CHAPTER 4

EXECUTIVE MEASURES FOR THE PROTECTION OF RIGHTS OF MINORITIES
Executive Measures for the Protection of Rights of Minorities

The Indian Constitution is focused on the equality of citizens and the responsibility of the State to preserve, protect and assure the rights of minorities in matters of language, religion, and culture. That is the reason our founding fathers while framing the Constitution, underscored the doctrine of unity in diversity.

“The United Nations Declaration on the Rights of Persons Belonging to National, Ethnic, Religious and Linguistic Minorities says that the promotion and protection of the rights of persons having a place with such minorities add to the political and social security of the nations in which they live. Meeting their aspirations and guaranteeing their rights recognizes the nobility and balance of all people and encourages participatory improvement. This thus helps in reducing of the strains among groups and people. These elements are real determinants for steadiness and peace. All developed countries and most developing ones give suitable accentuation for caring for the interests of minorities. In this way, in any nation, the confidence and certainty of the minorities in the working of the State in an unprejudiced way is a basic analysis of its being a secular State. As the procedures of economic development unfold, pressures are probably going to develop and intensify when there are unequal developments and a few gatherings or minorities linger behind in the development procedure. Preferably, advancement procedures should completely terminate or decrease financial and social hindrances to participation and shared regard among all groups in the nation. On the off chance that advancement forms are misled, they may have the contrary impact. It is this angle which is vital and should be tended to in order to offer certainty to minorities.

Since the Independence, India has accomplished significant growth and development. It has therefore been effective in lessening poverty and enhancing essential human development indicators, for example, levels of literacy, education, and health. There are signs, in any case, that not every single religious group and social congregation (from this time forward socio-religious communities– SRCs) have shared similarly the advantages of the development procedure. Among these, the Muslims, the biggest minority community in the
nation, constituting 14.2 percent of the total population of the county, are genuinely lagging behind as far a huge percentage of the human progress indicators. Though the impression of poverty is unending among Muslims, it has clearly shown that since the independence of the country no positive efforts have been taken place to improve the conditions of the religion based minority community. Notwithstanding the need to break down the financial and educational states of different SRCs, starting in the relatively recent past appropriate data for such an analysis was not made by Government agencies. There might have some comfortable changes in the range of information accumulation concerning SRCs in the 1990s, which, subsequently, has made this report plausible. The current effort is the first of its kind to grasp an information-based research as for the Muslims in India.”

“Recently, a widespread public discussion on the deteriorating conditions of the minority particularly Muslims have been taken up. Without any orderly investigation of accessible information, this level-headed discussion has generally rotated around recognition and talk. It is trusted that with the production of this report, one can seek after a more educated level prudent conversation on these issues for persuading public policy. Wide assortments of approach activities and assignments have been propelled by progressive governments to encourage the people of the minorities in India to develop their economic, social and educational conditions. In any case, though the Muslim communities have no uncertainty gained several noticeable grounds, the observation remains that the economic and educational gap between the minority community and whatever is left of the SRCs has been widening. When the advancement shortage among Muslim community is evaluated strategy mediations should be audited with regards to accessible proof, and new activities propelled to think about the underestimation of the Muslim community in respect with the economic, social and political sphere.

Those Committees experienced an interactive procedure of arranging data on different measurements of its order. Visits were made to every single piece of real estate and assemblies with different representatives were sorted out. Assemblies were furthermore held which welcomed individuals on different issues. What's more, peoples were urged to send representations asked for through daily paper notices in various languages and other mediums of correspondence. The reaction
was devastating.”\(^1\) Put together; the intercourse and demonstrations gave extremely significant subjective bits of knowledge on the view of individuals with respect to the issues looked by Muslims communities in India. It gave the diverseness interior into the Community, it was normal that varied sections of the Community will confront distinctive issues and their discernment's about how these issues could be settled would likewise be unique. The Committee was regardless struck by the assortment of perspectives communicated however there was an accord on many of them.

While issuing notice amid March 2005 the Prime Minister's Office had seen that there is nonattendance of dependable information about the social, monetary and instructive status of the Muslim society of India. The PMO had watched that such lack of information comes in the technique for organizing, arranging and executing the arrangements and projects to address the issues relating to the financial backwardness of this group. In this manner, the Prime Minister's High-Level Committee was summoned to gain relevant information from offices/organizations of the Central and State Governments and besides direct to lead an escalated writing review to distinguish distributed information, Articles and research on the noteworthy status of Muslims in India. The Committee was to find the advantage base and salary levels of Muslims concerning diverse gatherings crosswise over different states and areas. It expected to find the level of financial improvement of Muslims by the various germane pointers, for instance, religious rate, dropout rate, Maternal Mortality Ratio (MMR), Infant Mortality Rate (IMR) et cetera. The Committee had in like manner to check whether the Muslim individual’s group has tasteful access to the training and supportive administrations, civil framework, bank credit, and different administrations gave by the Government and open segment substances. This was to be contrasted and the entrance delighted in by alternate groups. What is the level of the social framework (schools, wellbeing focuses, ICDS focuses et cetera.) situated in regions of Muslim fixation in contrast with the general level of such foundation. The Committee was to perceive domains of interruption by the Government to

address the imperative issues relating with the social, economic and educational status of the Muslim people group.

The Report which was exhibited to the Prime Minister on 17 November 2006 and was tabled in Parliament on 30 November 2006 has twelve sections. Part I is starting point. Part II examines Public Perceptions and Perspectives collected by the Committee amid it’s across the board cooperation with the all-inclusive community and their delegates while it went by 13 most Muslim crowded states and dealt with 5 Round Table Conferences in Delhi. Part III deals with the population size, appropriation and health conditions of Muslims. In the ensuing parts the Committee has broken down the instructive state of Muslims, their economy and work, their access to bank attributes, their approach to the social and physical foundation, their indigence level and way of life, their investment in government businesses and programs and exact condition of Muslim OBCs. In the last part, the Committee has given its recommendations. The Committee saw that the popular sentiment in India was separated on the reservation. Some fought that arrangements that advance uniformity must go for a substantive identical outcome, not just formal equivalent or indistinct treatment. Reservations or a different amount for Muslims in business and academic establishments was viewed as an approach to achieve this. Others felt that reservations could transform into a sullen issue and have negative repercussions. Still, others battled that incredible educational institutions combined with pleasant practices are adequate for Muslims to contend. The people who fought for reservation approaches consistently differentiated on who should be their beneficiary. Some battled that this office should simply be accessible to ‘Dalit’ Muslims, while others recommended that the entire Community should benefit by it. For someplace in the range, the economic standard was an ideal reason for reservations. They felt this would disregard to address the issue arising out of social separation. There were voices that scrutinized the non-accessibility of the Schedule Caste standard for Muslims while it was accessible to the devotees of three religions. A substantial cross-segment of the all-inclusive community was of the conviction that political intrigue and portrayal in administration structures are basic to accomplishments. Numerous asserted that help is denied to Muslims through an assortment of actions. While it was pointed out that numerous names
of Muslims were missing in the voter lists, the Committee's consideration was furthermore pulled in to the issue of Muslim fixation bodies electorate of Assemblies and Parliament declared as held for Schedule Caste individuals while voting socioeconomics with low Muslim populace however high SC focus stay open. From now on, it was battled that Muslims are by and large methodically denied political cooperation. The Committee gathered information from wherever all through the country in the light of which the second charge as for reservation of voting demographics was seen to be correct. For the primary claim, the Committee did not gather any information.2

