

PREFACE

The Constitution of India seeks to protect minority rights as well as guarantees individual freedom. Under the concept of secular state it ensures religious freedom to all and mandates the State not to discriminate against any citizen on grounds of religion. As a corollary it seeks to maintain a balance between the rights of the minorities and those of the minority groups. Thus, it endeavours to integrate the concept of secular State with minority protection. It is worth recalling what Dr. Bhim Rao Ambedkar said in the Constituent Assembly while introducing the draft constitution. Regarding the safeguards provided for the minorities, he spoke:

“It is wrong for the majority to deny the existence of minorities
.....It must recognise the existence of minorities to start with.....”

(Constituent Assembly Debate, Vol. VII, p.33)

Although it is more than sixty years since Constitution came into force, such a fusion has not yet materialised. However, the National Commission for Minorities is looking after those rights of minorities which are given to them either by international law or national law. The Judicial interpretation of rights of minorities is also the concern of the Commission.

The Commission has rightly chosen the Indian Law Institute (ILI) to undertake this study. We felt happy to do this extensive work with full dedication and strong commitment to legal research. We got a chance to prove ourselves worthy of fulfilling the expectations that had been reposed on us by the Commission. We have satisfaction that we could finish the job in time.

We take this opportunity to express our deep sense of gratitude to Shri S. K. Swami, Joint Secretary, National Commission for Minorities for having confidence on us. We are also indebted to the staff of our Library and the other Libraries for the help rendered to us for carrying out the work.

We are also grateful to the team consisting of Dr. Furqan Ahmad, Coordinator and Associate Research Professor, ILI, Ms. Perna Choudhary, Research Associate and Mr. Abhishek Kumar Pandey, Research Assistant appointed for the project.

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