs might approach the US Government for making appropriate changes in the video as this had caused great anxiety and fear among half a million Sikh NRIs in the US.

4.2 Meeting with Lok Sabha Speaker on 18.7.2003

On 18.7.2003, the Commission called on Sh. Manohar Joshi, Hon'ble Speaker of Lok Sabha to invite his attention that in contravention of Section 12 of the NCM Act, 1992, the Annual Reports of the Commission had not been laid in the Parliament for the last 7 years. The last Annual Report of the Commission which was laid before the Parliament was of 1995-96. Sardar Tarlochan Singh, Chairman, NCM mentioned to Lok Sabha Speaker that Annual Reports of the Commission cannot be made available to the public, media or any international agency if they are not laid first in the

Parliament. He also stated that for the last 7 years, the Parliamentarians had not been able to discuss minority issues due to this delay. The Commission informed Lok Sabha Speaker of its long-pending suggestion to Union Government for amendment in the NCM Act, 1992 to provide the Commission with an Investigation Agency, as in the NHRC. The Commission requested Lok Sabha Speaker to recommend this to the Union Government so that the Commission becomes more effective to deal with the minority problems.

The Commission held a meeting on 23.7.2003 with the leaders of All India Muslim Majlis-e-Mushawarat. The delegation was led by Sh. Syed Shahabuddin, Ex-Member of Parliament. The major issues discussed in this meeting were as under:-

- (a) Enactment of a Law to provide uniform compensation for loss of life, injury and damages to properties caused by communal riots.
- (b) Removal of difficulties being faced in grant of recognition and affiliation of minority educational institutions.
- (c) Establishment of schools in Minority Concentration Districts and imparting education in mother tongue at primary and secondary levels in schools.
- (d) Share for minorities in Public/Private employment should be increased.
- (e) Ensuring adequate credit flow to minorities from nationalized banks for trade, business etc.
- (f) Removal of encroachments on the Wakf properties and exemption of Wakf properties from Rent Control Laws.
- (g) Creation of Departments of Minority Affairs in Union Government and State Governments.

Since 1989-90, exodus of the Pandit community from Kashmir Valley in large groups had continued. In the absence of a State Minorities Commission in J&K, they had been approaching NCM with their problems. Though the NCM Act, 1992 does not extend to J&K, the Commission made efforts to mitigate their sufferings. Several

meetings were held in March-November 2003 with the prominent organisations of Kashmiri migrants. NCM set up a Committee comprising Sh. Moosa Raza, former Chief Secretary, J&K, Mohd. Shafi Moonis (Jammat-e-Islami-Hind), Dr. S.Q.R Ilyas (All India Muslim Personal Law Board), Sh. Naved Hamid (Majlis-e-Mushawarat), Dr. M.S. Usmani, Vice-Chairman, NCM, and Sh. A.R. Shervani, Member, NCM. The Committee had gone to J&K on 22-25.10.2003, interacted with the migrants in the relief camps and listened to their problems. The Committee had a meeting with the prominent Muslim leaders of the valley. The Committee also met Mufti Md. Sayeed, the Chief Minister of J&K, some other Ministers of the State Cabinet, Dr. S.S. Bloeria, the Chief Secretary and other senior officers of the State Government. The NCM Committee was informed that the State Government was constructing 700 tenements at a cost of Rs.90 crores for the Kashmiri migrants. A detailed package of relief and rehabilitation with inbuilt incentives has been prepared. All the Muslim leaders assured the NCM Committee that the people of the valley would not only welcome back the Kashmiri Pandits to their homes but would also help to restore traditional brotherhood. A joint statement signed by prominent leaders was also issued. Sardar Tarlochan Singh, Chairman, NCM in his d.o. letter dated 10.10.2003 apprised Sh. Atal Behari Vajpayee, Prime Minister and Sh. L.K. Advani, Deputy Prime Minister that Commission's initiative in organizing first-ever interface between the Muslims and the Kashmiri Pandits had been received well and it was for the first time that Muslim organisations had openly expressed support for the Kashmiri Pandits.

4.5 **Institution of National Integration Award and presentation of the Award to Sh. Saeed Naqvi on the occasion of Minorities Rights Day on 18.12.2003.**

The Commission decided to institute the National Integration Award for outstanding work done for communal harmony and national integration and to give the Award to an individual in recognition of his work done in these areas on the occasion of Minorities Rights Day which the Commission has been observing every year on 18th December. It was also decided to confer the Award for 2003 on Sh Saeed Naqvi, an eminent journalist.

On 18.12.2003, a seminar on the theme 'How to improve communal harmony in India' was organized at India International Centre, New Delhi on the occasion of the

Minorities Rights Day. The seminar was inaugurated by Dr. Satyanarayan Jatiya, Union Minister for Social Justice & Empowerment. In his inaugural speech, Dr. Jatiya highlighted that the Constitution has provided equal rights to all Indian citizens irrespective of caste, creed or religion. The National Integration Award 2003 was presented to Sh. Saeed Naqvi at this function. The prominent speakers in the seminar were Rev. Vincent M. Concessao, Archbishop of Delhi, Sh. Kuldip Nayyar, noted Journalist and Dr. Amrik Singh, former Vice Chancellor of Punjabi University.

4.5.2 Sh. Saeed Naqvi stressed on the need to develop mutual understanding between different religious communities. His Grace Rev. Dr. Vincent M. Concessao highlighted the importance of dialogue amongst different communities to promote brotherhood. Dr. Amrik Singh felt that NCM should continuously seek to ensure that rule of law is not violated in this country. Sh. Kuldip Nayyar, Journalist said that sense of accommodation and spirit of toleration should prevail amongst the various religious communities. In his concluding remarks Sardar Tarlochan Singh, Chairman, NCM stated that it has always been the endeavour of NCM to take pre-emptive steps to maintain communal harmony amongst various communities. He opined that no political party should be allowed to use religion as a tool for electioneering.

4.6 Meeting with Muslim intellectuals held on 28.1.2004.

A meeting with Muslim intellectuals was organized on 28.1.2004 at the Conference Room of the Commission. It was emphasized in the meeting that the problems of the minority communities should be sorted out through dialogue without any pre-condition. Significant contributions made by the Muslim community for preservation and promotion of composite Indian culture were highlighted by the speakers. One of the participants in the meeting doubted as to whether the Indian Muslims were benefited by the partition of the country. It was also pointed out in the meeting that secularism did not mean either atheism or apathy to any particular religion but freedom to follow one's religion as well as respect to the other religions. Sardar Tarlochan Singh, Chairman, NCM advised that the majority community should change their perception about the minorities and vice-versa. He lauded the efforts made by Sh. Atal Bihari Vajpayee, the Hon'ble Prime Minister for maintaining cordial relations with Pakistan and to establish peace in the sub-continent by that process.

4.7 Chairman's visit to Aligarh Muslim University.

On an invitation from Dr. Ambedkar Chair of Legal Study and Research, Department of Law, Aligarh Muslim University, Sardar Tarlochan Singh, Chairman, NCM delivered a keynote address at AMU on 27.3.2004 as Chief Guest, at a function in the University campus. Paying tribute to the vision of Sir Syed Ahmad Khan, the founder of the University, Chairman, NCM said that Sir Syed Ahmad Khan was a great scholar, pioneer of modern education among Muslims and a staunch believer in national integration. Sir Syed Ahmad Khan firmly believed that Muslims could be resurrected from the political stagnation and mental siege only through modern education. Chairman highlighted that despite all intellectual resources and brilliance, adequate encouragement from Muslim intellectuals and religious leaders to the Muslim community to utilize the benefits of modern education is not discernible. He emphasized that this is the age of competition and any community which does not possess the competitive spirit and lags behind the advancements in engineering, information technology, medical sciences and management disciplines will be destined to remain backward. He stated with anguish that the minorities have not been able to derive full advantage provided to them through the Constitutional rights and safeguards, mainly owing to their lack of modern education.

4.8 Celebration of events during 2003-04.

The following events were celebrated in the Commission during 2003-04:-

EVENT	DATE/ PERIOD
"Anti terrorism Day"	21.5.2003
"Sadbhavana Diwas"	20.8.2003
"Hindi Pakhwada"	1-14.9.2003
"Vigilance Awareness Week"	31.10.2003 to 6.11.2003
"Quami Ekta Week"	19-25 11.2003
"Minorities Rights Day"	18.12.2003
Annual Day of the fourth Statutory National Commission for Minorities	10.2.2004

CHAPTER- 5

Visits of the Commission

Chairman, Vice Chairman and Members of the Commission visited different parts of the country to get first-hand information on various issues of the minority communities. The details of important visits undertaken by the Commission during 2003-04 are given below.

5.1 Visits to Amritsar and Jalandhar on 5-6.4.2003.

On receipt of press reports alleging conversion by Christians in some areas of Punjab bordering Pakistan, Sh. V.V. Augustine, Member, NCM visited Amritsar and Jalandhar to meet the Christian and Sikh leaders there. On 5.4.2003, at Amritsar, he met H.G. Bishop Pradeep Kumar Samantaroy, Bishop of Amritsar Diocese of CNI. Sh. Augustine also addressed a gathering of the Sikhs and Christians at a function held at a local school at Amritsar which was inaugurated by Prof. Darbari Lal, Education Minister of Punjab. On the same day, Sh. Augustine met the officials of Shiromani Gurudwara Prabandhak Committee and paid obeisance to Golden Temple. On 6.4.2003, Sh. Augustine visited Jalandhar and met the Vicar General there. During his interaction with the Christian leaders at Amritsar and Jalandhar, Sh. Augustine was assured that no conversion was taking place anywhere in Punjab.