The Central Government recognized 72 suggestions out of the 76 proposals recorded from the Sachar Committee Report. Three proposals were not recognized and one suggestion was put off. The Government has taken 43 choices in respect to the 72 suggestions, which have been acknowledged. A part of the suggestions were combined together to take get swift and timely action. The commitment of usage of the choices taken by the Government on the proposals of the Sachar Committee has been given to the concerned Ministries/Departments of Government of India. Service of Minority Affairs screens the advance of usage of the choices of the Government on the suggestions of the Sachar Committee. The alternatives taken by the Government on the proposals of the Sachar Committee have been collected under the noteworthy regions specifically (I) Education; (ii) Skill Development; (iii) Access to bank credit; (iv) Special improvement activities; (v) Measures for governmental policy regarding minorities in society; (vi) Wakfs; and (vii) Miscellaneous. Utilisation of a noteworthy number of these choices of the Government is persistent in nature and no time period has been settled in such way. The status of execution of choices is recorded here - The Government took 43 choices on the 72 suggestions acknowledged by it. A bit of the proposal was clubbed together.3


3. Available at: http://pib.nic.in/newsite/PrintRelease.aspx?relid=104086 last visited on 23December 2017
(I). RECOMMENDATIONS OF SACHAR COMMITTEE

(a) Health Condition of Muslims:
Infant and child mortality rate among Muslims is somewhat lower than the average rate. Fertility fluctuates among Muslims according to socio-economic conditions and there is an extensive decrease in fertility in the whole religion based community, including the Muslim community. Children’s of the Muslims encounter an altogether more serious danger of being underweight or hindered development than a child belonging to the other SRCs (Socio-Religious Categories). Muslim children are at a somewhat higher risk of child malnutrition in comparison with Children’s of Muslim populace advancement has backed off as fertility has declined significantly unmistakably exhibiting that Muslims are well into measurement change.

(b) Educational Condition of Muslims:
The part of education in encouraging social and economic advancement is particularly recognized today. Change in the utilitarian and logical capacity of children and youth through education are required to enhance effectiveness and also develop democratic participation, it also helps in upgrading the health and quality of life. From one viewpoint state is resolved to give basic education under Article 45 of the Directive Principle of State Policy up to the age of 14 years. In 1993 out of a landmark judgment the Supreme Court held that the right to education is a fundamental right spilling out of the right to life in Article 21 of the Constitution. In 2002, through the 86th Amendment of the Constitution education as a major right was help in Article 21-An of Indian Constitution. The 86th Amendment additionally changed Article 45 which now read as follows, “The state shall endeavour to provide early childhood care and education for all children until they completed the age of 6 years”. Numerous supposed educated did not have the capacity to apply their logical and analysing capacities. All things considered, circumstances and regularly a significant extent returned to ignorance inside 4-5 of leaving schools. The literacy rate among Muslims in 2001 was 59.1%. This is far lesser than the national average literacy rate of 65.1% and in rural areas are even lower 52.7% for Muslims. Literacy among women is 50%. As many as of 25% of the Muslim children’s in the 6-14 years of age group have
either never gone to class or have dropped out. While 26% of those aging 17 years
or more have finished matriculation, this rate is 17% among the Muslims
community. Drop-out rates among the Muslims community are most essential at
the primary level, middle and higher secondary level contrasted and all the SRCs.
3.6% of Muslims are graduate and 0.4% are holding Diploma and Certificate.
Graduate attainment rates for a persons of 51 years of age or more was 2.1% for
Muslims and for person’s 20-30 age groups is 4.5%. In IIMs, there is just 1.4%
Muslims are enrolled. By virtue of Indian Institute of Technology at least 27161
students enrolled in different projects, among these, there are only 894 Muslim
students. The share of Muslim students in Post Graduate courses is simply around
4%. However, it is even lower in courses. 1.7% Muslim students enrolled in the
Ph.D. course are much better than the enrolment in some other courses.
Representation of Muslims in the top medical colleges is about 4%. Muslim
students in the undergraduate courses are about 9% that is lower than the
percentage of the Muslim community in the population. The representation of
Muslim students in PG courses is similarly inadequate; if there are total 20
students then only 1 student representatives from the Muslim community. That is
to be fundamentally lesser than the representation of OBCs (24%) Scheduled
Castes and Scheduled Tribes (13%). This gap amongst the community of the
Muslims with Others has enlarged consistently at all India level particularly at the
higher education level. It is fascinating to take note of those communities like
SCs/STs have possessed the capacity to make up for lost time to the community of
the Muslims. It might be happening because of the focusing of SC’s/ST’s
Families in extraordinary projects which is supposed to established school or
improves building structure and encourage the peoples for enrolment. Though
some advancement has been set aside time to time, the difference remains and the
present population of the Muslim community is still lagging behind.
Unemployment among the Muslim community graduates is much higher in the
SRC either in the underprivileged (16.7%) or privileged (25.6%). The percentage
of graduates in poor family unit seeking after post-graduate studies is altogether
lower for Muslims is opposite to different SRCs. These probabilities of Muslims
and SCs/STs completing graduation were comparable however lower than for all
different SRCs. While these difference were not significant in rural areas,
particularly for ladies. The Muslim community is at a substantially bigger
detriment at the level of the higher secondary education. The probabilities of finishing higher secondary education are most astounding for Hindu-Generation and minimum for the community of the Muslims in both of the rural and urban areas and for both of the males and females. Appropriation of enrolled children's of the Muslim community aged 7-16 years in madarsa's 4% Government school 66% and Private school 30%. Just around 4% students from the Muslims community are going to the school at the same age group are enrolled in madarsa's. All India level this work out to be around 3% of the community of the Muslim children’s of school going age and 2.3% of the Muslim children’s aged 7-19 years who are enrolled as students in madarsas. The strength of the qualified and trained teachers assigned to Madarsas for the teaching of the modern subjects and their remuneration were found to be deficient. The vital parts of the modern subjects in Madarsa’s teaching’s and their educational prospectus or programmes seem to have been ignored. In spite of the recommendation of various committees there has been no improvement in Urdu teachings, there is a lack of quality teachers for the teaching of Urdu. Lower enrolment in Urdu medium school at the elementary level is because of the limited availability of such school which is contrary to the Indian Constitution directives under Article 350A which read as follows. “It shall be the endeavour of every state and of every local authority within the state to provide adequate facilities for instruction in the mother tongue at the primary stage of education to children belonging to linguistic minority groups, and the President may issue such direction to any such state as he considers necessary or proper for securing the provision of such facilities the provisioning of education through Urdu medium is problematic in Uttar Pradesh, and Bihar, Karnataka, and Maharashtra are example of better provisioning of Urdu medium schools at elementary level, they additionally offer opportunity to study in the English Stream simultaneously. Data from the department of education in Karnataka reveals that large proportions (77%) of the institution that grants primary level education in a minority language are Urdu medium. As indicated by the 2001 census there are 6.5 million Muslims in Karnataka involving 12% of the population, and Muslim children's aged 6-14 years around 0.2 million in 2004 comprising 14% of all children in this age group. Around 70% of Muslim children reports Urdu as their mother tongue showing that Urdu is an important medium of instruction in Karnataka School. On the other hand,
Muslims representative affirmed that in Rajasthan many posts, had been cancelled. Also, there is no Urdu medium school after class fifth.”

