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THIRTY- FIRST REPORT
STANDING COMMITTEE ON SOCIAL JUSTICE AND
EMPOWERMENT
(2007-2008)

(FOURTEENTH LOK SABHA)

MINISTRY OF MINORITY AFFAIRS

Action taken by the Government on the Observations/Recommendations contained in the Twenty-Sixth Report of the Standing Committee on Social Justice and Empowerment on Demands for Grants for the year 2007-2008 of the Ministry of Minority Affairs.

Presented to Lok Sabha on 4.3.2008

Laid in Rajya Sabha on 4.3.2008



LOK SABHA SECRETARIAT
NEW DELHI
December, 2007/Agrahayana, 1929 (Saka)

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THIRTY - FIRST REPORT



**LOK SABHA SECRETARIAT
NEW DELHI
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**COMPOSITION OF THE STANDING COMMITTEE ON SOCIAL
JUSTICE AND EMPOWERMENT
(2007-2008)**

Smt. Sumitra Mahajan - CHAIRPERSON

**MEMBERS
LOK SABHA**

2. Mohd. Shahid Akhlaque*
3. Shri Mahaveer Bhagora
4. Shri Eknath M. Gaikwad
5. Shri Loganathan Ganesan
6. Shri Haribhau Jawale
7. Shri Bhai Lal
8. Shri Tek Lal Mahato
9. Dr. Babu Rao Mediyam
10. Shri Kailash Meghwal
11. Shri Rupchand Murmu
12. Shri Jual Oram
13. Shri Ram Chandra Paswan
14. Shri Rabindar Kumar Rana
15. Shri P.A. Sangma
16. Dr. R. Senthil
17. Smt. Pratibha Singh
18. Shri Lalit Mohan Suklabaidya
19. Smt. Krishna Tirath
20. Smt. Usha Verma
21. Vacant

**MEMBERS
RAJYA SABHA**

22. Shri Urkhao Gwra Brahma
23. Shri Silvius Condpan
24. Shri Mahmood A. Madani
25. Dr. Narayan Singh Manaklao
26. Dr. Radhakant Nayak
27. Shri Abdul Wahab Peevee
28. Shri Dharam Pal Sabharwal
29. Shri Veer Singh
30. Ms. Anusuiya Uikey
31. Shri Nand Kishore Yadav

* Ceased to be a Member of the Committee consequent to his disqualification from the Membership of the 14th Lok Sabha by Hon'ble Speaker on 27 January, 2008.

SECRETARIAT

1. Dr. (Smt.) P.K. Sandhu - Additional Secretary
2. Shri Ashok Sarin - Joint Secretary
3. Shri R.K. Saxena - Director
4. Shri Bhupesh Kumar - Deputy Secretary
5. Smt. Shashi Bisht - Executive Assistant

INTRODUCTION

I, the Chairperson of the Standing Committee on Social Justice and Empowerment having been authorized by the Committee to submit the Report on their behalf, present this Thirty-First Report on the action taken by the Government on the observations/ recommendations contained in the Twenty-Sixth Report of the Standing Committee on Social Justice and Empowerment (Fourteenth Lok Sabha) on Demands for Grants – 2007-08 relating to the Ministry of Minority Affairs.

2. The Twenty-Sixth Report was presented to Lok Sabha on 28 April, 2007 and also laid in Rajya Sabha on 03 May, 2007. The Ministry of Minority Affairs furnished their replies indicating action taken on the recommendations contained in that Report on 28 August, 2007. The Report was considered and adopted by the Standing Committee on Social Justice and Empowerment at their sitting held on 14 December, 2007.

3. An analysis of the action taken by Government on the recommendations contained in the Twenty-Sixth Report of the Standing Committee on Social Justice and Empowerment (Fourteenth Lok Sabha) is given in **Appendix**.

4. For facility of reference observations/recommendations of the Committee have been printed in thick type in the body of the Report.

5. The Committee place on record their appreciation for the valuable assistance rendered to them by the officials of the Lok Sabha Secretariat attached to the Committee.

NEW DELHI:
14 December, 2007
23 Agrahayana, 1929 (Saka)

SUMITRA MAHAJAN,
Chairperson,
Standing Committee on
Social Justice and Empowerment.