5.2 Visit to Andhra Pradesh (Cuddapah and Madanapalli) on 12-17.4.2003.

Smt. K. Santhaa Reddy, Member of the Commission visited Cuddapah and Madanapalli in Andhra Pradesh on 12-17.4.2003. She attended an interfaith meeting at Cuddapah on 12.4.2003. The meeting was organized by the District Administration. Around 300 participants from Hindu and Muslim communities attended the meeting. The community leaders spoke about the efforts they made to promote communal harmony in the district. Smt. Reddy, Member, NCM took a review of the Government schemes, particularly the literacy programme being implemented in the district for the benefit of the members of the Muslim community of the district. On 16.4.2003, she met delegation of the Muslim leaders at Madanapalli. The delegation invited her attention to the need for financial assistance from the State Government for completion

of a local Mosque. Smt. Reddy discussed the matter with District Minorities Welfare Officer.

5.3 Visit to Dargah Sharif, Ajmer on 17-19.4.2003

Sardar Tarlochan Singh, Chairman, NCM visited Ajmer on 17-19.4.2003 on an invitation from Anjuman Moinia Fakhria Chishtia Khuddam Khwaja Sahib Sydzadgan, Dargah Sharif, Ajmer. The Anjuman wanted to open an English medium residential school at Ajmer in the memory of famous Sufi Saint, Syed Moinuddin Chishti, also known as Khwaja Garib Nawaz. The Government of Rajasthan had allotted land measuring 147 bighas at a subsidized rate to the Anjuman for this purpose. However, on account of agitation by some people, the project was not taking off. The Anjuman requested NCM to intervene in this case. Chairman, NCM held a meeting with the representatives of the Anjuman on 18.4.2003 at Ajmer to discuss the feasibility of an alternative site for setting up of a school. The Anjuman located an alternative site at Somalpur village and on 30.4.2003, Chairman, NCM wrote a d.o letter to Sh. Ashok Gehlot, Chief Minister, Rajasthan recommending allotment of the alternative site at Somalpur village. On 22.6.2003, Chief Minister, Rajasthan informed the Commission that Revenue Department of the State Government was directed to look into the proposal of allotment of 150 bighas of land at Somalpur at the same subsidized rate. On 6.7.2003, the Anjuman informed the Commission that the State Government finally allotted the land at Parla and handed over to them the relevant documents of the land. The Anjuman accepted the allotment.

5.4 Visit to Darul-Uloom, Deoband, Saharanpur, UP on 22.4.2003

Sardar Tarlochan Singh, Chairman, NCM accompanied by Lt. Gen. (Retd.) A. M. Sethna, Sh. A. R. Shervani and Sh. V. V. Augustine, Members of the Commission visited Darul-Uloom, Deoband, Saharanpur on 22.4.2003 and held discussions with the Darul-Uloom officials. This is an institute where teaching is imparted to young persons aspiring to become Muslim priests. The importance of Darul-Uloom is that it emphasizes on love for motherland. The Commission observed that Darul-Uloom is opposed to communalism and separatism. The Commission was of the view that the basic philosophy of Darul-Uloom should be highlighted through print and electronic

media in order that the general public can get correct information about the aims and objectives of the institute and the values that it cherishes.

5.5 Visit to Ahmedabad on 6-7.6.2003

Sardar Tarlochan Singh, Chairman, NCM accompanied by Dr. M.S Usmani, Vice Chairman, NCM Lt. Gen. (Retd.) A.M. Sethna and Sh. V.V. Augustine, Members of the Commission visited Ahmedabad on 6-7.6.2003. During this visit, they had discussions with Christian and Muslim community leaders, Sh. Narendra Modi, Chief Minister, Gujarat and senior officers of the State Government. The Christian community leaders mentioned to the Commission that since 1998 the minority communities including the Christians are being subjected to harassment, particularly by the police officials. They pointed out that derogatory observations about minorities appearing in the school textbooks of Gujarat should be removed. There was some discussion with the Christian community leaders regarding Conversion Bills passed by a few State Legislatures. Sh. V.V. Augustine, Member, NCM clarified to them a basic difference between Conversion Bills passed in Madhya Pradesh, Orissa and Tamil Nadu and the Conversion Bill proposed by Government of Gujarat. Sh. Augustine explained that as per the Conversion Bills of Madhya Pradesh, Orissa and Tamil Nadu, intimation was required to be given about the conversion having taken place whereas in the Conversion Bill proposed by Government of Gujarat, prior permission from the concerned District Collector is required. He also mentioned that the NCM had earlier invited attention of Government of Gujarat about this clause and recommended for its deletion. He also stated that no action could be taken as matter became sub-judice.

5.5.1 The Commission also met a delegation of prominent Muslim leaders at Ahmedabad. Dr. M.S Usmani, Vice Chairman, NCM spoke at length quoting verses from Holy Quran. He stated that, for the Muslims, there are two aspects of worship. The first aspect relates to duties towards Allah (such as offering Prayer, observing fast, Haj & Zakat) and the second aspect to duties towards fellow human beings. The second aspect includes the duties of Muslims towards their country and their dealings with other human beings irrespective of religion, caste and creed. Vice Chairman,

NCM emphasized that if the Muslims adhere to the second aspect with enthusiasm, the misunderstandings about Muslim community in the minds of others will go away.

5.5.2 The Commission also met Sh. Narendra Modi, Chief Minister, Gujarat. He assured that the specific cases about police harassment of Christian community leaders will be looked into.

5.5.3 During the same visit to Ahmedabad, the Gujarat Government officers presented before the NCM, a detailed report (as on 1st June, 2003) indicating the relief and rehabilitation measures undertaken for the persons affected by the Gujarat riots of 2002. A total amount of Rs.131.24 crore was spent on these measures like death compensation, injury assistance, supply of household kits to affected families, cash doles to inmates of relief camps, housing assistance, earning assets assistance, assistance to small businesses and assistance to industrial units, shops, hotels etc.

5.6 Visit to Kerala on 10-16.6.2003

Sardar Tarlochan Singh, Chairman, and Sh. V. V. Augustine, Member, NCM visited Kerala on 10-16.6.2003. Chairman, NCM delivered the inaugural address at a felicitation function held at Markaz School Orphanage located within the ITI complex at Kanthapuram, Calicut. On 11.6.2003 Chairman, NCM inaugurated the Markaz International School Complex along with Sh. V.V Augustine, Member. They visited the residence of His Eminence Cardinal Mar Varkey Vithayathil on 12.6.2003 and greeted him for the 50th Jubilee Celebrations of his priesthood. In the evening, they had a meeting with His Holiness the Catholicos Baselios Mar Mathew II (Head of the Orthodox Church), Major Archbishop Powathil, Bishop Sam Mathew, Dr. Cyriac Thomas (Vice Chancellor of Mahatma Gandhi University) and a number of Christian priests at the residence of Bishop of Changanacherry. The activities of the Commission as explained by Chairman, NCM in the meeting were appreciated by the Christian religious heads. On 16.6.2003 Sh. V. V. Augustine, Member attended a meeting at Ernakulam which was hosted by Indian Christian Movement. In his address to the participants, Sh. Augustine emphasized on the need for formulation of a common minimum programme for Indian Christians as well as dialogue with the majority community.

5.7 Visit to Lucknow on 15-17.7.2003

Sardar Tarlochan Singh, Chairman, Dr. M. S. Usmani, Vice Chairman and Sh. A. R. Shervani, Member, NCM visited Lucknow on 15-17.7.2003. They met Maulana Rabe-Ul-Hasni Nadvi, President, All India Muslim Personal Law Board and discussed minority issues with him. During the discussion, Chairman, NCM highlighted the need for settlement of contentious issues of minority communities through dialogue. He urged Maulana Nadvi to constitute a Committee of eminent representatives of minority and majority communities and suggested that the Committee should meet periodically in order to resolve the outstanding disputed issues. Maulana Nadvi appreciated the efforts of the NCM in solving the problems of minority communities.

5.8 Visit to Safidon (Haryana) on 18.9.2003

On 11.9.2003, at Police Station Safidon in Jind District of Haryana, four Sikhs were subjected to torture while in police custody. Lt. Gen (Retd.) A. M. Sethna, Member, NCM visited Safidon on 18.9.2003. He held discussions with the Deputy Commissioner and SSP of Jind, the SDM of Safidon and prominent persons of the area. A meeting with the four Sikhs who had suffered ill-treatment in police custody was also held separately. After analyzing the situation, the Commission came to conclusion that the Sikhs were tortured for no fault of theirs. Keeping in view the fact that religious sentiments of the Sikhs were hurt, the Commission recommended to the State Government on 24.9.2003 for immediate transfer of the DSP from Jind district, and exemplary punishment to the SHO of Safidon Police Station. The Commission also recommended that four other police officials found involved in the incident who were suspended and facing trial should be kept away from Safidon so that they do not influence the trial. The DGP, Haryana sent a report dated 26.2.04 to the Commission stating that the accused Police Officials had been arrested and Challans filed in the Court. Departmental inquiry was initiated against the delinquent officials but they filed a Civil Suit in Safidon Court. The Commission accepted the report of DGP, Haryana.