(c) Development as well as Economy, Positioning of Muslims:

Accessibility of job outfits gives an opportunity to all people and their family’s to sustain their basic needs, engaging them to gain subsistence and furthermore utilization of merchandise to fulfill the essential needs, relief and relaxation. In addition to enhanced earning through employment and it also lets investment for future. The belief that one is engaged with some beneficial association gives a feeling of regard and prosperity to the workers. Rights over the physical resources (particularly land) and human capital (particularly education) not affects only employment opportunities but also regulates occupational arrangements. “Comprehensively WPRs (Workers Population Ratio) gives a thought of the extent of participation in an economic activity by a specific population. As mentioned, the capacity to look for some kind of employment is a function of assets (both physical and others) and opportunities for available work. Employment rates reflect an individual’s availability for and seeking employment as a part of the labour force. The total work participation ratio for Muslims is essential because of much lower participation in the economic activity by ladies in the community. On an average, the workforce participation rate among Muslim women is just around 25%. For Muslim women, the WPRs were only 14.1% as against the national average of 25.6% (census of India 2004: xvii-xviii).” The most striking element is the moderately high share of Muslim worker engaged in self-employment activity. This is especially valid in urban areas and for ladies workers. The involvement of Muslim workers in salaried occupation (both in public and private sectors) is very low as in case of SCs/ST’s Workers. The participation of Muslims in consistent occupations in urban areas is quite limited compared with even the traditionally disadvantaged SCs/STs. Significantly a bigger section of the workers of the Muslim community are engaged with small-scale enterprises and the contribution of the Muslim community workers in recognised sector employment is considerably lesser than the national average employment. The Contribution of employees of the Muslim community in PSUs or in the government services is at the latter stage among all the SRCs. For instance, among Muslim male labourers, fewer than 6% are occupied with so
much work as against more than 10% for all male expert and 13% for all-Hindu male specialists. Surely, even the offer of OBCs and SCs/ST’s labourers in such business is by and large higher than that for Muslims. While the offer of Muslim specialists occupied with farming is much lower than for various groups, their interest in customary assembling and business (especially for male) is generously higher than for different SRCs. Over 41% of male professionals drew in with the assembling of Tobacco products are Muslims; the participation of Muslim ladies labourers in this division is around 35%. Additionally, around 30% of the male workers drew in with the assembling of Article of clothing, wearing attire and so on, the relating percent among women labourers is 17%. The participation of Muslim labourers occupied with material industry is over 21% and 23% separately for male and female. Among the non-producing section viz. retail and discount, the business has a huge extent of the Muslims specialists. At the extensive full-scale level, of the assembling segments which are indispensable for Muslims wearing clothing, auto repair, and electrical hardware appear to be a portion where approach centre can get business related profits for the Muslim labourers. Cooperation of Muslim in security-related exercises is thought to be very vital regarding the security need of the group. The available estimate shows that the share of the Muslims in the exercises at the central government level was simply around 6%, while the Hindus were 42% and both Hindu SCs/STs and Hindu OBCs had an offer of 23%. At the state level share of Muslims was 7%, while alternate classifications (in a similar request) had the offer of 37%, 21%, and 26% respectively. The interest of Muslim in the proficient and administrative structure is low, accessible information obviously demonstrates that by and large Muslim standard specialists are the most open to no composed contract and standardized savings and advantages. On can find that as general Muslim men and ladies are in substandard occupations, for instance, administrative or class iv representative contrasted and the Hindu men and ladies even out in the open segment employments. In the private segment, the distinction in gaining may just somewhat be because of the distinction in the idea of jobs embraced by the two communities.
(d) Access to Bank Credit:

After a cautious investigation of the prime minister 15 point program in 44 minorities concentration constituencies (59 bank offices), the Reserve Bank of India found the absence of trust for growing the credit stream to minority groups in the leading banks. The banking staffs were not trained to address the selective needs of the minority group. Appraisals are given at the aggregate all India level and moreover for the 44 minority concentration constituencies under the 15 point programme. Whereas the share of Muslims as account holders is adequate at the all India level, there is a 12 percent deficiency (when contrasted with the number of inhabitants in the Muslim community) in the 44 minority concentration constituencies. The share of the Muslims community in the quantity is only 4.7% contrasted with a high share of 6.5% for various minorities which is unequal to their individual population shares. On an average, the figure exceptional per account of the Muslims community is around a 50 percent in comparison with different Minorities. An investigation of four significant states with a generous number and furthermore extent of Muslim community to be particular, West Bengal, Kerala, Uttar Pradesh and Bihar reveals a hopeless circumstance. For example in West Bengal just 29% of accounts are held by the Muslims community, 4% more than their share in the population, however the share of figure exceptional is an unspeakable 9.2%. If there should be an occurrence of Kerala the particular shares are 22% and 16% for the Muslim community which isn't as much as their share of 25%. A comparative circumstance is found in Uttar Pradesh and Bihar, where the share of the Muslim community in the number of accounts is more or less proportionate with their population share; however as far as sum extraordinary their share, however, is fundamentally lower. Reserve Bank of India endeavours to expand banking and credit services under the head administrator 15 point program have fundamentally benefitted to the different minorities and underestimating the Muslims. As the share of the Muslim community in population grows, their share in amount remarkable has a tendency to diminish. The extraordinary sum per account Muslims is around a 50 percent of that of ‘other minorities” and 33% of ‘others communities’. Insufficient planning and mismanagement have brought about an inability to address the economic issues of the Muslim community in rural sectors. A few banks have recognised the
different densely population of the Muslim community regions as ‘Negative Geographical Regions’, where bank credit and other facilities to develop the Muslim community not so easily accessible.

