

CHAPTER – 12

Conclusions and Recommendations

- i. Recommendations made in the reports of Justice Ranganath Mishra Commission, Justice Rajinder Sachar Commission and Satish Deshpande Committee must be implemented at the earliest in letter and spirit. To remove bottlenecks in implementation of these recommendations, if any, laws should be enacted and Constitution should be amended.
- ii. National Commission for Minorities (NCM) should be conferred 'Constitutional Status' vesting powers on similar lines as are given to National Commission for Scheduled Castes, National Commission for Scheduled Tribes, National Human Rights Commission, Central Information Commission, Central Vigilance Commission *etc.*
- iii. Communal Violence Bill pending over last four years should be passed at the earliest. An Act should also be passed so as to prevent harassment, atrocities, discrimination, deprivation *etc.* of Minorities.
- iv. More and more new ITIs and academic colleges should be opened in Minorities Concentration Districts (MCDs). Government should provide land on concessional rates (at symbolic cost of Rs.1/-) to Minority Educational Institutions as well as to Educational Institutions being established in Minority Concentration Areas.
- v. Uniform compensation should be given to the victims of Communal Violence of years 1984 and 1992 and thereafter. Cases pending for such compensations should be disposed off at the earliest. Stipulation of impractical documentation like registration of F.I.Rs at the time of communal violence should be done away with.
- vi. Criteria of 30% students belonging to a particular Minority for grant of 'Minority Status' to 'Educational Institutions' should be done away with immediately. Instead, criteria should be based on the person (s) who established the Educational Institutions and the person (s) who is /are running the 'Educational Institutions'.
- vii. Minority Character of Aligarh Muslim University, Aligarh must be maintained in letter and spirit. Minority Status should be given to Jamia Millia Islamia University, New Delhi and Maulana Azad National Urdu University, Hyderabad at the earliest.
- viii. Urdu and Arabic Schools should be promoted all over the country particularly in pockets having Minorities concentration.
- ix. Muslims should be given proportionate representation in various categories of services in the Armed Forces and State Police Forces.
- x. State Minorities Commissions should invariably be associated with formulation, implementation, monitoring, evaluation, appraisal *etc.* of Beneficiary's Oriented Schemes particularly those relating to welfare and development of Minorities. Further, implementation of schemes and their monitoring and appraisal / evaluation should not be vested with the same authority.
- xi. Archaeological Survey of India (ASI) should allow usage of Mosques for offering 'Namaz' to Muslim community.
- xii. Management of Bodh Gaya Temple should be vested exclusively to Buddhist community.
- xiii. Funds allocated should be utilized in areas having minority concentration rather than utilizing the fund for the entire district. For this purpose, identification of concentration of Minorities at Taluka/Block/Village level in a MCD should be taken up and funds be utilized in units having large proportion of minority population. The Central Government should review the flow of funds in a MCD and make mid-course

correction to ensure that funds are utilized in areas where there is concentration of Minorities and lack of development.

- xiv. Difficulties are experienced by the minority community members in getting loan from NMDFC especially owing to stringent requirement of obtaining guarantees. Secondly, many of the borrowers have been unable to repay the loans due to insufficient income generated from the amount of loan taken and extreme condition of poverty and indebtedness. The Government should, therefore, review the 'guarantee clause' and also consider one time loan waiver for all the borrowers of NMDFC taking into account the financial condition of the family of the minority community members and extend a 'package' similar to that announced for farmers. State Level Minority Development and Finance Corporation should also be set up in all the States to ensure easy access of credit flow to minorities.
- xv. The eligibility criteria and procedure for grant of scholarship under various schemes of the Government have been found to be 'rigid' and 'cumbersome' and many of the poor deserving students of the minority communities have been deprived of the benefits. The quotas fixed for grant of scholarships should be done away with and all the eligible candidates should be considered. For this purpose, the Budget allocation to Ministry of Minority Affairs should be enhanced. The income ceiling limit needs revision and procedure for grant of minority status certificate should be simplified. A certificate given by the Principal or Headmaster of the last school attended or by local MLA should be accepted. A review of the eligibility criteria under the scholarship schemes may be undertaken by the Government to address these issues and problems. Applications for scholarship schemes must be accepted throughout the year.
- xvi. For effective coordination and for giving an impetus to the development of minorities, a monitoring cell or committee should be set up in all the seven social sector wings of the Ministries/Departments of the Central and State Government *namely*; i) health, ii) education, iii) housing, iv) labour and employment, v) rural development, vi) social justice & empowerment, vii) women and child development as well as the Ministry of Home Affairs of the Central and State Governments to deal with security issues.
- xvii. Trial proceedings drag on for years together particularly in case of a persons belonging to Minority communities. The Government should take adequate measures to ensure speedy trial of the accused belonging to minority communities.
- xviii. Whenever any Member of NCM visits a State on a particular minority issue, a Member of the respective SMC should accompany him/her so that it is possible to get into the roots of the problem from the local point of view and recommend suitable remedial measures. This would lead to better coordination with SMCs. Again for better sharing of information between NCM and SMCs, exchange of correspondence on important issues taken up with the Central/State Governments should be ensured.
- xix. Land for Qabristan/burial ground for Muslims and Christians was either not available or are being encroached upon. The State Governments should take necessary measures to identify and allot land for the purpose. Proper safeguards for Qabristan lands must be provided.
- xx. The State Government should accord top priority to poor and disadvantaged minority community members for issuing Below Poverty Line (BPL) Cards and extending the benefits to them.
- xxi. All State Governments should set up State Minorities Commissions based on the Model Act without any exception. States where State Minorities Commissions have not been set up should be impressed upon to set up SMCs and if necessary meetings with the Chief Minister of the concerned State should be held.

- xxii. SMCs should continue to impress upon the respective State Governments to implement Central Government's instructions to include a member belonging to the minority community in selection committees for public appointments etc. Central Government should continue to follow instructions for making the Selection Committees / Interview Boards representatives, by including Members of Minority communities in the Selection Committees / Interview Boards.

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