5.9 Visit to Mumbai on 30.9.2003 to 5.10.2003.

Lt. Gen. (Retd.) A.M. Sethna, Member, NCM visited Mumbai from 30.9.2003 to 5.10.2003 to organize the UNESCO Parzor exhibition and the celebrations connected with the 3000th Anniversary of Zoroastrian culture. Sh. Mohd. Fazal, Governor of Maharashtra inaugurated the exhibition on 2.10.2003. The five rupee Dadabhai Naoroji coin was ceremonially released by Sh. Jaswant Singh, Union Finance Minister. A book on Dadabhai Naoroji was also released.

5.10 Commission's visit to Nagpur on 2-5.10.2003

Sardar Tarlochan Singh, Chairman, NCM and Ven. Bhadant Arya Nagarjuna Surei Sasai, Member of the Commission attended the 'Vishwa Buddha Sammelan' at Nagpur on 2-5.10.2003. The Sammelan was attended by over two lakh devotees from Buddhist community. Sh. Bhairon Singh Shekhawat, Hon'ble Vice President of India and Sh. Sushil Kumar Shinde, Chief Minister, Maharashtra also attended the function. The Sammelan was organized to reflect the basic principles of Buddhism such as love, peace, compassion and non-violence etc. Addressing the Sammelan Chairman, NCM said that the teachings of Buddha are ever relevant. Referring to the contribution of Dr. B.R. Ambedkar, the Chief Architect of the Constitution of India, he said Dr. Ambedkar was champion of downtrodden who fought against the social and economic disparities and upliftment of the poor. Chairman, NCM inaugurated the Adik Warshjee, the old orphanage of Bodhisatva Nagarjuna Memorial and Research Centre and unveiled three statues of Buddha at Bodhisatva Manjushree Mahvihar Ground, Mansar. He was also honoured by the Sikh Education Society at the premises of Guru Nanak Junior College, Bezonbagh, Nagpur.

5.11 Visit to Ranchi on 3-5.10.2003

Sh. V.V. Augustine, Member, NCM visited Ranchi on 3-5.10.2003 and discussed the role and functions of NCM with Cardinal H.G. Most Rev. Archbishop Telesphore P. Toppo. The Archbishop assured him of full cooperation to NCM in its efforts to maintain communal harmony. On 4.10.2003, Sh. Augustine flagged off a

peace rally of 1200 school children from different States and addressed the National Ecumenical Children Assembly, 2003 held at Bishop Westcott School, Ranchi.

5.12 Visit to Jammu & Kashmir on 22-25.10.2003.

For creation of an atmosphere of goodwill among the Muslim community in Kashmir valley to facilitate safe return of the Kashmiri Pandits to the valley, Dr. M.S. Usmani, Vice Chairman and Sh. A.R. Shervani, Member, NCM visited Jammu & Kashmir during 22-25.10.2003 as a part of a high powered committee. At Jammu, they visited the relief camps and interacted with the inmates of the camps. They visited Srinagar during 23-25.10.2003 and met the prominent Muslim leaders of the valley. They also met Mufti Mohammad Sayeed, Chief Minister, Hakim Mohammad Yaseen, the Revenue & Rehabilitation Minister and Dr. S.S. Boleria, the Chief Secretary. The Committee received encouraging response from the political and religious leadership of Kashmir valley as well as from the State Government authorities keenly desirous of return of Kashmiri Pandits to their homes in the valley with honour and dignity. The Committee was also assured of necessary steps to facilitate the return of the Pandits. The Committee was informed that the State Government was constructing 700 two-room tenements in multi-storey complexes in Anantnagar, Budgam, Srinagar etc. at a cost of Rs.90 crore. It was also developing tourist facilities in Muttan and Khirbhavani which should attract tourist traffic and provide employment to the Kashmiri Pandits. A detailed package of relief and rehabilitation with inbuilt incentives was prepared for submission to the Central Government.

5.13 Visit to Patna on 3-4.12.2003

Sardar Tarlochan Singh, Chairman, NCM visited Patna on 3-4.12.2003. In a meeting with Smt. Rabri Devi, Chief Minister, Bihar, he requested for a review of the composition of the Management Committee of Bodh Gaya Temple so as to increase the number of Buddhist members in the Management Committee. Chairman, NCM invited attention of Chief Minister, Bihar to the long pending demand of the Buddhist community that the management of the Temple should be vested exclusively with them. On his return from Patna, Chairman, NCM wrote a letter to Chief Minister,

Bihar highlighting that the Bodh Gaya Temple is the most sacred place of worship for the Buddhist community and, therefore, it will be appropriate if the number of Buddhist members in the Management Committee is increased.

5.14 Visit to Indore and Jhabua (Madhya Pradesh).

The Commission received information from H.G. Bishop Chacko of Jhabua Diocese (Madhya Pradesh) as well as from Chairman, M.P State Minorities Commission that communal clashes had occurred around Jhabua on account of rape of a minor Hindu girl by a criminal and thereafter her murder in the Mission School toilet at Jhabua. Sardar Tarlochan Singh, Chairman, NCM immediately took up the matter with Ms. Uma Bharati, Chief Minister, Madhya Pradesh vide his letter dated 19.1.2004 requesting for taking steps to restore peace in Jhabua area and to ensure security of life, institutions and property of the Christian community.

5.14.1 Sh. V. V. Augustine, Member, NCM visited Indore and Jhabua on 22-24.1.2004 and held discussions with District Administration, Police officers and local leaders of various communities. He observed that the incident was misused by vested interests for maligning the Christian community. However, the State Government, particularly the District Administration of Jhabua had taken prompt action to normalize the situation and the Mission School started functioning from 22.1.2004.

5.14.2 In his report dated 3.2.2004 to NCM, Sh. Augustine made following recommendations:-

- (i) A judicial inquiry may be ordered immediately.
- (ii) The losses/damages of the victims especially of the Christian community may be compensated adequately.
- (iii) Both Christian and Hindu leaders may hold a meeting with Chief Minister, Madhya Pradesh in order to restore communal harmony. NCM can facilitate such a meeting.
- (iv) State Government should provide adequate safety and security to Christian community in Jhabua district.

5.14.3 On 9.2.2004, Sh. Augustine arranged a meeting at Bhopal between Chief Minister, Madhya Pradesh and 11 Bishops from different denominations including H. G. Most Rev. Archbishop Pascal Topno. In this meeting the Bishops were informed by the Chief Minister that a CID inquiry had already been ordered. The Bishops were assured that the miscreants would be apprehended soon. As regard payment of compensation for the loss suffered by the Christian community, Chief Minister, Madhya Pradesh assured the participants that appropriate action will be taken.

5.15 Visit to Bareilly on 20.2.2004

Dr. M.S.Usmani, Vice Chairman, NCM visited Bareilly on 20.2.2004 to attend the annual function of Islamia Girls Inter College as the Chief Guest. Addressing the students of the institution Dr. Usmani stated that Islam strongly advocated education of women. He emphasized on professional and technical education of Muslim girls as well as their proficiency in science subjects and mathematics. Dr. Usmani also held meetings with eminent Muslim intellectuals of Bareilly and the Sajjada Nashins (Shrine Superiors) and discussed the minority issues with them.

5.16 Visit to Panipat on 23.2.2004

Dr. M.S. Usmani, Vice Chairman, NCM visited Panipat (Haryana) on invitation from the Muslim community leaders of Panipat district. At Panipat, he met a delegation of the community leaders who submitted representations to him highlighting the following problems :-

- (i) Quite a few names of the Muslim residents of Panipat district got deleted from the list of voters.
- (ii) Misuse of their Qabristan at Nimbri village, a Wakf property by some miscreants.
- (iii) Lack of school facility for the Muslim children of Nimbri village.

5.16.1 The concerned police officials of Panipat district and the Estate Officer of Wakf Board were called in the Commission for hearing on two occasions. A few Muslim residents of Nimbri village were also present during the hearings. The Commission was informed that on 27.3.04, Sh. Narender, ex-Sarpanch of Nimbri

village had assaulted Sh. Meer Hasan, his neighbour who had objected to unauthorized use of the Qabristan land by Sh. Narender. The Commission was also informed that no boundary wall was constructed around the Qabristan and that the ex-Sarpanch set up a Gobar Gas plant inside the Qabristan but no action was taken against him either for the illegal encroachment or for assaulting the Muslim residents of the village. Subsequently, the Estate Officer (Haryana Wakf Board) intimated to the Commission that the Revenue staff demarcated the graveyard land and the head office of Haryana Wakf Board was requested to raised the boundary wall. Vice Chairman wrote a d.o letter to Chaudhary Mohd. Ilyas, Wakf Minister, Haryana Government requesting for immediate action to raise the boundary wall. The Wakf Minister was also requested to take appropriate action against the ex-Sarpanch and to remove his assets within the Qabristan land. As regards lack of school facility, the Commission was informed that 32 children (22 boys and 10 girls) belonging to a total number of 15 Muslim families in Nimbri village were attending schools. 14 children were attending a Govt. school and 18 were attending a private school and both the schools are located in Nimbri village itself. However, it was found that all the children belonging to the Muslim families were not attending schools and even among the school-going children, none of them was studying in Classes X to XII. During one of the hearings in the Commission, the Muslim residents of the village were urged by Sh. A.R. Shervani, Member, NCM to send all their children, particularly, the girls to schools. Attention of the Muslim residents of the village was also drawn to the essentiality of clearing the Board examination at Sr. Secondary level for entering the world of work.