(e) Access to Social and Physical Infrastructure:

“There are vital differences in the presence, accessibility, availability, and utilization of “social and physical” facilities crosswise over SRCs. Social infrastructure has reference to primary and elementary education, health discrepancies and so forth. Physical infrastructure refers to services, for example, electricity, potable water, street and transport services, post and communication. For example, lack of government school (especially girl’s school) would lead to Muslim children from poor Household dropping out, lack of health facilities, safe drinking water, and sanitation would lead to malnutrition-related disorder, decrease efficiency and life expectancy, similarly lack of transport, communication, and credit facilities discourage Artisans and craftsmen from getting inputs and marketing products. These factors operate to extremely influence the social and economic status of Muslims household. There is an unmistakable and critical reverse relationship between the proportion of the Muslim population and the availability of educational infrastructure in a small village. Muslim concentration village is not very much presented with the pucca roads and local bus stops, more than 1000 Muslim concentrated villages in West Bengal and Bihar don’t have any educational institution. In Uttar Pradesh, this figure is 1943. The situation is more terrible in a small village; the situation is poor as for medical facilities. Over 16% of the villages without medical facilities are situated in Muslim concentrated area. Almost 2000 Muslim concentrated villages in Assam and Jammu-Kashmir, more than 3000 villages in West Bengal and Bihar or more 5000 villages in Uttar Pradesh are without any medical facilities. The concentration of Muslims in states lacking infrastructural facilities suggests that a large proportion of the community is without access to basic services. In both urban and rural areas, the proportion of Muslim families living in pucca houses is lower than the total population. Generally speaking, the access of Muslims to toilet facilities is low but better than that of SCs/STs and OBCs, the overall picture in living condition is a mixed one. The Muslim population seems to be close to average in terms of the housing structure and better placed in terms
of toilet facilities. It ranks inadequately in water availability, electrification, and cooking fuel facilities. Clearly, protection is by all accounts given higher need by Muslim than other and this clarifies the moderately better availability of toilets in Muslim family. Localities inhabited by comparable economic classes generally had similar living standards. If in certain place Muslim concentration areas experienced availability of a school or a health centre, in different spots, it was the Muslim minority areas that did not have these facilities, compared with the Muslim majority areas. The area inhabited by less Muslim had better roads, sewage, and drainage and water supply facilities. The housing condition of Muslim is at standard with the overall average, they are much better than Hindus in general. However at about the level of Hindu-OBCs, the family standard of living of Muslim closer to Hindu-OBCs, better than SCs/STs But poorer than others”

(f) Poverty, Consumption, and Standard Of Living:

Despite the fact that the Indian government has an ultimate object to eradicate the poverty and provide all basic needs to their population, but it still exists. The level of income and expenditure of the most of the population were unstable at the time of Independence of the nation. Indeed, even in the mid-1970s, after the long duration of the Independence, the extent of people underneath the national poverty average was however around 55% at the all India level and fairly brings down in urban territories. The objective to eradicate poverty (Head check proportion) significantly as separated of thousand year’s improvement objectives by 2015 seems troublesome unless the current GDP development of more than 8% is supported and inflation is contained around 3%. A considerably bigger extent of the Muslim family unit in urban territories is in the not as much as rupees 500 consumption sections. The imbalance is higher in urban regions contrasted with rural territories in the greater part of the states. The presence of poverty among the Muslim communities in urban territories is the most noteworthy with the Head check proportion of 38.41%. Poor Muslims makes use of just 75% of the poverty line consumption on a normal which the most minimal of the SRCs. A fall in destitution for Muslims has been just humble amid the decade 1993-4 to 2004-5 in urban zones, though the decrease in country zones has been significant. The
financial state of the Muslim communities in urban territories has not enhanced in comparison with different socio-religious communities.

(g) Government Employments and Programmes:

“In a pluralist society, a reasonable representation of different groups in government sector employment is important to improve participatory governance. Central and State government in India implemented a wide assortment of projects to encourage the economic advancement of vulnerable groups and to provide the social security. There is a non-specific standard to help the individuals who are recognized as below the poverty line. Government is one of the largest employers. Public sector likewise contributes altogether to the gross domestic product and domestic capital formation. Many of this investment affect the income and employment of various section of the population. On the whole, information relating to 88 lakhs employee was received by the committee from the different government department, agencies, institution, of which just 4.4 Lacks or 5% are reported to be Muslims. Information on 1.4 million PSUs workers shows that Muslim constituted just 3.3% of Central PSUs and 10.8% of the state level PSUs from where the information was received. The presence of Muslims was found to be just 3% in the I.A.S, 1.8% in the I.F.S. and 4% in the I.P.S. Overall, Muslims constituted just 4.9% of candidates who appeared in the written examination of civil services in the year 2003 and 2004, share of Muslims in employment in various departments is extremely low at every level. Muslim community has a representation of only 4.5% in Indian Railways. All of them (98.7%) are positioned at lower levels. One additionally can find that about 11% of Group occupations are held by those belonging to minorities other than Muslims. The postal department has just a 5% share of Muslims. The share of Muslims in security agencies is around 4%. Muslims are only 3.7% in the teaching faculty and 5.4% in non-teaching staff, while SCs/STs are 7.4% in teaching and 16.9% in non-teaching staff. The representation of Muslims is very low at 2.2% in Bank Employment overall, just 1.7% at a higher level and 2.5% at the lower level position. At the state level, the representation of Muslims in a banking job is over 5%. However, the highest representation of Muslims in Jammu and Kashmir
(18.1%) followed by Assam (6.5%) and Andhra Pradesh (5.6%). In no state does the representation of Muslim in government department coordinate their population share. Representation of Muslims in the education department is only 6.5% and 7.3% in the home department. Overall, the share of Muslims as police constable is just around 6% and in the health department, it is just around 4.4%. The representation of Muslims in the transport office is only 6.5%. The presence and participation of Muslims in the judiciary have been a major point of concern. In general, Muslim representation in the judiciary is around 7.8%, the OBCs constitute around 23% and the SCs/STs is around 20% share of Muslims in recent recruitment by state public service commission is around 2.1%. The share of Muslims as recipients in government department programmes in U.P extends between 3-14% which is far not as much as their population share of 24% among poor people. In the states that submitted information to the committee the overall coverage of Muslims is insufficient. In urban regions around 60% for Muslims occur in the institution, for the most part in privately run facilities which is lower than all SRCs except SCs/STs. Total assignment in the four years (April 2002 to March 2006) for Madarsa modernisation and infrastructure development is partly Rupees 106 Crores. Obtaining a guarantee from the state government remains the greatest obstacle to getting the loan from the NMDFC (National Minorities Development and Finance Corporation). The share of Muslims in the total funds dispensed by the (National Backward Class Finance and Development Corporation) NBCFDC is low; just Rs. 23 Crores out of Rs. 247 Crores have been dispensed to Muslim OBCs. While it is difficult to identify all the causes, one of the explanations behind the low efficiency of these projects is lack of Muslim participation in political process and governance. Among the religious group, the Muslims are the poorest (33%), but better than STs and SCs. Subsequently ST’s (45%), SCs (37%) and Muslims (33%) in that order the most poor. During 1980 the poverty decline was additionally low for the Muslims household compared with the Hindus. During 1983-2004/05 most minimal annual poverty reduction was observed among the Muslims (1.3%).

