

CHAPTER- IV

REPORTS

Some reports relating to minorities' right have also been studied. These reports are as under:

1. Report of the National Commission for Religious and Linguistic Minorities (Ranganath Mishra Report), 2009.

The National Commission for Religious and Linguistic Minorities (NCRLM) also known as Ranganath Mishra Commission named after its chairman Justice Ranganath Mishra was constituted in October 2004 by the Government of India to recommend practical measures for the welfare of socially and economically backward sections among religious and linguistic minorities. The Ranganath Mishra Commission was entrusted by the Government of India to suggest practical measures for the upliftment of the socially and economically backward sections among religious and linguistic minorities and to include the modalities of implementation for the same.

Ranganath Mishra Commission recommends 15% Reservation for Muslims in Education & Employment and also recommends Inclusion of Muslim & Christian Dalits in SC list. With regard to the criteria for identifying socially and economically backward classes among the religious and linguistic minorities the Report recommends that in the matter criteria for identifying backward classes there should be absolutely no discrimination whatsoever between the majority community and the minorities; and, therefore, the criteria now applied for this purpose to the majority community whatever that criteria may be – must be unreservedly applied also to all the minorities. It further recommends that all those classes, sections and groups among the minorities should be treated as backward whose counterparts in the majority community are regarded as backward under the present scheme of things. It is more specifically recommended that all those social and vocational groups among the minorities who but for their religious identity would have been covered by the present net of Scheduled Castes should be unquestionably treated as socially backward, irrespective of whether the religion of those other communities recognizes the caste system or not. It is also recommended that those groups among the minorities whose counterparts in the majority community are at present covered by the net of Scheduled Tribes should also be included in that net; and also, more specifically, members of the minority communities living in any Tribal Area from pre-independence days should be so included irrespective of their ethnic characteristics.

With regard to the measures of welfare for minorities including reservation general welfare measures and educational measures it is said in the Report as the meaning and scope of Article 30 of the Constitution has become quite uncertain, complicated and diluted due to their varied and sometimes conflicting judicial interpretations, so it is recommended that a comprehensive law should be enacted without delay to detail all aspects of minorities, educational rights under that provision with a view to reinforcing its original dictates in letter and spirit. The statute of the National Minority Educational Institute Commission should be amended to make it wide-based in its composition, powers, functions and responsibilities and to enable it to work as the watchdog for a meticulous enforcement of all aspects of minorities, educational rights under the Constitution. As by the force of judicial decisions the minority intake in minority educational institutions has, in the interest of national integration, been restricted to about 50%, thus virtually earmarking the remaining 50% or so for the majority community it is strongly recommend that, by the same analogy and for the same purpose, at least 15% seats in all non-minority educational institutions should be earmarked by law for the minorities as follows:-

- (a) The break up within the recommended 15% earmarked seats in institutions shall be 10% for the Muslims (commensurate with their 73% share of the former in the total minority population at the national level) and the remaining 5% for the other minorities.
- (b) Minor adjustments inter se can be made in the 15% earmarked seats. In the case of non-availability of Muslim candidates to fill 10% earmarked seats, the remaining vacancies may be given to the other minorities if their members are available over and above their share of 5%; but in no case shall any seat within the recommended 15% go to the majority community.
- (c) As is the case with the Scheduled Castes and Scheduled Tribes at present those minority community candidates who can compete with others and secure admission on their own merit shall not be included in these 15% earmarked seats.

As regards the backward sections among all the minorities, it is recommended that the concessions now available in terms of lower eligibility criteria for admission and lower rate of fee, now available to the Scheduled Castes and Scheduled Tribes, should be extended also to such sections among the minorities. In respect of the Muslims who are the largest minority at the national level with a country-wide presence and yet educationally the most backward of

the religious communities it is recommended that certain exclusive measures should be taken such as:

(i) Select institutions in the country like the Aligarh Muslim University and the Jamia Millia Islamia should be legally given a special responsibility to promote education at all levels to Muslim students by taking all possible steps for this purpose. At least one such institution should be selected for this purpose in each of those states and Union Territories which has a substantial Muslim population.

(ii) In the funds to be distributed by the Maulana Azad Educational Foundation a suitable portion should be earmarked for the Muslims proportionate to their share in the total minority population. Out of this portion funds should be provided not only to the existing Muslim institutions but also for setting up new institutions from nursery to the highest level and for technical and vocational education anywhere in India but especially in the Muslim-concentration areas.

(iii) Anganwaris, Navoday Vidyalayas and other similar institutions should be opened under their respective schemes especially in each of the Muslim-concentration areas and Muslim families be given suitable incentives to send their children to such institutions.

As regards the linguistic minorities, the following recommendations are given:

(a) The law relating to the Linguistic Minorities Commissioner should be amended so as to make this office responsible for ensuring full implementation of all the relevant Constitutional provisions for the benefit of each such minority in all the States and Union Territories. (b) The three-language formula should be implemented everywhere in the country making it compulsory for the authorities to include in it the mother-tongue of every child – including, especially, Urdu and Punjabi – and all necessary facilities, financial and logistic, should be provided by the State for education in accordance with this dispensation.

Economic measures- As many minorities groups specialize in certain household and small scale industries, it is recommended that an effective mechanism should be adopted to work for the development and modernization of all such industries and for a proper training of artisans and workmen among the minorities especially among the Muslims among whom such industries, artisans and workmen are in urgent need of developmental assistance. As the largest minority of the country, the Muslims, as also some other minorities have a scant or

weak presence in the agrarian sector, so it is recommended that special schemes should be formulated for the promotion and development of agriculture, agronomy and agricultural trade among them. It is further recommended that effective ways should be adopted to popularise and promote all the self-employment and income-generating schemes among the minorities and to encourage them to benefit from such schemes.

2. Report on Social, Economic and Educational status of Muslim community of India, Govt. of India , (Sachar Committee Report), 2006.

The Rajinder Sachar Committee, appointed by the Prime Minister of India Manmohan Singh was a high level committee for preparation of a report on the social, economic and educational status of the Muslim community of India. It is the first of its kind report and it suggests adoption of suitable mechanisms to ensure equity and equality of opportunity to Muslims in residential, work and educational spaces. According to Sachar Committee report the status of Indian Muslims are below the conditions of Scheduled Castes and Tribes.

3. Report of the Expert Group on Diversity Index to Propose Diversity Index and to Work out the Modalities for Implementation, Submitted to Ministry of Minority affairs, Government of India, 2008.

In this report the areas of concern are regarding unequal access of different communities to public spaces and institutions. The need and relevance of measuring diversity for planned interventions in education, employment, health and residential sectors is also discussed.