* * * * *

CHAPTER – 6

Progress of economic development of minorities under the Union and States

6.1 Review of steps taken for economic development of minorities.

6.1.1 On 12.3.2004, the RBI informed NCM that their Regional Offices had reviewed the progress in flow of credits to minority communities for the year ended March 2003. The review had shown that the RBI instructions on timely sanction and disbursement of loans by nationalized banks were generally being followed. Number of loan accounts had gone up by 13% in 2002-03 in 44 Minority Concentration Districts (MCDs) in 11 States (U.P, West Bengal, Kerala, Bihar, Karnataka, Maharashtra, Andhra Pradesh, Haryana, Madhya Pradesh, Rajasthan and Gujarat). The list of 11 States reviewed by RBI and the list of 44 MCDs is given in **Annexure-I**. The statement at **Annexure-I** also lists out the Lead Banks nominated by the RBI for each of the 44 MCDs. The number of loan accounts had gone up to 21.51 lakhs as on 31.3.2003 from 19.04 lakhs as on 31.3.2002 in MCDs. The RBI had also informed NCM that Kerala's share was the highest amongst the 11 States with 8.57 lakh accounts, which is around 40% of the total number of loan accounts. Kerala was followed by West Bengal (27%) and UP (20%). Thus, about 87% of the total number of loan accounts was shared by these three States and remaining 13% by the remaining 8 States (Bihar, Karnataka, Maharashtra, Andhra Pradesh, Haryana, Madhya Pradesh, Rajasthan and Gujarat).

6.1.2 The loan amount sanctioned to minority communities during 2002-03 had gone up to Rs.5084.28 crore from 3764.55 crore (in 2001-02) showing an increase of 35%. 69% of the loan amount was sanctioned in Kerala, West Bengal and U.P and 15% of the loan amount in Maharashtra. The balance 16% of the loan amount was shared by the remaining 7 States (Bihar, Karnataka, Andhra Pradesh, Haryana, Madhya Pradesh, Rajasthan and Gujarat).

6.1.3 The important findings emerging from the review are given below:-

(a) RBI instructions regarding regular review of flow of credit to minority communities at District and State Level Meetings (DCC/SLBC meetings) are being complied with by Lead Banks. However, RBI instructions to forward extracts of agenda notes and minutes of DCC/SLBC meetings to Ministries of Finance and Social Justice & Empowerment on quarterly basis were being followed by Lead Banks in respect only of 18 of the total number of 44 MCDs.

(b) In 30 out of 44 MCDs, the Lead Banks had nominated Nodal Officers to exclusively look after credit flow to minority communities. However, some of the Lead Banks were yet to communicate the names and addresses of the designated Nodal Officers to NCM.

(c) Adequate publicity of credit schemes amongst the minority communities had been given in 21 MCDs as compared to ~~16~~ MCDs reported in last review. Entrepreneurship Development Programmes (EDPs) were also being organized for minority communities by Lead Banks in UP, Karnataka, Andhra Pradesh, West Bengal, Kerala and Maharashtra.

(d) Out of 44 MCDs, loan applications from only 12 districts were received by banks through the State Minority Finance & Development Corporations, as per RBI advice. Timely release of margin money by State Minority Finance & Development Corporations and efforts to set up the Self Help Groups (SHGs) of the minority borrowers would go a long way in helping to ameliorate the lot of the minority communities.

6.1.4 On consideration of the Review Report of the RBI, the Commission wrote to National Minorities Development & Finance Corporation on 27.4.2004 to issue directions to their State Agencies for timely release of the margin money and to make efforts to set up Self-help Groups as suggested by the RBI.

6.2 As a result of NCM's suggestions, RBI issued a Master Circular on 23.4.2003 to Lead Banks on credit flow to minority communities

Governor, RBI was invited to meet the Commission on 12.9.2001 to discuss credit flow to minority communities from Public Sector Banks. In this meeting, the Commission stressed on the need to reiterate the RBI instructions on credit flow to

minorities, as there was considerable lack of awareness among the minorities about available schemes and facilities. On 23.4.2003, RBI issued a 'Master Circular' to Lead Banks incorporating all the existing guidelines/instructions on credit flow to minority communities. The provisions of the RBI scheme was earlier taken up by Lt. Gen. (Retd.) A.M. Sethna, Member, NCM at a meeting of bankers in Mumbai for use by the Venture Capital Fund set up by the Bombay Parsi Panchayat.

6.2.2 The 'Master Circular' dated 23.4.2003 of RBI contains the following provisions:-

- (i) A special cell should be set up in each Bank to ensure smooth flow of credit to Minority Communities. This cell should be headed by an officer holding the rank of DGM/AGM who should function as a Nodal Officer.
- (ii) The Lead Bank in each of the MCDs should have an Officer who shall exclusively look after the problems regarding credit flow to Minority Communities.
- (iii) The District Consultative Committees (DCCs) and the State Level Bankers' Committees (SLBCs) should ensure that steps taken to facilitate the flow of credit to the Minority Communities and the progress made in this regard are reviewed regularly at their meetings.
- (iv) The Chairmen/Managing Directors of State Minority Commissions or the State Minorities Financial Corporations may be invited to the State level review meetings.
- (v) The names and addresses of the Heads of the Special Cells should be furnished by banks to NCM.
- (vi) Half yearly reports on the credit assistance provided to the members of minority communities should be furnished by the Lead Banks to the RBI as well as the Union Ministries of Finance and Social Justice & Empowerment in time.
- (vii) With a view to ensuring that the bank staff have proper perspective and appreciation of the various programmes for welfare of minorities, necessary orientation may be provided by the banks by organizing lectures/Entrepreneur Development Programmes.

- (viii) There should be good publicity by the Lead Banks about various anti poverty programmes of the Government in Minority Concentration Districts.
- (ix) Creation of awareness among Minority Communities by the banks regarding credit facilities available from the banks.
- (x) While extending finance to the minority communities, the Margin Money Scheme and other schemes evolved by NMDFC may be implemented by the Banks.

6.2.3. Sardar Tarlochan Singh, Chairman, NCM vide his d.o. letter dated 19.2.2004 forwarded copies of the 'Master Circular' to Chairpersons of State Minorities Commissions requesting them to give wide publicity to RBI guidelines for the benefit of minority communities. For the same purpose, copies of the 'Master Circular' were forwarded on 19.2.2004 to Chief Secretaries of States/UTs.

6.3 Study Conducted by NCM on the minority representation in police force in Uttar Pradesh and Bihar

6.3.1 A project for study of Minority Representations in Police Forces of U.P and Bihar was entrusted to the Centre for Promotion of Law Enforcement & Human Rights, a Delhi based Non-Governmental Organisation on 27.8.2001 by NCM. Out of a total amount of Rs.50,000/- sanctioned for this project, the first installment of Rs.25,000/- was released on 25.7.2001. The study was to be completed within 8 months. However, the NGO could complete the study on 28.11.2002 in two volumes (one for U.P and the other for Bihar), and second installment of Rs.25,000/- was released 26.7.2003.

6.3.2 Gist of recommendations in the Uttar Pradesh part of the Study Report.

A summary of the major recommendations appearing in the Uttar Pradesh part of the study report is given below:-

- (i) The representation of minority communities particularly the Muslim community in the police force of U.P is low. It would be advantageous to improve their representation to instill public confidence and to meet operational requirements.

- (ii) The police force of U.P tends to reflect the bias and intolerance of the majority community to a considerable extent. However, this is largely confined to lower ranks.
- (iii) Even though the educational and nutritional level of minorities, particularly Muslims, is comparatively low, sufficient number of qualified candidates would be available in U.P. for recruitment in the police forces.
- (iv) The system of recruitment up to sub-inspector rank has to be made more transparent and free from various pressures. An independent and autonomous body may be set up for this purpose to ensure that a fair representation to all regions and communities is ensured. Such a body will encourage minority community candidates to come forward for recruitment.
- (v) A system of pre-recruitment coaching to minority community candidates would help in correcting the balance of representation. Such programmes can best be handled by social organizations with possible minority help from UP Minorities Financial and Development Corporation.
- (vi) The training of police personnel is of paramount importance in the recent context. Unbiased, secular and tolerant behaviour, particularly respect of Human rights, should be dealt with during training. Communal tolerance has to be dealt with in much more emphatic and sincere manner. The objectives of the police department and the training institutions with reference to control of communal violence have to be clearly articulated and made congruent. Senior Police Officers, therefore, will have to involve themselves intensively in training efforts. Training of policemen is too serious a matter to be left only to trainers.
- (vii) It is felt that a time has now come, when any clear indication of bigotry in the psychological build-up of an otherwise qualified persons should lead to their rejection in the recruitment in the police service. It is possible to design simple and user-friendly programmes, which can be used to weed out person of unsound mental make-up.

6.3.3 Gist of recommendations in the Bihar part of the Study Report

A summary of the major recommendations appearing in the Bihar part of the Study Report is given below:-

- (i) There should be at least 6% reservation to the minority communities in the police force. This will generate among the minorities a sense of confidence.
- (ii) The minority schools should be better managed and better equipped and there should be an increase in their numbers. The teachers should not be selected only on the ground that they belong to a minority community but should be selected in an open competition on merit. They should be provided with necessary facilities.
- (iii) There should be health centers in all 'minority pockets' of the towns and villages having minority population.
- (iv) There should be more job-oriented institutional training centers located in minority-dominated areas. Special training for them for general police recruitment should be located in such areas.
- (v) Police training institutes should have special orientation courses to make them aware of the legal and moral obligations during the time of communal disturbances.
- (vi) The police officers posted in districts should be annually judged for their secular behaviour and entries made in their annual confidential reports about their performance in times of communal disharmony. Their good behaviour should be rewarded and lapses should deserve exemplary punishments.