http://mhrd.gov.in/sites/upload_files/mhrd/files/sachar_comm.pdf,
(II). RECOMMENDATIONS OF JUSTICE RANGANATH MISHRA COMMISSION

Justice Ranganath Mishra Commission suggests the Criteria for perceiving socially and monetarily economically backward classes among the linguistic and religious minorities. It suggests that in the issue criteria for recognizing backward classes there ought to be positively no separation at all between the dominant community and the minorities; and, in this way, the criteria now connected for this reason to the majority community — whatever that model might be – should unreservedly apply to every one of the minorities. As a characteristic end product to the previously mentioned suggestion we prescribe that every one of those classes, areas, and groups among the minorities should be managed as backward whose partners in the majority community are viewed as backward under the present arrangement. To be more particular, it suggests that every one of those social and professional groups among the minorities who however for their religious character would have been secured by the present net of Scheduled Castes ought to be obviously regarded as socially backward, independent of whether the religion of those distinctive groups perceives the caste system or not. It additionally prescribes that those groups among the minorities whose partners in the majority community are at exhibit secured by the net of Scheduled Tribes should moreover be fused into that net; and besides, more particularly, individuals from the minority groups living in any Tribal Area from pre-autonomy days ought to be so included regardless of their ethnic attributes.

Welfare measures for the minorities including Reservation in India

(i) Measurement of minorities on educational basis

As the importance and extent of Article 30 of the Constitution has ended up being exceptionally defective, tangled and incapacitated due to their differed and some of the time clashing legal interpretations, we prescribe that an extensive law
should be ordered promptly to detail all parts of minorities, educational rights under that arrangement with a view to reinforcing its one of a kind coordinates in letter and spirit. The statute of the National Minority Educational Institute Commission should be altered to make it wide-based in its composition, powers, functions, and responsibilities and to enable it to fill in as the regulator for a particular enforcement of all aspects of minorities’ educational rights under the Constitution. As by the power of judicial decisions the minority permit in minority educational institutions has, in light of a legitimate concern for national integration, been limited to around half in this way in every way that really matters holding the remaining half or so for the majority community– this commission unequivocally prescribe that, by a comparable similarity and for a similar reason, at least 15% seats in all non-minority educational institutions should be allocated by law for the minorities as takes after the separate inside the suggested 15% held seats in institutions might be 10% for the Muslims (satisfactory with their 73% share of the former in the aggregate minority community population at the national level) and whatever remains of the 5 % for different minorities.

Minor changes inter se can be made in the 15% reserved seats. Because of non-availability of Muslim students to fill 10% reserved seats, whatever is left of the vacancies might be given to other minorities if their members are available far beyond their share of 5%; nonetheless in no case should any seat inside the prescribed 15% go to the majority community. As is the case with the SCs and STs at exhibit those minority group applicants who can fight with others and secure admission all alone legitimacy might not be joined into these 15% reserved seats. As respects the backward communities among every all of the minorities, the commission suggests that the concessions now available in regards to lower eligibility criteria for admission and a lower rate of fee, now available to the Scheduled Castes and Scheduled Tribes, ought to be stretched out additionally to such sections among the minorities.

In regard of the Muslim community whose are considered to be the largest minority at the national level with a countrywide existence, however still the Muslim community is most backward in terms of education among the religious communities, therefore the commission recommends certain world-class measures
as follows:- The funds to be disseminated by the Maulana Azad Educational Foundation for the promotion of education in the Muslim communities and some specified portion of the funds should be reserved for the Muslims proportionate to their share in the total minority community population. And from this reserved funds ought to be given to the current Muslim institutions and in addition for setting up new institutions from nursery to the highest level and for specialized and professional educational institutions established everywhere in India and particularly in the Muslim concentrated territories.

Some institutions should be selected in the country like the Aligarh Muslim University and the Jamia Millia Islamia ought to be lawfully given an extraordinary duty to promote educational system at all levels to the students in the Muslim communities by making every plausible step for this reason. At least one such institution ought to be chosen for this reason in every one of those states and Union Territories, which has an extensive population, belongs to the Muslim community.

Some other institutions like Navodaya Vidhalayas, Anganwaris, and other similar institutions should be opened in the Muslim concentrated areas with special schemes given to the Muslim Families by which proper encouragements to send their children to such institutions for the better improvement and build up the educational status of the Muslim communities

In regards to the linguistic minorities, the commission recommended some of the other following measures:-

(a) There must have to be a law commission relating to the Linguistic Minorities that ought to be amended in order to make this office accountable for guaranteeing full utilization of all the pertinent Constitutional provisions and laws of the constitution for the benefit of each such minority communities in every one of the States and Union Territories.

