

Reasons for delay in laying of the Ninth Annual Report of the National Commission for Minorities for the year 2001-2002

The Annual Report of the National Commission for Minorities for the year 2001-2002 was submitted to the Central Government on 26th March, 2004. The Report contained, in all, 08 recommendations concerning the Central Government. The recommendations were forwarded to the various Ministries/Departments concerned for taking follow up action and submitting Action Taken Report on them. On the basis of the report received, the Action Taken Memorandum in respect of these recommendations has been prepared and is being laid on the Table of the House.

2. The major reason for delay in laying the Action Taken Memorandum is that as the recommendations have wide ramifications, necessary consultation with all concerned was essential and thus took time.

3. The Ninth Annual Report of the National Commission for Minorities for the year 2001-2002, along with the Action Taken Memorandum, is hereby laid on the Table of both the Houses of Parliament.

PAPERS LAID ON THE TABLE
OF THE RAJYA SABHA
ON 12 MAR 2004
(A.R. Antulay)
Minister of Minority Affairs

Review of the Annual Report of the National Commission for Minorities for the year 2001-2002.

The first Statutory National Commission for Minorities (NCM) was set up on 17th May, 1993 for a period of three years as per the provisions of National Commission for Minorities Act, 1992. A fresh Commission is reconstituted after the expiry of the term of the outgoing Commission. Accordingly, the third Statutory National Commission for Minorities was re-constituted on 21st January, 2000 comprising the following:-

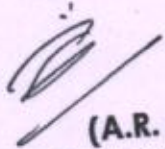
- (i) Justice Mohammed Shamim, Chairman
- (ii) Shri Tarlochan Singh, Vice Chairman
- (iii) Lt.Genl(Retd) A.M.Sethna, Member
- (iv) Rev. T.K.Lochan Tulku Rinpoche, Member
- (v) Shri John Joseph, Member
- (vi) Shri Vijay Kumar Dar, Member
- (vii) Shri Shamim Kazim, Member

2. The Commission held four meetings during the period of Report, i.e, from 01st April, 2001 to 31st March, 2002. The Commission toured different parts of the country to get first hand information on various issues affecting the minority communities.

3. During the year 2001-2002, the Commission received a total number of 2590 complaints. Out of these 1120 were received from different minorities organizations/institutions and 1470 were from individuals. The Commission took appropriate action on these representations. Some of these representations were taken up with the concerned State and Central Government/Departments.

4. The expenditure of the Commission is met out of the non-Plan budget of the Ministry. The accounts of the Commission have been audited by the Comptroller and Auditor General.

5. The Commission, in accordance with Section 12 of the NCM Act, 1992 and the NCM (Annual Statement of Accounts and Audited and Annual Report) Rules, 1995 submitted its Annual Report for the year 2001-2002 on 26th March, 2004.


(A.R. Antulay)
Minister of Minority Affairs

सं. 2-237/2006-एम.सी.(डी)

भारत सरकार

अल्पसंख्यक कार्य मंत्रालय

राष्ट्रीय अल्पसंख्यक आयोग की वर्ष 2001-2002 की वार्षिक रिपोर्ट की समीक्षा

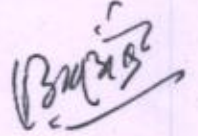
राष्ट्रीय अल्पसंख्यक आयोग अधिनियम, 1992 के प्रावधानों के अनुसार प्रथम सांविधिक राष्ट्रीय अल्पसंख्यक आयोग की स्थापना 17 मई, 1993 को तीन वर्ष की अवधि के लिए की गई थी। पदमुक्त हुए आयोग के कार्यकाल की समाप्ति के बाद एक नए आयोग का पुनर्गठन किया जाता है। तदनुसार, निम्नलिखित को शामिल करते हुए 21, जनवरी, 2000 को इस तीसरे सांविधिक राष्ट्रीय अल्पसंख्यक आयोग का पुनर्गठन किया गया:-