6.3.4 The Commission decided in its meeting held on 5.8.2003 that copies of the U.P. and Bihar parts of the study report be sent to the Governments of UP and Bihar respectively, seeking their comments on the recommendations contained in the report. This reference to these State Governments was made on 2.9.2003. Copies of the U.P. and Bihar parts of the report were also sent to Union Ministry of Home Affairs on 12.12.2003 seeking their comments. The Commission also issued a Press Release in the matter on 28.4.2004. No comments from Governments of U.P and Bihar and Union Ministry of Home Affairs were received till 31.3.2004.

* * * * *

CHAPTER - 7

Report on monitoring of working of the Constitutional and legal safeguards and recommendations for effective implementation of the safeguards

The major initiatives taken by the Commission during 2003-04 to monitor the Constitutional and legal safeguards provided to the minorities are indicated below.

7.1 Right of Muslims to keep beard.

The Commission received a number of representations from Muslim Army personnel/Government servants alleging that they are denied their Constitutional right to sport beard as per their religious customs. The Commission examined these complaints and recommended to the State Governments, the Union Ministries of Home Affairs and Defence as well as the headquarters of Army/Navy/Air force/CRPF that any infringement to the right of Muslim employees who keep beard is unconstitutional. On receipt of a complaint from a Muslim police official of Karnataka, Sardar Tarlochan Singh, Chairman, NCM in his d.o letter dated 1.4.2003 invited attention of Sh. S.M. Krishna, Chief Minister, Karnataka to a circular of Ministry of Home Affairs permitting Muslim police officials to keep beard on religious ground. Chief Minister, Karnataka in his d.o letter dated 8.4.2003 informed Chairman, NCM that he had issued instructions to the concerned State Government authorities to look into the case.

7.2 Inclusion of "Bhoti" language in the 8th Schedule of the Constitution

'Bhoti' is the language spoken by the Buddhists. On 29.11.2001, a recommendation of the Commission for inclusion of 'Bhoti' language in the Eighth Schedule of the Constitution was referred to the Ministry of Home Affairs. On 23.5.2003, Secretary, NCM wrote a d.o. letter to Secretary, Ministry of Home Affairs inviting his attention to the November 2001 recommendation of the Commission.

7.3 Commission took up the case of exclusive control of the Buddhists in management of Bodh Gaya Temple with Chief Minister, Bihar.

The Bodh Gaya Temple in Bihar is the most sacred place for the Buddhists not only of India but of the world. In 1949, the Government of Bihar enacted the Bodh Gaya Temple Act transferring the management and control of the Temple to a Managing Committee. Unfortunately, the provisions of 1949 Act are such that the Buddhists are always in minority in the Managing Committee. The Buddhist community has been aspiring and demanding that the management of Bodh Gaya Temple should be exclusively in the hands of the Buddhists. In January 1996, a NCM team visited Bodh Gaya and on 28.2.1996, the Commission made this recommendation to the Union Home Secretary. In the NCM Annual Report of 1995-96 it was recommended that the Central Govt. should enact a law so that the management of the Bodh Gaya Temple is in the hands of the Buddhists exclusively. In the Commission's Annual Report of 1997-98 also, it was recommended that the law relating to the Bodh Gaya Temple should be modified so as to ensure dominance of the Buddhist community in its management and unrestricted observance of Buddhist religious rites and ceremonies in the Temple. On 18.9.2003, Sardar Tarlochan Singh, Chairman, NCM wrote a d.o. letter to Smt. Rabri Devi, Chief Minister, Bihar reiterating this recommendation. In December 2003, Chairman NCM visited Patna and discussed this case with Chief Minister, Bihar. On 1.1.2004, he wrote another letter to Chief Minister Bihar suggesting changes in composition of the Managing Committee in order that the Buddhists have majority in the Committee.

* * * * *

CHAPTER – 8

Recommendations for the effective implementation of safeguards for the Minorities and action thereon

The Commission is committed to monitoring the working of safeguards provided in the Constitution and in the laws enacted by the State Legislatures and to recommend for their effective implementation. In discharging this responsibility, the Commission made two important recommendations to the Union Government during the period under report.

8.1 Commission pursues implementation by the State/U.T Governments of the instructions of DOP&T regarding representation of minority communities in Selection Committees/ Boards for recruitment in Government service.

Department of Personnel & Training, Government of India issued instructions vide their OM No.42011/15/95-Estt. (SCT) dated 11.7.1995 that whenever a Selection Committee/Board exists or has to be constituted for making recruitment to 10 or more vacancies in Group 'C' or Group 'D' posts/services, it shall be mandatory to have one member belonging to Minority Community in such Committees/Boards. The O.M dated 11.7.1995 of Department of Personnel & Training also stipulated that where the number of vacancies is less than 10, no effort should be spared to find a Minority Community officer for inclusion in such Committees/Boards. One of the major recommendations emerging from the deliberations in the Second Conference of State Minorities Commissions held at Bangalore on 21.10.2003 was that the above instructions of Department of Personnel & Training, Government of India should be followed strictly by all recruitment agencies. On 27.1.2004, the National Commission for Minorities had forwarded this recommendation to all the State Governments and Union Territories. Till 31.3.2004, the Commission received following information:-

- (i) The Government of Tripura and the Government of Goa informed that they had issued instructions to their Departments to comply with the guidelines of the Department of Personnel & Training.

- (ii) Government of Arunachal Pradesh intimated that as per the recruitment rules of various ranks of Arunachal Pradesh Police, one officer representing the Scheduled Tribes of the State is associated with the DPCs/Selection Boards of the Police Department.
- (iii) The Dadra & Nagar Haveli (Police Department) intimated that the guidelines of DOP&T are being adhered to by them in cases of direct recruitment in the Police Department.

8.1.1 The Commission continued to pursue this recommendation with the States/U.Ts even after 31.3.2004.

8.2 Commission proposes legislation for providing protection to witnesses in communal riots.

Hon'ble Chairman and other Members of the Commission met Sh. Arun Jaitley, Union Minister of Law & Justice on 21.7.2003. In this meeting it was suggested by the Commission that the Union Government might introduce appropriate legislation to provide protection to the witnesses in the case of communal riots. The Commission suggested that the investigation and prosecution agencies in the State should be more independent and unbiased. NCM also suggested that making threats to witnesses to give false evidence should be punishable. The Union Cabinet accepted this proposal and a decision was subsequently taken to introduce a Bill in the Parliament in this regard. Sardar Tarlochan Singh, Chairman, NCM in a d.o letter dated 12.8.2003 thanked Sh. Arun Jaitley, Union Minister of Law & Justice for taking prompt action on the Commission's recommendation.

* * * * *

CHAPTER - 9

Specific complaints regarding deprivation of rights and safeguards for the minorities

Under the NCM Act 1992, the Commission has been entrusted with the task of monitoring the safeguards provided to the minorities in the Constitution and in the Central and State Laws. The Commission received 3416 complaints during the year 2002-03 and 3578 complaints during 2003-04. Out of the total complaints received during the year 2003-04, 1748 were received from different minority organizations/institutions and 1830 from individuals. The number of complaints during this year increased due to wide publicity of NCM activities through its Newsletters, Press Releases and Media interviews and visits to different parts of the country. 2179 representations were filed as per relevant provisions in NCM (Procedures and Processes) Regulations, 1997, since they were:-

- a) not based on or relating to the Constitutional rights and safeguards to minorities;
- b) pertaining to such matters as were either sub-judice or pending before a quasi-judicial body;
- c) on matters for which judicial, quasi-judicial and administrative remedies are available but the same had not been availed of;
- d) relating to events which were old by more than one year;
- e) vague, anonymous, pseudonymous or frivolous;
- f) not directly addressed to NCM.

9.1 The remaining 1399 representations taken up with the Union and State Governments were of following categories:-

(a)	Educational matters	144
(b)	Service matters	185
(c)	Law and order matters	548
(d)	Economic matters	46
(e)	Harassment on communal lines	379
(f)	Wakf matters/religious properties	97

Total 1399

9.2 Article 30(1) of the Constitution provides for the right of the minorities to establish and administer educational institutions of their choice. NCM had received complaints regarding interference in internal affairs of minority educational institutions, denial of minority status certificates, denial of recognition/affiliation, denial of permission to establish educational institutions and delay in release of grants-in-aid and allotment of land.

9.3 The details of some long-pending cases which were resolved during 2003-2004 as a result of Commission's intervention are given in paras 8.3.1 to 8.3.4.

9.3.1 Complaint of Sh. Mansoor Ahmad regarding encroachment of Alamgiri Masjid at Sasaram.

Sh. Mansoor Ahmad, a resident of Sasaram, District Rohtas vide his letter 11.12.2002 had invited NCM's attention to safety of a historical Mosque known as "Alamgiri Masjid of Tarachandi". A small temple known as "Tarachandi Mandir" in close proximity to the Mosque developed into a big temple complex. The Mosque had been captured on all sides except for a small opening on the eastern side through which it could be reached with difficulty. Muslims were stopped from performing prayers in the Mosque and carry on its repairs. When no reply was received from District Magistrate, Rohtas, he was summoned to appear before the Commission on 12.9.2003. During the hearing in NCM on 12.9.2003, he stated that the Mosque has been given due protection and no construction was being allowed on its land.