CHAPTER - I

REPORT

1.1 This Report of the Standing Committee on Social Justice and Empowerment deals with the action taken by the Government on the observations/recommendations contained in the Twenty-sixth Report of the Standing Committee on Social Justice and Empowerment (Fourteenth Lok Sabha) on Demands for Grants 2007-08 relating to the Ministry of Minority Affairs.

1.2 The Twenty-sixth Report was presented to Lok Sabha on 28 April, 2007 and laid in Rajya Sabha on 03 May, 2007. It contained 15 observations/recommendations. Replies of Government in respect of all the observations/recommendations have been examined and are categorised as under: -

- (i) Observations/recommendations which have been accepted by the Government:

Paragraph Nos. 2.9, 3.12, 3.14, 5.14, 6.17 and 6.19.

(Total 6 - Chapter II)

- (ii) Observations/recommendations which the Committee do not desire to pursue in view of the replies of the Government:

Paragraph Nos. 1.10, 1.11, 4.10 and 5.15

(Total 4 - Chapter III)

- (iii) Observations/recommendations in respect of which replies of the Government have not been accepted and have been commented upon by the Committee in Chapter I:

Paragraph Nos. 3.13, 4.11 and 4.12

(Total 3 - Chapter IV)

- (iv) Observations/recommendations in respect of which replies of the Government are interim in nature:

Paragraph Nos. 2.8 and 6.18

(Total 2 - Chapter V)

1.3 The Committee desire that action taken notes on the recommendations contained in Chapter-I and final action taken notes in respect of the recommendations contained in Chapter -V of this Report may be furnished to them at the earliest and in any case not later than three months of the presentation of the Report.

1.4 The Committee will now deal with some of the replies received from the Government which need reiteration or merit comments.

A. ACTION PLAN FOR UPLIFTMENT OF MINORITIES

RECOMMENDATION (SI. No. 4, Para No. 2.9)

1.5 In Paragraph 2.9 of the original Report the Committee had observed that the 'Working Group on empowerment of the Minorities' had suggested plans for the overall upliftment of the educationally and economically backward minorities. In that regard some key areas had been identified by them which require focused attention. Those areas were 'Equitable access to economic opportunities', 'Equitable access to educational opportunities', 'Equitable access to Government social welfare schemes and programmes' and 'Sharply focused research plans to collect quantitative and qualitative data on the condition of minorities', particularly Muslims. The Committee had expressed hope that the Ministry would earnestly consider the suggestions made by the Working Group on empowerment of minorities and formulate an action Plan for implementing them in a time bound manner.

REPLY OF THE GOVERNMENT

1.6 The Ministry in their reply have stated that the process of formulating the schemes and programmes on the basis of the recommendations of "the Working Group on Empowerment of Minorities", two schemes, namely, (i) scheme of Merit-cum-means based scholarship to students belonging to the minority communities and (ii) Free coaching and allied scheme for candidates belonging to minority communities have been approved. Other schemes, which are being processed are Pre-matric scholarship scheme, Post-matric scholarship scheme, Grant-in –aid to State Channelising Agencies of National Minorities Development Finance Corporation, Research/studies, monitoring,

evaluation including publicity scheme and Multi sectoral development programme for minority concentration districts.

1.7 The Committee note that two schemes, namely, (i) scheme of merit-cum-means based scholarship to students belonging to the minority communities and (ii) free coaching and allied scheme for candidates belonging to minority communities have been approved by the Ministry in accordance with the recommendations of “the working group on Empowerment of Minorities”. The formulation of other schemes like Pre-matric scholarship scheme, Post matric scholarship scheme, Grant-in-aids to State Channelising Agencies of National Minorities Development Finance Corporation, Research/studies, monitoring, evaluation including publicity scheme and multi sectoral development programme for minority concentration districts are being processed by the Ministry. The Committee desire that the process of formulation, approval and implementation of all the above stated schemes be expedited to ensure overall upliftment of educationally and economically backward minority communities in a time bound manner.