- i) न्यायमूर्ति मोहम्मद शमीम, अध्यक्ष
- ii) श्री तरलोचन सिंह, उपाध्यक्ष
- iii) लै. जन. (सेवानिवृत्त) ए. एम. सेठना, सदस्य
- iv) रेव0टी0के0 लोचन टुल्कू रिन्पोचे, सदस्य
- v) श्री जॉन जोसेफ, सदस्य
- vi) श्री विजय कुमार दार, सदस्य
- vii) श्री शमीम काज़िम, सदस्य

2. इस आयोग की, रिपोर्ट की अवधि, अर्थात् 01, अप्रैल, 2001 से 31, मार्च, 2002 के दौरान चार बैठकें हुईं। आयोग ने अल्पसंख्यक समुदायों को प्रभावित करने वाले विभिन्न मसलों पर प्रत्यक्ष सूचना प्राप्त करने के लिए देश के भिन्न भागों के दौरे किए।

3. वर्ष 2001-2002 के दौरान, आयोग को कुल 2590 शिकायतें प्राप्त हुईं। इनमें से 1120 विभिन्न अल्पसंख्यक संगठनों/संस्थाओं से और 1470 व्यक्तियों से प्राप्त हुए थे। आयोग ने इन प्रतिवेदनों पर समुचित कार्यवाही की। इनमें से कुछ प्रतिवेदनों पर संबंधित राज्य और केन्द्र सरकार/विभागों के साथ मामले उठाए गए।

4. इस आयोग के व्यय को मंत्रालय के गैर योजना बजट में से वहन किया जाता है। इस आयोग के लेखों का लेखा परीक्षण, नियंत्रक एवं महालेखा परीक्षक द्वारा किया गया है।
5. इस आयोग ने एन.सी.एम. अधिनियम, 1992 की धारा 12 और एन.सी.एम. (लेखों का लेखा परीक्षित वार्षिक विवरण तथा वार्षिक रिपोर्ट) नियमावली, 1995 के अनुसार, वर्ष 2001-2002 की अपनी वार्षिक रिपोर्ट 26 मार्च 2004 को प्रस्तुत की थी।



(ए.आर.अंतुले)

अल्पसंख्यक कार्य मंत्री

सं 2-237/2006- एम.सी.(डी)

भारत सरकार

अल्पसंख्यक कार्य मंत्रालय

1	2	3	4
8.	अध्याय-15 पैरा 15.8 पृष्ठ सं. 121	<p>गुजरात दंगों के बाद आयोग ने गुजरात राज्य सरकार/भारत सरकार से निम्नलिखित सिफारिशें की हैं कि:-</p> <p>(i) प्रशासनिक तंत्र विशेषकर पुलिस बल में अल्पसंख्यकों, खासतौर पर मुस्लिमों के बीच पहले जैसा विश्वास कायम करने को सर्वाधिक महत्व दिया जाना चाहिए।</p> <p>(ii) अल्पसंख्यकों के हितों के संरक्षण के लिए कार्य करने वाले अधिकारी जिन्होंने स्थानांतरण करने पर अनिच्छा जाहिर की थी, उस सिलसिले में आयोग ने निर्देश दिया है कि इन अधिकारियों की तैनाती उसी स्थान पर करनी चाहिए जहाँ से उसका स्थानांतरण किया गया था।</p> <p>(iii) अल्पसंख्यक सम्प्रदायों की जान और माल की रक्षा के लिए उत्कृष्ट कार्य करने वाले अधिकारियों की पहचान करके उन्हें सम्मानित और इनाम दिया जाना चाहिए।</p> <p>(iv) जो लोग दंगों में मारे जा चुके हैं उन सभी को दी जाने वाले मुआवजे की राशि को प्रधानमंत्री राहत कोष द्वारा घोषित राशि के अलावा 1,00,000/- रुपये (एक लाख रुपये) को फिर से चालू किया जाना चाहिए।</p> <p>(v) राज्य सरकार को दंगाइयों द्वारा तहस-नहस की गई 293 दरगाहों और 202 मस्जिदों का पुनर्निर्माण कराना चाहिए।</p>	<p>राहत और सांप्रदायिक हिंसा के पीड़ितों को पुनर्वास, राज्य का एक विषय है। एन.सी.एम. अधिनियम, 1992 की धारा 9 (3) के अनुसार, इस सिफारिश को मामलों में आवश्यक कार्रवाई करने के लिए गुजरात राज्य सरकार को भेज दिया गया है।</p>