(b) There tri-language formula must be applied throughout the country and it is to be made obligatory for all the authorities in the Stats as well as Union territory to incorporates it into the mother-tongue of all the children including, specifically, Urdu and Punjabi languages and all necessary amenities, that is to be financial and
logical help, should be provided by the State for educational development in accordance with the extraordinary contemplation.

(ii) Economical measurement for the minorities

The same number of minorities groups have practical experience in certain household and small-scale industries, the commission suggest that a compelling system ought to be received to the effort for the improvement and modernization of every such industry and for an appropriate preparing of craftsman’s and labourers among the minorities community, particularly among the Muslim community where such industries, craftsman’s and workers are in urgently necessary for the developmental advantage in the minorities.

As the Muslims are the largest minority in the countrywide population, the Muslims, as additionally some different minorities have a lacking or weak presence in the agrarian sector, the commission recommends that exceptional plans ought to be figured for the headway and change of farming, agronomy and rural trade among the minorities to improve their economic status.

The commission additionally recommends that powerful ways ought to be incorporated to propagate and encourage all the self-employment and income-generating schemes among the communities of the minorities and to inspire them to get the advantages to promote them from such schemes.

It recommends that the guidelines, rules and procedures of the National Minorities Development and Finance Corporation (NDMFC) to be redesigned on a need premise in reference with the current report which was present by the NMDF Review Committee on the same vary aspect discussing with the National Commission for Minorities (NCM) – with this perspective that it would have been more productive, successful and extensive among the minority communities.

The commission additionally recommends that a share of 15% should have been reserved specifically for the minorities’ community and a separate share of 10% for the Muslim community and 5% share for other minority communities in all the
governmental schemes like “Rural Employment Generation Programme, Prime Minister's Rozgar Yojana, Grameen Rozgar Yojana”, and so on.

(iii) Measurement of status of minorities on the basis of Reservation

The minorities community especially the Muslim community are especially not in a proper representation in government services, and some of the time not exclusively represented in the government jobs, so the commission recommends that the Muslim minority community should have to be considered as the backward community among the minorities in this regard inside the significance of the term as utilized as a part of Article 16 (4) of the Constitution of India prominently without explaining the word ‘backward’ with the words “socially and educationally” and that of the share of 15% of the posts ought to be reserved in all cadres and grades under the Central and State Governments for the minority community as follows:— (a) The separate 10% seats should have been reserved for the Muslim community from the recommended 15% reserved seats and the rest of the 5% seats reserved for the other minorities community.

(b) A minor modification inter se can be validly imposed within the recommended 15% reserved seats. On account of when the members of the Muslims community not available to fill 10% reserved seats, then the rest of the vacancies might be accessible to different other minorities communities if their members of the other minority communities are available at the time of the vacancy than these remaining vacancies can be filled by other minorities more than their deserved share of 5%; but these recommended 15% vacancies shall not be given to the majority community in any case. There should be some unusual trouble in executing the commission’s recommendation, as an unconventional we the commission recommended that since as directed by “the Mandal Commission Report the minorities constitute 8.4% of the total OBC population, in the 27% OBC quota a 8.4% sub-quota ought to be reserved for the minorities with an internal separation of 6% for the Muslims (commensurate with their 73% share in the total minority population at the national level) and 2.4% for the other
minorities with minor modification inter se in accordance with population of different minorities in various States and UTs”.

The Commission recommends that the judicial reservation as of late communicated in a few cases about the proceeded with consideration of “the creamy layer” in different classes enjoying reservation, comprehensive of the Scheduled Castes and Scheduled Tribes, should be genuinely considered for acknowledgment as a State policy.

Para 3 of the Constitution (Scheduled Castes) Order 1950.

The Commission recommends that “Para 3 of the Constitution (Scheduled Castes) Order 1950 – which initially confined the Scheduled Caste net to the Hindus and later opened it to Sikhs and Buddhists, consequently as yet barring from its purview the Muslims, Christians, Jains and Parsees, and so on – ought to be entirely erased by proper activity in order to totally delink Scheduled Caste status from religion and make the Scheduled Castes net completely religion impartial like that of the Scheduled Tribes. The Commission further recommends that all those groups and classes among the Muslims and Christians, and so on whose partners among the Hindus, Sikhs or Buddhists, are incorporated into the Central or State Scheduled Castes lists ought to similarly be covered by the Scheduled Caste net. If any such group or class among the Muslims and Christians, and so forth is presently incorporated into an OBC list, it ought to be erased from that point while transferring it to the Scheduled Castes”.

It recommends that as “the Constitution of India guarantees freedom of conscience and religious freedom as a Fundamental Right”, once a person has been incorporated into a Scheduled Caste list a wilful change of religion on his part should not impact adversely his or her Scheduled Caste status.

(iv) Modalities for implementing our recommendations

The commission recommends that “all Central and State Acts, Statutory Rules and Regulations be appropriately revised to execute those of our recommendations which in the opinion of the Ministry of Law and Justice or any another concerned authority may require such alterations. It recommends the accompanying legislative actions which in our opinion are required either for the enactment of
some of our proposals expressed above or generally in the interest of the welfare of minorities:

(a) Enactment of a detailed law to implement the dictates Article 30 of the Constitution;

(b) Amendment of the National Commission for Backward Classes Act 1993;

(c) Amendment of the Constitution (Scheduled Castes) Order 1950 and the Constitution (Scheduled Tribes) Order 1951 as compared to the Central and State lists of the Scheduled Castes and Scheduled Tribes;

(d) Review of the laws and rules, procedures and processes, identifying with determination and notice of OBC at the Central and State levels;

(e) Enactment of a law to cover with statutory status and judicial enforceability the Prime Minister's 15-Point Programme for Minorities 1983 as altered in 2006;

(f) Amendment of the National Commission for Minorities Act 1992 and the National Commission for Educational Institutions Act 2004 in order to make it vital for the government to appoint as the chairpersons and members of these bodies – through a Search Committee as in the case of the National Human Rights Commission only reputed experts in the constitutional, legal, educational and economic matters relating to the minorities;

(g) Necessary amendments in the Wakfs Act 1993 and all the Rules confined under its provisions;

(h) Review and necessary reform of the laws, rules, regulations, processes, and procedures relating to the National Minorities Development and Finance Corporation and the Maulana Azad Education Foundation.