B. MAULANA AZAD EDUCATION FOUNDATION (MAEF)

RECOMMENDATION (Sl. No. 6, Para No. 3.13)

1.8 The Committee had noted in paragraph No. 3.13 that funds from Maulana Azad Education Foundation were made available to reputed NGOs, throughout the country for construction/expansion of schools/colleges/girl hostels/polytechnics/ITIs and purchase of equipment/machinery/furniture. However, it had been observed that no amount was sanctioned to Assam, Manipur and Uttarakhand during the last three years. The Committee were constrained to note that MAEF did not disburse funds State-wise in proportion to the percentage of minority population. The Committee did not agree with the plea advanced by the Ministry that the release of funds depend upon the proposals received from the States. The Committee were of the opinion that unless the funds were made available to the States in proportion to the percentage of minorities, they would be deprived of the benefits of the scheme. The Committee, had therefore,

recommended that State-wise allocation of funds might be made under the MAEF in proportion to the percentage of minorities in respective States and ensure that funds allocated were fully and gainfully utilized by the NGOs.

REPLY OF THE GOVERNMENT

1.9 In their action taken note, the Ministry have stated that the Foundation has been advised to ensure that distribution of available resources across States/ UTs is done taking into account the minority population, literacy levels, particularly female literacy and enrollment and drop out rates. This will ensure that assistance goes to areas where it is needed the most and priority is given to States where the minorities are relatively worse-off compared to the national average.

1. 10 The Committee had expressed their concern over a distortion observed by them in the functioning of the Maulana Azad Education Foundation that the disbursement of funds by the MAEF was not being made to various States in accordance with the proportion to the percentage of minority population in the respective State. Also no funds were sanctioned to three States i.e. Assam, Manipur and Uttarakhand during the last three years. The Committee had, therefore, recommended that State-wise allocation of funds should be made under the Maulana Azad Education Foundation in proportion to the percentage of the minorities in respective States. The Committee feel that the Ministry's action in advising the Foundation to distribute the available resources taking into account the minority population, literacy levels and drop out rates will not suffice . The Ministry should also continuously pursue with the State Governments to send proposals in time to the foundation for procurement of requisite funds.

C. NATIONAL MINORITY DEVELOPMENT AND FINANCIAL CORPORATION (NMDFC)- STATE CHANNELISING AGENCIES

RECOMMENDATION (SI. No. 9, Para No. 4.11)

1.11 The Committee had been informed that NMDFC implements its scheme through State Channelising Agencies (SCAs) and NGOs. During the inspections of SCAs by NMDFC, various shortcomings like poor selection of beneficiaries, delay in documentation and release of loans, improper follow up for recovery from the beneficiaries etc. had come to the notice. The Committee felt that unless these shortcomings were removed, the schemes of the NMDFC would not be effectively implemented and it would not give a boost to the economic activities of the minorities living below the poverty line. The Committee, had therefore, recommended that the Ministry should take necessary steps to analyse the reasons for these shortcomings noticed during inspections so that the suitable remedial steps could be taken.

REPLY OF THE GOVERNMENT

1.12 The Ministry, in their reply have stated that the shortcomings in the functioning of the SCAs are basically because of their lack of resources and weak infrastructure. The Ministry of Minority Affairs have been persistently taking up with State Governments the need to strengthen the infrastructure of SCAs. Besides, the Ministry proposes to implement a scheme for grants-in-aid to the SCAs for strengthening their infrastructure. Under the scheme, financial assistance will be given to SCAs to improve their delivery system. A budget provision of Rs. 10 crore have been made in 2007-08 for this purpose.

1.13 The Committee were concerned to note that during inspection of State Channelising Agencies by NMDFC various shortcomings were noticed in its functioning like poor selection of beneficiaries, delay in documentation and

release of funds and improper follow up of resources from the functionaries. The Committee, had therefore, recommended to find out the reasons for these shortcomings and take remedial measures. The Ministry in their reply have stated that the shortcomings in the functioning of SCAs are basically because of their lack of resources and weak infrastructure. The Ministry are stated to have proposed to implement a scheme for grants-in-aid to the SCAs for strengthening their infrastructures. In the opinion of the Committee, lack of resources and weak infrastructure of SCAs are not the only reasons for their improper functioning. Poor monitoring and lack of dedication resulting in poor selection of beneficiaries, delay in documentation and release of funds also contributed to inefficient working of State Channelising Agencies. The Committee, reiterate that in order to effectively implement the schemes of NMDFC and boost the economic activities of the minorities living below poverty line, the Ministry should analyse all the shortcomings in implementation of the scheme and take remedial measures immediately in coordination with the State Governments. The Committee hope that the proposed scheme for grants-in-aid to the SCAs for strengthening their infrastructure would be implemented soon.