सं 2-237/2006- एम.सी.(डी)

अल्पसंख्यक कार्य मंत्रालय

File No.2-237/2006-MC(D)
Government of India
Ministry of Minority Affairs

SECRET

Paper to be laid on the Table

Let/Rajya Sabha

PAPERS LAID ON THE TABLE
OF THE RAJYA SABHA
New Delhi,
28/02/07

CERTIFIED

(Signature)
Minister of Minority Affairs

**ACTION TAKEN MEMORANDUM ON THE RECOMMENDATION CONTAINED IN THE 9TH ANNUAL REPORT OF
THE NATIONAL COMMISSION FOR MINORITIES FOR THE PERIOD FROM 2001 TO 2002**

Recom menda tion	Chapter, Para and page of the Report	Text of the Recommendation	Action Taken
1.	2	3	4
1.	Chapter -15 Para No. 15.1, Page No. 119	Recommended that the Department of Culture should make suitable budget provisions in the budget for setting up a panorama in Delhi.	The National Council of Science Museums (NCSM) has included a proposal in their eleventh five year plan for the development of an interfaith panorama in Delhi.
2.	Chapter -15 Para No. 15.2, Page No. 119	Recommended that entry to the places of worship of all Minority Communities should be exempted from any entry fee.	Under the existing policy of the Archaeological Survey of India (ASI), regular worship is allowed at all places, if such places were under worship at the time of protection by the ASI. No entry fee is charged in such cases. In other places, where religious worship takes place on specific days in a year, the practice is to grant exemption from payment of entry fees only on such days.

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1.	2	3	4
3	Chapter -15 Para No. 15.3, Page No. 119	Recommended to the major recruiting agencies in the country like DOPT, UPSC, SSC, Banking Recruitment Board etc, that no examination should be fixed on occasions of festival of any Minority Community and recurrence of such things should be avoided by all concerned.	<p>The recommendation has been accepted by major recruiting agencies like Railways and Banking Division of the Ministry of Finance and suitable instructions issued.</p> <p>Further, Union Public Service Commission does not schedule examination/tests on Gazetted Holidays/ Restricted Holidays or on the occasion of a festival of any minority community, which is declared as such, in the list of Govt. Holidays issued by the Department of Personal & Training.</p>
4	Chapter -15 Para No. 15.4, Page No. 119	Recommended to Union Ministry of HRD for making arrangements and issuing necessary directions for introducing in page software in School curriculum for Computer Education.	<p>National Curriculum Framework-2005 recognizes the effectiveness of the computer and computing technology in shaping modern society. It stresses on the need for creating an educated public that can utilize such technology most effectively for the betterment of society and humankind. There is a growing realization of the need to have a place for these domains of knowledge in the school curriculum.</p> <p>Accordingly, Government has included computer education in the present curriculum and syllabus prepared on the basis of NCF-2005.</p>
5	Chapter -15 Para No. 15.5, Page No. 119	Recommended that Afghan Nationals of Indian Origin who had to leave their country need to be dealt with in a more sympathetic manner and, if necessary, in relaxation of the provisions of the Foreigner's Act, all of them may be given amnesty as regard passports and other documents.	Year-to -year extension to stay in India has been granted to Afghan nationals. Present extension of stay is up to 30.6.2007.
6	Chapter -15 Para No. 15.6, Page No. 119-120	Recommended that Afghan Hindu Sikh Welfare Society C-128, Greater Kailash-I, New Delhi may be considered as a representative organization of Afghan refugees of Indian origin by the Ministry of Home Affairs. They may be authorized to authenticate the names of all refugees.	It has been verified that this organization does not exist at the given address.