9.3.2 Complaint of Sh. Khan Sadat Nazakat, Dy. Commissioner, Ghaziabad Municipal Corporation regarding harassment by State Government.

Shri Khan Sadat Nazakat, Dy. Commissioner, Ghaziabad Municipal Corporation made a complaint dated 29.10.2002 before the Commission regarding frequent transfers, undue delay in issuing NOC for a Passport and promotion of his juniors superseding him. The Commission summoned Sh. Khanjan Lal, Secretary, Nagar Vikas Department, Govt. of UP on 18.11.2003. and during the hearing advised him to reconsider Sh. Khan's case and promote him from the date (4.8.2000) on which

his juniors were promoted. Sh. Khan informed the Commission vide his letter dated 28.2.2004 that he got the requisite relief from the Government of UP.

9.3.3 Complaint of Shri Balbir Singh, Executive Director (F&A), Airport Authority of India regarding adverse entries in his ACRs

The Commission received a complaint dated 7.11.2002 from Shri Balbir Singh, Executive Director (F & A), Airport Authority of India (AAI) stating that Member (Finance) of AAI had retired on 5.10.2002. Being the senior most Executive Director, he (i.e. Sh. Balbir Singh) should have been promoted as Member (Finance). However, he was transferred to the post of Executive Director (IA) and on 12.8.2002, the Department informed him about some adverse entries in his ACR. NCM obtained a report dated 5.2.2003 from the AAI indicating that the adverse entries in the ACR of Sh. Balbir Singh were considered by the competent authority and it was decided to retain them. After a thorough study of the case, NCM recommended to AAI on 2.9.2003 that the adverse entries in the ACR of Sh. Balbir Singh be expunged. The AAI informed NCM vide their letter dated 12.07.04 that the adverse entries recorded in the ACR of Sh. Balbir Singh for the year 2000 had been expunged.

9.3.4 Representation of Shri Nasirullan Khan, Sub Inspector, Karnataka Police regarding termination of his services on the ground of keeping beard

Sh. Nasirullah Khan, Assistant Sub Inspector, Karnataka Police submitted a representation to the Commission alleging that his services were terminated by Karnataka Police on the ground of keeping beard. Chairman, NCM vide his letter dated 1.4.03 invited attention of Chief Minister, Karnataka Government to a circular of Union Ministry of Home Affairs permitting a Muslim official to keep beard and requested for re-considering the case of Shri Khan. Chief Minister, Karnataka vide his letter dated 8.4.03 informed the Chairman, NCM that he had issued instructions to the Police authorities to look into the matter.

* * * * *

CHAPTER – 10

Report on the measures in respect of any minority to be undertaken by the Central Government or the State Governments

As a result of processing of complaints received from various organizations representing the minority communities, the Commission recommended certain measures to the concerned agencies of the Central Government as well as of State Governments. The details of the cases of this nature settled during 2003-04 are given below:-

10.1 Commission takes up the issue of desecration of the “Bhika Behram Nu Kuvo”, the Sacred Well of the Parsis at Mumbai.

In the night of 11.3.2004, a group of miscreants damaged the stained glass panels of religious icons of the Sacred Well of Parsi community at Mumbai known as “Bhika Behram nu Kuvo”. Lt. Gen. (Retd.) A.M. Sethna, Member took up this matter with Government of Maharashtra. NCM condemned the action of vandalism and issued a Press Note to this effect on 23.3.2004. Government of Maharashtra was requested vide the NCM letter dated 29.3.2004 to investigate into the incident so as to bring the culprits to book and to restore the place to its original glory. Sh. Mohd. Fazal, Hon’ble Governor of Maharashtra visited the Sacred Well and met the trustees of Bhika Behram Trust to assure them of the support of Government of Maharashtra.

10.2 Intervention of the Commission to pave the way for safe and honorable return of Kashmiri migrants to the valley.

Since 1989-90, Kashmir Valley has been affected by widespread terrorist violence, as a result of which exodus of Kashmiri Pandits from the valley in large groups continued for several years. They migrated to other States as well as to U.T. of Delhi and started living almost as refugees in their own country, away from the land of their origin. In the absence of a State Minorities Commission in J&K, they have been approaching NCM with their problems. Though the NCM Act, 1992 does not extend to J&K, the Commission made efforts to mitigate the sufferings of the Kashmiri migrants.

The Commission held several meetings during March-November 2003 with the various organisations of Kashmiri migrants.

10.2.1 NCM set up a Committee comprising Sh. Moosa Raza, former Chief Secretary, J&K, Mohd. Shafi Moonis (Jamat-e-Islami-Hind), Dr. S.Q.R Ilyas (All India Muslim Personal Law Board), Sh. Naved Hamid (Majli-e-Mushawarat), Dr. M.S. Usmani, Vice-Chairman, NCM, and Sh. A.R. Shervani, Member, NCM. The Committee had gone to J&K on 22-25.10.2003 and visited the relief camps, interacted with the migrants in the camps and listened to their problems. The Committee had a meeting with the prominent Muslim leaders of the valley. The Committee also met Mufti Md. Sayeed, the Chief Minister of J & K, some other Ministers of the State Cabinet, Dr. S.S. Bloeria, the Chief Secretary and other senior officers of the State Government. The NCM Committee was informed that the State Government was constructing 700 tenements at a cost of Rs.90 crores for the Kashmiri migrants. A detailed package of relief and rehabilitation with inbuilt incentives has been prepared. All the Muslim leaders assured the NCM Committee that the people of the valley will not only welcome back the Kashmiri Pandits to their homes but will also help to restore the age old relations and traditional brotherhood. A joint statement signed by prominent leaders was also issued. Sardar Tarlochan Singh, Chairman, NCM vide his d.o. letter dated 10.10.2003 apprised the Prime Minister and Deputy Prime Minister that Commission's initiative in organizing first-ever interface between the Muslims and the Kashmiri Pandits had been received well and it was for the first time that Muslim organisations had openly expressed support for the Kashmiri Pandits.

* * * * *

CHAPTER – 11

Action taken by the Commission for educational development of minorities

During the year 2003-04, the Commission has taken quite a few initiatives for educational development of the minority communities. The details of few important initiatives of this nature are given below:-

- 11.1 Meeting held on 8.7.2003 in NCM to discuss the implications of Supreme Court Judgment dated 31.10.2002 in TMA Pai Foundation Case related to Minority Educational Institutions.

On 31.10.2002, the Constitution Bench of Hon'ble Supreme Court delivered a landmark Judgment in the case of TMA Pai Foundation & Ors. Vs. State of Karnataka & Ors. related to Minority Educational Institutions (MEIs). The Commission held a meeting on 8.7.2003 with the representatives of Christian Educational Institutions of Delhi to discuss the implications of the Supreme Court Judgment with Director (Education) and Ms. Geeta Sagar, Education Secretary, Government of NCF of Delhi. Regarding 'Minority Status Certificate', Education Secretary, Delhi Government stated that it was essential that a substantial number of members of the governing body of the MEI should be from the particular minority community. On complaints regarding Government interference, she stated that usually there is no interference from Delhi Government in the internal management of the MEIs but if a complaint is received against a particular MEI, the Government had no option but to look into the complaint. Reacting to the difficulties being faced by the MEIs of Delhi to obtain Minority Status Certificates, she suggested that the MEIs might submit a joint memorandum before the Directorate of Education on this issue. She also suggested that the Christian Institutions might ask their legal advisors to go through the Supreme Court judgment dated 31.10.2002 and let the Delhi Government know what they really want.

11.2 Complaint of Smt. Farzana Begum regarding non declaration of her B.Ed results by Maharishi Dayanand University.

Smt Farzana Begum, a resident of Mawana (Meerut District) complained to the Commission in October 2002 that she had appeared in B.Ed examination (written part) conducted by the Maharishi Dayanand University in 1990 but could not appear for practical examination that year. She appeared for practical examination in 1992 but the University did not declare her results. The complaint was taken up with the Registrar of the University. On 21.1.2004, Smt Farzana Begum informed the Commission that on account of intervention of NCM, the University sent the marksheet to her and she was declared passed. Subsequently, the University confirmed this position to NCM.

* * * * *

CHAPTER- 12

Measures in respect of minority communities to be undertaken by the Central Government or the State Governments

As a result of processing of complaints received from various organizations representing the minority communities, the Commission recommended certain measures to the concerned agencies of the Central Government as well as of State Governments. The details of the cases of this nature settled during 2003-04 are given below.

12.1 Commission's recommendations to Government of Gujarat for filing an appeal against the judgment in Best Bakery case.

As soon as the judgment of a lower Court acquitting the 14 accused in the Best Bakery Case appeared in the Press, NCM held a meeting and decided to approach the Gujarat Govt. for filing an appeal. Sardar Tarlochan Singh, Chairman, NCM vide his d.o letter dated 4.7.2003 to the Chief Minister, Gujarat expressed the concern of the Commission about the judgment in the Best Bakery Case and urged for filing an appeal against the judgment. He also suggested for issuing instructions to State Administration to present the correct facts in the appeal and to ensure that the eyewitnesses to the event are not cowed down or terrorized either not to make statement or change their statements. Chairman, NCM recommended to Sh. Narendra Modi, Chief Minister, Gujarat to appoint a lawyer of eminence to file the appeal so that the correct picture gets presented. The State Government accepted these recommendations and filed an appeal against the judgment in the Best Bakery Case.