RECOMMENDATION (Sl. No. 10, Para No. 4.12)

1.14 In the Para No. 4.12 the Committee had observed that State Channelising Agencies were the main links between the beneficiaries and the Corporation. These agencies had been conferred with the responsibility to identify the beneficiaries, seek sanctions, receive funds and ultimately disburse the funds to the beneficiaries. The Committee, however, regretted to point out that some State Channelising Agencies are

not utilizing the full amount disbursed to them. The coverage of the intended minority beneficiaries was also much below the desired average and the SCAs were not strong enough in respect of infrastructure and staffing etc. and, therefore, were not able to use the funds made available to them for the desired purpose. Consequently many beneficiaries had been deprived of the intended benefits of the scheme. Since the SCAs were the main links between the beneficiary and the Corporation and their objective was to make funds available for upliftment of the poor minority beneficiaries, the Committee had desired that the work structure of the State Channelising Agencies and their manner of functioning be looked into afresh. Feasibility might be examined to allow the State Channelising Agencies to create their own infrastructure, recruit their own staff and for deputing some officials of the SCAs in districts to carry out the designated task effectively and efficiently.

REPLY OF THE GOVERNMENT

1.15 In their action taken note the Government have stated that the State Channelising Agencies are agencies of the respective State Governments. The Ministry of Minority Affairs has been advising State Governments to strengthen the infrastructure of the SCAs. Besides, the Ministry of Minority Affairs also proposes to implement a scheme for Grants-in-aid to SCAs and an outlay of Rs. 10 crore has been provided in BE 2007-08 for the purpose. It is expected that financial assistance under the scheme for improving the delivery system of the SCAs will result in improvement of their performance.

1.16 The Committee had observed that the SCAs were the main links between the beneficiary and the Corporation but they were not in a position to implement the schemes for the welfare of minorities because of their poor infrastructure. The Committee had, therefore, desired that the work structure and functioning of the

SCAs be looked into afresh and the feasibility to allow the SCAs to create their own infrastructure and recruit their own staff for carrying out their designated task effectively be examined. The Ministry in their reply have stated that they have been advising the State Governments to strengthen the infrastructure of SCAs and propose to implement a scheme for grants-in-aid to SCAs to implement their own delivery system. The Committee are not fully convinced with the reply as they feel that unless the financial position and work force of State Channelising Agencies are strengthened, they will not be in a position to implement the schemes in an effective manner. The Committee, therefore, reiterate that the Ministry should examine the feasibility of allowing the SCAs to create their own infrastructure and recruit their own staff so as to enable them to depute some officials in various districts and carry out their designated task effectively.

CHAPTER II

OBSERVATIONS/RECOMMENDATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

RECOMMENDATION (SI. No. 4, Para No. 2.9)

2.1 The Committee understand that the 'Working Group on empowerment of the Minorities' has suggested plans for the overall upliftment of the educationally and economically backward minorities. In this regard some key areas have been identified by them which require focused attention. These areas are 'Equitable access to economic opportunities', 'Equitable access to educational opportunities', 'Equitable access to Government social welfare schemes and programmes' and 'Sharply focused research plans to collect quantitative and qualitative data on the condition of minorities',

particularly Muslims. The Committee hope that the Ministry would earnestly consider the suggestions made by the Working Group on empowerment of minorities and formulate an action Plan for implementing them in a time bound manner.