The commission recommends the following administrative measures which in our opinion are required either for the implementation of some of our proposals or otherwise in the interest of the welfare of minorities: —

(a) Establishment of a Parliamentary Committee to consider and decide in the light of the Constitution approach matters identifying with the minorities;
(b) Establishment of a National Committee comprising of Chairpersons of NHRC, NCW, NCBC, NCSC, NCM, NCMEI, NMDFC, CLM, Central Wakf Council and Maulana Azad Foundation along with named experts for supervising the educational and economic development of the minorities;

(c) Creation of similar bodies in all the States/UTs for the similar purpose and comprising of local top-level authorities managing minority-related issues and independent experts;

(d) Establishment of a National-level Coordination Committee comprising of representatives of all the nationalized banks and other financial institutions to work under the RBI for monitoring credit flow to the minorities;

(e) Establishment of State Minorities Commission and Minority Welfare Departments in all those States and UTs where these don't exist as of now;

(f) Decentralization of all minority-related schemes programmes and plans in order to make reasonable district-level mechanisms for their day-to-day implementation;

(g) Revision of the list of Minority Concentration Districts as proposed by the NCM in the 1990s and starting special educational, economic and general welfare measures there through the local administration;

(h) Appointment of Minority Welfare Committees comprising of official and local experts in all districts of the country to act as the nodal organizations of NCM, State Minorities Commission and all other Central and State-level bodies working for the minorities”.

(III) RECOMMENDATIONS OF EQUAL OPPORTUNITY COMMISSION

The researcher is trying to get your attention in regards to “the Equal Opportunities Commission, Bill to be made public by the Government, in no time.

http://14.139.60.114:8080/jspui/bitstream/123456789/15523/7/Chapter%20IV%20%20%2055-58%29.pdf,
A critical proposal of the Sachar Committee (Report on Social, Economic, and Educational Status of the Muslim Community of India, 2006) was the setting up of an Equal Opportunities Commission (EOC) in India. The Ministry of Minority Affairs set up an advisory group under the chairmanship of Dr. Menon to investigate and choose the structure of an Equal Opportunity Commission. The Committee exhibited its report in 2008, which proposed a draft Equal Opportunity Commission Bill (EOC Bill). The Government moreover set up an expert leading body of trustees headed by Dr. Kundu to suggest an appropriate grouped assorted variety file in living instruction and works spaces.

An open letter have been drafted to the Ministry of Minority Affairs, featuring a portion of the key concerns with the draft charge and demanding a wider public debate before it is presented in Parliament. Once, supported, we will mail duplicates of the letter to the Ministry of Minority Affairs and the Prime Minister. We likewise would like to distribute the content of the Open letter in at least two national daily papers. In her lecture to Parliament on 4 June 2009, the Hon’ble President guaranteed the constitution of an Equal Opportunity Commission to combat discrimination. We respect this declaration and keep in touch with the masses to assist people in general civil argument on equality of opportunity. As you know, the Rajender Sachar Committee’s 'Report on Social, Economic and Educational Status of the Muslim Community of India' (2006) recommended the constitution of an Equal Opportunity Commission to investigate the grievances of deprived groups, and that the idea of providing incentives for diversity should be explored. Two expert committees under Dr. Madhav Menon and Dr. Amitabh Kundu were constituted to consider these recommendations individually. The Menon Committee Report (2008) proposed an Equal Opportunity Commission Bill to disallow discrimination against ‘deprived groups’ characterized on specific grounds, for example, sex, incapacity, religion, caste, language, and so forth. The Kundu Committee Report (2008) recommended the constitution of a Diversity Commission to regulate the boost of diversity in educational institutions, employment establishments and housing societies. The proposed ‘diversity index’ is delicate to religion, caste, and sex. These recommendations represent an exemplary move in India’s approach to equality.
Moving past a select focus on reservations, they scrutinize a mixture of anti-discrimination and diversity advancement measures to seek after social justice. The legislature likewise identify that discrimination takes place on different grounds and that compartmentalizing enduring through group-specific measures may generate governmental issues of hatred and competition. At last, it helps the people rise above the gap between the public and private sectors and apply equally to all. However, the commitments the government try to force on private sectors are not any more cumbersome than those forced on their partners in numerous liberal democratic governments. Therefore, we praise the recommendations and support the proposed measures for equal opportunities and diversity. Be that as it may, the draft recommendations leave an excessive number of uncertain issues for the Commission to deal with later on. It is presumed that this is a formula for much litigation. Rights and obligations, seeing that it is believable, should be unambiguously laid down in the legislation itself. Accompanying recommendations are made here towards widening the open public discussion on these proposals.

(a) **Interlinking and equal opportunity and Diversity**

Antidiscrimination and diversity promotion are connected ideas. Government should shape some portion of a single ‘Equality Bill’ with a single regulatory and enforcement commission. Different bodies for observing the prohibition on discrimination and promotion of diversity isn’t just incompetent but may bring about counterproductive turf-wars. The association between the thoughts isn’t only institutional but in addition applied: the ‘diversity gap’ in any establishment should be relevant to (however not determinative of) the adjudication of complaints of discrimination against that establishment.

(b) **A General Duty to reduce Inequality**

The objective of reducing socio-economic deprivation should be considered by every open body (broadly characterized to incorporate not just bodies set up by the Constitution or any law, but add some other bodies performing public functions) while framing policy in their particular fields of activity.

(c) **Scope of protection against discrimination**
The list of grounds on which discrimination is restricted in the Menon Committee Report incorporates ‘sex, caste, language, religion, disability, descent, and place of birth, residence, race or any other ground’. While we respect an open-ended list with a specific end goal to accommodate reasonable demands later on, other autonomy-infringing grounds like ‘pregnancy, sexual orientation, gender identity, occupation, skin-colour, political opinion, age, membership of trade unions or other associations, number of children, tribe, marital status’ should also be included. The ‘deprivation index’ should incorporate political, social, cultural and material deprivation, prove by the insufficient representation of the group in public institutions, violence and hostility faced by its members, prejudice and negative stereotypes prevalent against the group, and its economic, social and educational backwardness. The legislation should have a reasonable explanation prohibiting ‘direct discrimination’ or ‘indirect discrimination’ against, and ‘provocation’ or ‘exploitation’ of, any member of a deprived group defined by any of the protected grounds. These terms should be clearly defined. Discrimination based on ‘food preference’, when it disproportionately affects a deprived group, should be explicitly given as an instance of indirect discrimination. The legislation should clearly provide that the claimant does not have the onus of proving discriminatory intent. Direct discrimination, when in doubt, should not be justifiable. Any exceptions (for instance, medium of the guideline in schools vis-à-vis language discrimination, or age of majority vis-à-vis age discrimination) should be specifically provided in the statute. Indirect discrimination might be supported just if the condemned measure is a proportionate means of accomplishing a legitimate objective—insignificant reasonableness of the measure should not be adequate. Harassment and victimisation should not be justifiable under any condition”.