12.2 NCM advocated for setting up fast track courts for disposal of communal riot cases

Taking note on how the two main witnesses of the gruesome Best Bakery Case during the Gujarat riots took back the statement in the Court. NCM requested the Government of Gujarat to provide protection to witnesses in future cases. In this regard the NCM sought an appointment with Shri V.N. Khare, Chief Justice of India, Union Home Minister & Union Law Minister for setting up of Fast Track Court. The inordinate delay in the disposal of the riot cases due to failure of the prosecution

agencies at the different levels, repeated adjournments in the course and political interference were major hindrances in conviction of the accused in riot cases. The Commission submitted its recommendation to Sh. L.K. Advani, Deputy Prime Minister and Sh. Arun Jaitley, Union Law Minister to set up fast tract courts so as to regain faith of the minorities in the judicial system. The Commission also requested to the Union Law Ministry to set up separate prosecution wings throughout the country which should be autonomous to handle such sensitive cases. The Commission also called on Union Minister of Law & Justice on 21.7.2003 and suggested setting up of the fast track courts.

12.3 Beautification of religious Shrines of the Minority Communities

In a meeting of the Commission held on 3.6.2003, Sardar Tarlochan Singh, Chairman, NCM informed the Members of the Commission that he had discussions with Sh. Jagmohan, Union Minister for Tourism & Culture on beautification of the major religious centers of the country attracting large number of devotees from India and abroad. Beautification of Ajmer Sharif and Amritsar Golden Temple area were discussed by Chairman, NCM with the Union Minister who informed him that he would welcome suggestions from NCM on this subject. President, Shiromani Gurudwara Prabandhak Committee (Amritsar) and Secretary, Anjuman Khuddam, Dargah Khwaja Sharif, Ajmer were requested to send details of their development programmes and the expenditure likely to be incurred. The Anjuman informed NCM vide their letter dated 6.7.2003 that they had detailed discussions with Union Minister for Tourism & Culture on 3.7.2003 and the Union Government were taking action on the project. In another letter dated June 18.6.2003, the Union Minister informed Chairman, NCM that he had suggested to Government of J&K to send a plan for improvement of the area around Chatipad Shahi Gurudwara, Kathidarwaza, Srinagar. Chairman, NCM has also assured that appropriate amount for this project would be sanctioned.

The Jammu and Kashmir Sikh Forum, Jammu made a representation to the Commission stating that a batch of 101 Sikh devotees be allowed to visit Gurdwara Chatti Patshahi, Nilochhi (POK) which is a historical Sikh Shrine, since the relations with Pakistan were improving and Government of India had initiated the process of dialogue for strengthening relations between the two countries. The Commission considered the matter and recommended to Ministry of External Affairs vide a letter dated 24.3. 2003 that it would be in the fitness of things if a batch of 101 Sikh devotees is allowed to visit the said Gurdwara in the Pakistan Occupied Kashmir. The Commission also felt that this gesture by Government of India would further strengthen the bonds of friendship between the people of India and Pakistan.

CHAPTER -13

Matters referred to the Commission by the Central Government

On 4.8.2003, Sh. Veerendra Kumar Jain filed a Special Leave to Appeal (Civil) No.17154/2003 in the Hon'ble Supreme Court against a Judgment dated 8.4.2003 of Rajasthan High Court dismissing his petition for declaring the Jain community as a minority community. On receipt of a copy of the Special Leave to Appeal (Civil) No.17154/2003 filed by Sh. Veerendra Kumar Jain Vs. Union of India and others, from the Ministry of Law Justice & Company Affairs, the Ministry of Social Justice & Empowerment made a reference to the Commission on 8.10.2003 calling for the background information regarding this case. On 15.10.2003, the Commission gave the background information to the Ministry of Social Justice & Empowerment. While giving the background information, NCM requested the Ministry to protect the interest of the Commission while filing a reply before the Hon'ble Supreme Court as a separate counter affidavit was not being filed by the Commission with reference to the Special Leave to Appeal (Civil) No.17154/2003. Subsequently, on 10.3.2004, the Ministry was informed that the case was discussed with the senior Government advocates of the Supreme Court and they were of the opinion that no separate counter affidavit from the Commission was required to be filed in the Hon'ble Supreme Court in this particular case.

CHAPTER – 14

Administrative set up of the Commission (including finance and accounts and implementation of the official language/policy)

14.1 The organizational chart of the Commission as in the year 2003-04 is given in **Annexure-II**. The Administrative set up of the National Commission for Minorities Contemplated under the NCM Act 1992 remained the same during the year 2003-04 except the change at Secretary level. Smt. Sarita J. Das, IAS (OR:66) retired on 31.3.2004 on superannuation. Sh. Dev-Swarup, IAS (HP:69) joined NCM as Secretary on 1.4.2004.

14.2 The Commission could not switch over to the new accounting system provided under the NCM (Annual Statement of Accounts, Audit and Annual Report) Rules 1995 because of non-availability of requisite posts recommended by the Staff Inspection Unit of Ministry of Finance in 1998. The Commission continued to follow the existing procedure to submit bills to Pay and Accounts Office of Ministry of Social Justice and Empowerment.

14.3 The proposal for setting up a Regional Office of the Commission at Mumbai approved by the Government on 31.7.1995 was vigorously followed by the Commission to procure suitable accommodation. However, the same could not materialize for want of accommodation in Mumbai city.

14.4 As on 31.3.2004 the total sanctioned strength of the Secretariat of the Commission including the posts sanctioned for the Regional Office of the Commission at Mumbai was 107. The details of the sanctioned posts and the vacancies are given in **Annexure-III**. Seven additional posts were sanctioned in the Personal Office of Hon'ble Chairman.

245 The proposal for creation of remaining 15 additional posts, as recommended by the Staff Inspection Unit was again taken up with Department of Expenditure. The precondition for creation of these posts laid down by them was fulfilled by the Commission and all the vacant post previously sanctioned as per SIU recommendation were filled up during the period under report.

246 Quarterly meetings of the Departmental Official Language Implementation Committee were held regularly in NCM during 2003-2004. The Hindi fortnight was organized in the Commission during 1.9.2003 to 14.9.2003. Vigilance awareness week was also celebrated during the year.

CHAPTER - 15

Recommendations of the Commission

In performance of its functions laid down in Section 9 (1) of the NCM Act, 1992, the Commission has been arriving at certain recommendations every financial year. Important recommendations of the Commission mainly emerged from the visits to States, the meetings convened by the Commission as well as scrutiny of the complaints received from the minority communities. The statutory recommendations of the National Commission for Minorities under Rule 9(1)(c) of the NCM Act 1992 during the year 2003-04 are given in paras 13.1 to 13.10 below.

15.1 The State Governments should issue Minority Community Certificates to the members of minority communities on the basis of recommendations of the State Minorities Commissions. (Chapter 3, Para 3.4.1)

15.2 The list of the Minority Concentration Districts should be reviewed by the Government of India, on the basis of the demographic profile of the minority population on the basis of the 2001 Census and a new list of such districts prepared. (Chapter 3, Para 3.4.1)

15.3 School textbooks should be scrutinized to see whether there is any material that creates hatred among the minorities. The textbooks should include basic information about all the religions in order to nurture secular outlook in the minds of the children. (Chapter 3, Para 3.4.1)

15.4 There should be independent investigating agency with the Union and State Governments to enquire into communal riots and there should be speedy trial of the accused on the basis of day-to-day hearing. Adequate protection should be provided to the witnesses so that they do not turn hostile under pressure. (Chapter 3, Para 3.4.2)

15.5 There should be proportionate representation of minorities in the Armed Forces and Police Forces. (Chapter 3, Para 3.4.2)

Every State should have a State Minorities Commission. (Chapter 3, Para 3.4.2)

Socio-economic and educational surveys should be conducted for Minorities in all States. (Chapter 3, Para 3.4.2)

15.8 Encroachments to Wakf properties should be removed and these properties should be exempted from rent control laws. (Chapter 4, Para 4.4)

15.9 Suitable steps should be taken to increase share of minority communities in public/private employment. (Chapter 4, Para 4.4)

15.10 Adequate flow of credit to minority communities from nationalized banks for trade and business may be ensured. (Chapter 4, Para 4.4)