REPLY OF THE GOVERNMENT

2.2 The Ministry is in the process of formulating schemes and programmes on the basis of the recommendations of “the Working Group on Empowerment of Minorities”. Two schemes, namely, (i) scheme of Merit-cum-means based scholarship to students belonging to the minority communities and (ii) Free coaching and allied scheme for candidates belonging to minority communities have been approved. Other schemes, which are being processed are Pre-matric scholarship scheme, Post-matric scholarship scheme, Grant-in –aid to state channelling agencies of National Minorities Development Finance Corporation, Research/studies, monitoring, evaluation including publicity scheme and Multi sectoral development programme for minority concentration districts.

(Ministry of Minority Affairs O.M. No. G-20011/1/2007-B & C Dated 13.08.2007)

RECOMMENDATION (SI. No. 5, Para No. 3.12)

2.3 The Committee note that Maulana Azad Education Foundation (MAEF) was established in 1989 to formulate and implement educational schemes for the benefit of educationally backward minorities. The Foundation implements its schemes out of the interest earned on its corpus fund which has been provided to it by the Government as a part of plan assistance. Upto 2006, the Foundation was allocated meager funds every year and in fact the consolidated figure for 12 years upto 2006 was of Rs. 100 crores. It

was during the year 2006-07 that its corpus fund was further augmented by Rs. 100 crores. However, again during 2007-08 only Rs. 50 crores have been allocated to it. The reduction in amount during 2007-08 has been explained by the Secretary, Ministry of Minority Affairs by indicating that the Foundation was expected to raise the resources from Charitable Institutions who would be willing to assist and participate in the objectives of the Foundation. Considering the objectives of the foundation the Committee feel that it would be appropriate that the corpus fund of the foundation is gradually augmented to meet its avowed objectives.

REPLY OF THE GOVERNMENT

2.4 It has already been decided by government that the corpus fund of the Maulana Azad Education Foundation should be augmented and its operations expanded and streamlined. The plan outlay projected for this purpose in the 11th Five Year Plan (2007-2012) is Rs.500 crores. Out of this a provision of Rs. 50 crores has been made for 2007-08.

(Ministry of Minority Affairs O.M. No. G-20011/1/2007-B & C Dated 13.08.2007)

RECOMMENDATION (SI. No. 7, Para No. 3.14)

2.5 The Committee are constrained to note that there have been instances of misuse of grant-in-aid given to NGOs by some States out of the allocation provided by MAEF. The Committee understand that the MAEF have recovered Rs. 7.50 lakhs from one NGO in Pilibhit (U.P.) and filed suit for recovery of interest but Rs. 10.10 lakhs are yet to be recovered from five NGOs. The Committee take a serious view of the mis-utilisation of scarce Government funds by unscrupulous NGOs. Such NGOs need to be dealt with firmly and criminal proceedings should be initiated against all those found guilty. These

NGOs should then be de-barred from getting any grant-in-aid. The Committee also recommend that the Ministry should formulate a comprehensive and strict selection criteria for identifying the genuine NGOs.

REPLY OF THE GOVERNMENT

2.6 In order to ensure accountability and the best use of available funds, it is necessary that the bonafides of the grantee organization / NGO is established. To ensure this, the MAEF has laid down certain eligibility criteria, which, *inter alia*, provide that Societies / Trusts should be registered under the Central or State Government Acts for the last three years and have proper Constitution / Memorandum & Articles of Association / Trust Deed etc.

In order to streamline the procedure of inspections, the Foundation has been advised to strengthen the existing system of inspections by a system of concurrent and post-audit check through professionals/agencies, whose services could be outsourced. The MAEF has been further advised to come up with norms in respect of building specifications, design, kind and quality of material used, and standards for educational institutions, in consultation with the relevant agencies of the Central and State governments.

Some instances of alleged irregularities in sanctions of grant-in-aid have been investigated by the CBI which has registered FIRs in two cases; the MAEF has registered FIR in one such case.