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1.	2	3	4
7	Chapter -15 Para No. 15.7, Page No. 119- 120	<p>The Commission recommended to the State Government of Maharashtra/Govt. of India after Malegaon riots that:-</p> <p>(i) The State Govt. should immediately announce and pay a relief package to the riot victims which should include compensation to the next of the kin of those killed to the tune of Rs. 2.00 lakhs per death, payment for treatment of all those injured in police firing, compensation against loss of property and immediate rehabilitation of poor and small shopkeepers who lost their livelihood due to riots.</p> <p>(ii) The State Govt. of Maharashtra should immediately announce a package of economic, social and administrative reforms, with a view to improving the economy and industrial development, upgrading the status of the Municipality to a Corporation, which would help in the creation of better infrastructure.</p> <p>(iii) Malegaon should be declared as an independent district and provided with civic and police officers of the required status.</p> <p>(iv) The State Govt. should get all the religious places, mosques and temples repaired at State expense without any delay.</p> <p>(v) The district administration should take an initiative to ensure that the persons living in villages surrounding, Malegaon should quickly be given assistance for their rehabilitation.</p> <p>(vi) The government should take steps to restore the eroded confidence of the Muslim minority in the police. The proportion of Muslims in the police is negligible and, therefore, it is advisable to post some officers/policemen belonging to the Muslim minority community in Malegaon. At the same time, it is necessary to ensure adequate recruitment of minority communities in the police in various ranks.</p>	<p>Relief and rehabilitation of victims of communal violence is a State subject. Accordingly, the recommendation has been forwarded to the Maharashtra State Government for taking appropriate action in the matter, in accordance with Section 9(3) of the NCM Act, 1992.</p> <p>Further, the Communal Violence (Prevention, Control and Rehabilitation of Victims) Bill, 2005 was introduced in Parliament and the report of Standing Committee on Home Affairs has been presented to Parliament on 13.12.2006. This bill, inter-alia, provides for compensation to victims of communal riots, institutional arrangements for relief and rehabilitation, establishment of special courts, protection of witnesses etc.</p>

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1.	2	3	4
8	Chapter - 15 Para No. 15.8, Page No. 121	<p>The Commission recommended to the State Government of Gujarat/Govt. of India after Gujarat riots that:-</p> <ul style="list-style-type: none"> (i) Utmost importance be given to the restoration of confidence amongst the minorities, particularly Muslims, in the administrative machinery especially in the police force. (ii) Expressing its unhappiness over the spate of transfers of officers who had taken action to protect the interest of the minorities, the Commission directed that these officers should be posted back. (iii) Officers who had done excellent work in protecting the lives and properties of the minority community should be recognized/honoured and rewarded. (iv) The amount of compensation to all those who had been killed should be restored to Rs 1,00,000/-(one lakh) apart from the amount announced from the Prime Minister's Relief Fund. (v) The State Govt. should rebuild 293 dargahs and 202 mosques that were destroyed by the rioters. (vi) The policy of political transfers that was being indulged in was contrary to the norms of good governance in a civil society that needs to be stopped immediately as this would further destroy confidence in the Government machinery. (vii) The Commission reiterated the need to bring both communities together through joint peace committees in the Mohallas, holding of meetings with religious leaders and other community leaders. (viii) The officers belonging to minority communities should be given the so-called 'sensitive' assignments so that they can play a more useful role and also provide a healing touch. <p>The Commission recommended and reiterated that the Enquiry Commission appointed by the State Government headed by a sitting Judge of Supreme Court.</p>	<p>Relief and rehabilitation of victims of communal violence is a State subject. Accordingly, the recommendation has been forwarded to the Gujarat State Government for taking appropriate action in the matter, in accordance with Section 9(3) of the NCM Act, 1992.</p> <p>Further, the Communal Violence (Prevention, Control and Rehabilitation of Victims) Bill, 2005 was introduced in Parliament and the report of Standing Committee on Home Affairs has been presented to Parliament on 13.12.2006. This bill, inter-alia, provides for compensation to victims of communal riots, institutional arrangements for relief and rehabilitation, establishment of special courts, protection of witnesses etc.</p>

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