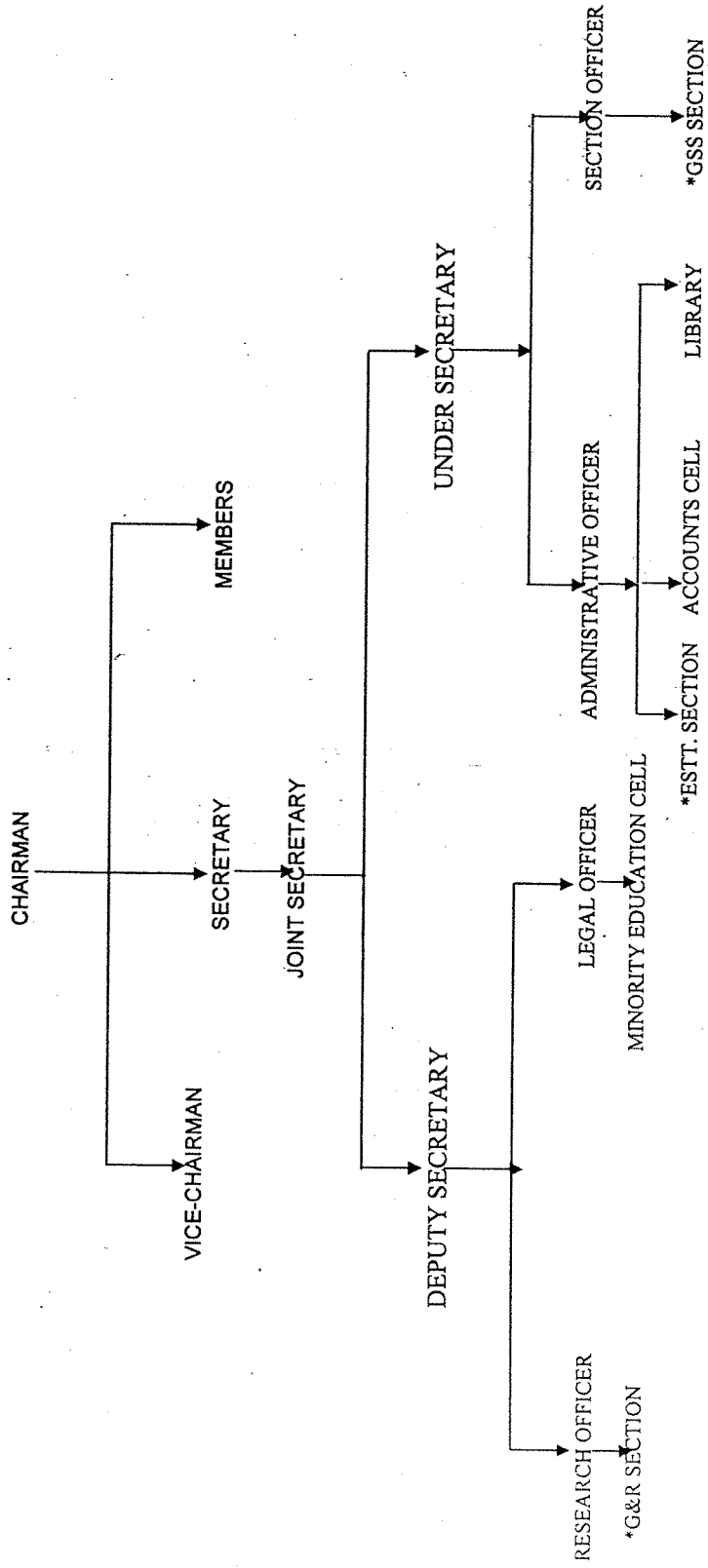
* * * * *

List of Minority Concentration Districts

States/R.Os of RPCD	Districts	Name of the Lead Bank
Uttar Pradesh	<ul style="list-style-type: none"> • Rampur • Bijnor • Moradabad • Saharanpur • Muzaffarnagar • Meerut • Bahraich • Gonda • Ghaziabad • Pilibhit • Deoria • Barabanki • Basti 	<ul style="list-style-type: none"> • Bank of Baroda • Punjab National Bank • Syndicate Bank • Punjab National Bank • Punjab National Bank • Syndicate Bank • Allahabad Bank • Allahabad Bank • Syndicate Bank • Bank of Baroda • Central Bank of India • Bank of India • State Bank of India
West Bengal	<ul style="list-style-type: none"> • Murshidabad • Malda • West Dinajpur (bifurcated into 2 districts i.e. North & South Dinjapur) • Birbhum • Nadia • 24-Parganas (N) • 24-Parganas (S) • Cooch Bihar • Howrah 	<ul style="list-style-type: none"> • United Bank of India • United Bank of India • United Bank of India • UCO Bank • United Bank of India • Allahabad Bank • United Bank of India • Central Bank of India • UCO Bank

Kerala	<ul style="list-style-type: none"> • Mallappuram • Kozikode • Cannanore • Palghat • Wyanad 	<ul style="list-style-type: none"> • Canara Bank • Canara Bank • Syndicate Bank • Canara Bank • Canara Bank
Bihar	<ul style="list-style-type: none"> • Purena (bifurcated into 3 districts i.e. Purena, Araria & Kishanganj) • Katihar • Darbhanga 	<ul style="list-style-type: none"> • Central Bank of India • State Bank of India • Central Bank of India • Central Bank of India • Central Bank of India
Karnataka	<ul style="list-style-type: none"> • Bidar • Gulbarga • Bijapur 	<ul style="list-style-type: none"> • State Bank of India • State Bank of India • Syndicate Bank
Maharashtra	<ul style="list-style-type: none"> • Greater Mumbai • Aurangabad 	<ul style="list-style-type: none"> • Bank of Maharashtra • Bank of Maharashtra
Andhra Pradesh	<ul style="list-style-type: none"> • Hyderabad • Kurnool 	<ul style="list-style-type: none"> • State Bank of Hyderabad • Syndicate Bank
Haryana	<ul style="list-style-type: none"> • Gurgaon 	<ul style="list-style-type: none"> • Syndicate Bank
Madhya Pradesh	<ul style="list-style-type: none"> • Bhopal 	<ul style="list-style-type: none"> • Bank of India
Rajasthan	<ul style="list-style-type: none"> • Jaisalmer 	<ul style="list-style-type: none"> • State Bank of Bikaner & Jaipur
Gujarat	<ul style="list-style-type: none"> • Kutch 	<ul style="list-style-type: none"> • Dena Bank

ORGANISATIONAL CHARTER FOR MINORITIES



*G&R Section = Grievances and Research Section
 *ESTT. Section = Establishment Section
 *GSS Section = General Services Section

S. No	Name of the post	Scale of pay	No. of posts sanctioned	No. of posts filled	No. of posts vacant
1.	Chairperson	Rs. 26,000/- fixed	1	1	-
2.	Vice Chairperson	Rs. 26,000/- fixed	1	1	-
3.	Member	Rs. 26,000/- fixed	5	5	-
		Total:	7	7	-

S. No.	Name of Post	Scale of Pay	No. of posts sanctioned	No. of posts filled	No. of posts Vacant
1.	Secretary	Rs. 26000 fixed	1	1	-
2.	Joint Secretary	Rs. 18000-22400	1	1	-
3.	Deputy Secretary	Rs. 12000-16500	1	1	-
4.	Under Secretary	Rs. 10000-15200	1	1	-
5.	Legal Officer	Rs. 10000-15200	1	1	-
6.	Research Officer	Rs. 8000-13500	1	1	-

52

7.	Admn. Officer	Rs. 8000-13500	1	1	-
8.	Section Officer	Rs. 6500-10500	1	1	-
9.	Sr. Private Secretary	Rs. 7500-12500	1	1	-
10.	Private Secretary	Rs. 6500-10500	1	1	-
11.	Librarian	Rs. 5500-9000	1	1	-
12.	Research Investigator	Rs. 5500-9000	3	3	-
13.	Assistant	Rs. 5000-8000	3	3	-
14.	Accountant	Rs. 5000-8000	1	1	-
15.	Urdu Translator	Rs. 5000-8000	1	1	-
16.	Hindi Translator	Rs. 5000-8000	1	1	-
17.	Research Assistant	Rs. 5000-8000	3	3	-
18.	Personal Assistant	Rs. 5000-8000	2	2	-
19.	Steno (Urdu)	Rs. 4000-6000	1	1	-
20.	Steno Grade 'D'	Rs. 4000-6000	3	2	1
21.	UDC	Rs. 4000-6000	4	3	1
22.	LDC	Rs. 3050-4590	5	3	-
23.	Staff Car Driver	Rs. 3050-4590	10	10	-
24.	Despatch Rider	Rs. 3050-4590	1	1	-
25.	Gest. Operator	Rs. 2650-4000	1	1	-

26.	Daftari	Rs. 2610-3540	1	1	-
27.	Jamadar	Rs. 2610-3540	1	1	-
28.	Library Attendant	Rs. 2550-3200	1	1	-
29.	Peon	Rs. 2550-3200	9	9	-
30.	Safaiwala	Rs. 2550-3200	2	2	-
		Total	64	62	2

C. CO-TERMINUOUS STAFF APPOINTED WITH CHAIRMAN, VICE CHAIRMAN & MEMBERS

Sl. No.	Name of Post	Scale of Pay	No. of posts Sanctioned	No. of posts filled	No. of posts vacant
1.	Private Secretary	12000-18000	1	1	-
2.	Addl. P.S.	10000-15200	1	-	1
3..	PS	6500-10500	6	6	-
4.	Asst.P.S.	6500-10500	2	1	1
5.	PA	5500-9000	2	2	-
6.	PA	5000-8000	6	6	-
7.	Punjabi Steno	5000-8000	1	1	-

8.	LDCs	3050-4590	2	2	-
9.	Jamadar	2610 - 3530	7	7	-
10.	Peon	2550 - 3200	3	3	-
11.	Peon	2550 - 3200	3	3	-

	Total :		31	29	2
--	---------	--	----	----	---

D. REGIONAL OFFICE AT MUMBAI

Sl. No.	Name of Post	Scale of Pay	No. of posts Sanctioned	No. of posts Held	No. of posts vacant
1.	Regional Director	10000-15200	1	-	1
2.	Personal Assistant	5000- 8000	1	-	1
3.	Office Asstt./Cashier	5000- 8000	1	-	1
4.	LDC/Caretaker	3050- 4590	1	-	1
5.	Peon	2550- 3200	1	-	1
	Total		5	-	5