The divisions in which discrimination is prohibited should not be confined to employment and education. We concur that a staged presentation of prohibition, as recommended by the Menon Committee Report, might be attractive for reasons of practicality. In any case, given the prevalence of discrimination in the housing sector, its prohibition from the immediate scope of the legislation isn't justified. All public bodies (generally characterized to incorporate private bodies
performing public functions) and political parties should be required to abstain from discriminating in all their activities.

(d) Scope of diversity promotion

The ‘diversity index’ proposed in “the Kundu Committee Report is delicate to sex, religion, and caste. We propose that tribe and language should likewise be a legitimate reason for defining a diversity index. A reasonable statutory responsibility to diminish diversity gap should be imposed on all public bodies (broadly characterized to incorporate private bodies performing public functions) and different establishments that contract with governments.

Diversity promotion should be a precondition for all government subsidizations, endowments, and contracts and so on, at the central level, as well as at the state and local level. Establishments with narrower diversity gaps should get preferential access to government grants etc. Bodies and establishments secured by the preceding conditions should circulate their diversity gaps and their plans to advance diversity. Citizens should likewise have an enforceable appropriate to this data.

In the event of establishments not covered over, right to information regarding their diversity gap should, in any case, be available to their employees/ residents/applicants/ students etc.

(e) Enforcement Mechanism

The Equality Commission should be independent of political impediment, however subject to political examination and judicial review while articulating the deprivation and diversity indices. Bipartisan appointment, the involvement of civil society and transparency obligations on the lines of as of late constituted bodies, for example, the Central Information Commission should be considered.

Draft deprivation and diversity indexes should be available on the Commission's website and somewhere else for public discussions before completion. Reasons and evidence for the identification/non-identification of any group as ‘deprived’ should likewise be publicly available. Relationship with the SC/ST Commission, Backward Classes Commission, Minorities Commission, National Commission for Women, and the National Human Rights Commission should be clearly
specified. Prominence should be on coordination and information sharing. The Equality Commission did not depend on any single character and its proposed command is unmistakable from these prior commissions. However, it can gain from their experiences, legislation should encourage this institutional learning.

The proposed Equality Commission in the Menon Committee Bill has broad powers for investigation, information gathering, evaluating, promotion and advisory functions. Nonetheless, the recommendatory nature of the orders and 'codes of training' confines the effectiveness of the Commission. Further, while dependence on deliberate consistency and accentuation on intervened settlements is totally exemplary, it neglects to elevate the ‘equivalent opportunities’ to the status of ‘rights’. The absence of effective enforcement machinery consequently, dilutes the larger mandate of the Commission and should be helped at the very start.

The extent of participation of Facilitation Centres (provided for in the Menon Committee Bill) should be broadened, and its powers and functions should be elucidated and strengthened. Area 39 (b) in the Menon Committee Bill raises the ‘Equal Opportunity Practices Code’ to the level of a “Standing Orders” under the Industrial Disputes Act, along these lines making it binding and enforceable. Nonetheless, the single Equality Bill should clear up that the scope of establishments covered by it is more extensive than that under the Industrial Disputes Act, and should likewise provide for a mechanism for enforcement of these Codes in establishments that don't fall in the scope of the Industrial Disputes Act. Moreover, the powers to examine and review in Sections 23-25 and Section 27 should culminate in effective action in the event of extensive discriminatory “.

The Menon Committee Report conceives a group-driven complaints show as opposed to an individual-driven one. We suggest that notwithstanding group rights, individual victims of discrimination should be given a privilege to compulsory requests, orders, revelatory requests, remuneration, sensible convenience, assurance orders against badgering and against exploitation for making a dissension, and the privilege to data about the diversity gap in their establishment of such practices or victimisation. If there should arise an occurrence of direct discrimination, harassment or victimization by public bodies,
part of the compensation amount should be recovered from the pay of the person(s) is responsible for such discrimination, harassment or victimization.

These measures are excessively critical, making it impossible to be passed in haste and without wider public debate. We hope you will give these recommendations and add the experience of locales with equivalent enactments, (for example, South Africa, Canada, the United Kingdom, the European Union and the United States) due consideration and circulate the draft of a single ‘Equality Bill’ for the promotion of public debate.

The Manmohan Singh government was going to set up an “Equal Opportunities Commission”, ombudsman with a command to address an extent of issues relating to discrimination against deprived groups in public and private sector. The Equal Opportunity Commission, the shapes of were drawn up by an expert panel, would have the power to seek for data from and to conduct an investigation into allegations of discrimination in both public and private enterprises. The “equality” watchdog would decide policies went for promoting equality in circumstances. Be that as it may, while the Equal Opportunity Commission would have powers of a civil court to summon and examine, it would be a recommendatory body with no expert to hand-out sentences. This is with regards to the view that an ombudsman was ought not to duplicate authority. Any group that feels discriminated against can approach the Equal Opportunity Commission. But the panel would not entertain individual cases the proposals on an Equal Opportunity Commission have been settled by a panel headed by legal expert N. R. Madhava Menon, which was set up by the Union minority affairs ministry. The report would be put together by February end. The government will consider on its suggestions before setting up the commission. Significantly, while the setting up of an Equal Opportunity Commission was recommended by the Sachar committee panel investigating “backwardness” among Muslims, the regulator has been considered as a court of the first appeal for “deprived groups”. The Menon penal has abandoned it to Equal Opportunity Commission to identify “deprived groups”. All communities would be entitled to be a recipient group. It has been suggested that the Equal Opportunity Commission ought to figure a “deprivation index” based on the weight given to various social indicators like health, employment, and education. The communities would be judged on these parameters to decide
whether they are a deprived group or not. Proclaiming that the Equal Opportunity Commission would not have much to do with castes, an expert said SCs/STs/OBCs would be as much qualified for the deprived category group as an upper caste, with the “deprivation index” being the sole criteria. He said the methodology to be developed by Equal Opportunity Commission would have to be acceptable to all. This single step could check a change in outlook in the assurance of underprivileged categories. So far, though there have been demands that economically weaker sections among upper castes be additionally considered for benefits this has not happened. Then again, several communities are termed “deprived” and are eligible for governmental policy regarding minorities in society, there is little by a method for hard proof to certify their claims. Any complaint to be taken up by the commission will have to give evidence of discrimination against the group”.6

6.Available at: http://www.sacw.net/index.php?page=imprimir_articulo&id_Article=10131
   4/02/2015,
   commission-forminorities/Article5709081.ece16/08/2016,