(Ministry of Minority Affairs O.M. No. G-20011/1/2007-B & C Dated 13.08.2007)

RECOMMENDATION (SI. No. 11, Para No. 5.14)

2.7 The Committee note that the objective of the Coaching and Allied scheme for minorities is to assist economically weaker sections of candidates belonging to minority communities by providing them opportunities for enhancing their knowledge, skills and capabilities for employment in Government/private sector through competitive examinations, and for admission in reputed institutions in technical and professional courses at under-graduate and post-graduate levels and remedial coaching in such institutions to complete their courses successfully. This is an ongoing scheme transferred from the Ministry of Social Justice and Empowerment. The Committee, however, regret to point out that the data in respect of number of minority beneficiaries covered during the previous years is not available with the Ministry of Minority Affairs. The reason put forth by the Ministry is that details for the previous years were sought from the Ministry of Social Justice & Empowerment and will be forwarded as soon as they are received. The Committee are not convinced by this argument of the Ministry. It is clearly evident that the schemes are launched and their performance is not monitored at any level. Without the resultant data, the efficacy or otherwise of the implementation of any scheme cannot be gauged. The Committee, therefore, desired that the Ministry of Minority Affairs should vigorously pursue with the Ministry of Social Justice and Empowerment for obtaining the data in respect of number of minority beneficiaries covered under the scheme during the previous years so that the impact of the scheme could be assessed and remedial action taken in case of any deficiency. The progress achieved in this regard may be communicated to the Committee.

REPLY OF THE GOVERNMENT

2.8 The information about total number of beneficiaries covered under the Coaching and Allied Scheme during the tenth Five Year Plan has been provided by the Ministry of Social Justice & Empowerment. 20% of the total beneficiaries in a year were selected from minority communities. Year-wise number of total beneficiaries is given below:

Year	Total number of beneficiaries
2002-03	12819
2003-04	7030
2004-05	11905
2005-06	7438
2006-07	6727
Total=	45919

(Ministry of Minority Affairs O.M. No. G-20011/1/2007-B & C Dated 13.08.2007)

RECOMMENDATION (Sl. No. 13, Para No. 6.17)

2.9 The Committee note that the 15 Point Programme of 1983 has been revamped and a new programme namely the Prime Minister's new 15 Point Programme has been formulated. While the earlier programme only dealt with aspects of recruitment, communal harmony and security, the new programme is stated to have schemes which directly aim at improving the economic activities, educational levels and living conditions of minorities. The new 15 Point Programme envisages earmarking of 15% of the physical targets and financial outlays, out of the allocation, for the schemes which are amenable to earmarking. The names of the Ministries which are considered amenable to earmarking are Ministries of Women & Child Development; Human Resources Development (Department of Elementary Education and Literacy); Rural Development; Housing and Urban Poverty Alleviation; Labour and Employment and Finance. The Committee hope that this new programme would be implemented soon in a time bound manner.

REPLY OF THE GOVERNMENT

2.10 The Programme envisages that at the central level the progress of implementation, with reference to targets, will be monitored on a half-yearly basis by the Committee of Secretaries (COS) and a report will be submitted to the Cabinet.

The first progress report was considered by the Committee of Secretaries on 28th March, 2007. Subsequent to this, the progress report was submitted to the Cabinet and considered in its meeting held on 21st June, 2007.

The second report for COS for the period ending 31st March, 2007 has been submitted for consideration of the C.O.S. The targets for 2007-2008 have been approved already and communicated to the Ministries/Departments concerned for appropriate action.

(Ministry of Minority Affairs O.M. No. G-20011/1/2007-B & C Dated 13.08.2007)

RECOMMENDATION (Sl. No. 15, Para No. 6.19)

2.11 A number of suggestions, as detailed below need to be implemented by the Ministry of Minority Affairs in consultation and coordination with other concerned Ministries/Departments/Agencies for focused attention towards various issues relating to the minorities and to facilitate the formulation of overall policy and planning for their benefit.

- (i) The budgetary allocation for the Department should be adequately enhanced so as to address the requirement of the existing as well as the new programmes/schemes.

- (ii) Action plan may be drawn up for implementation of the Prime Minister's new 15 point programme in a time bound manner. Periodic evaluation of the 15 point programme may be done in order to assess the shortcomings, lacunae and the impact of the programme with a view to taking suitable remedial steps.
- (iii) Different States have different communities as minorities and there are sub groups within the minorities. Their interests need to be considered sympathetically in a focused manner while formulating new schemes.
- (iv) The Ministry has to conceptualise and programmatise the scheme in such a way that it helps to create confidence in the minorities.
- (v) The activities and programmes of the Ministry should be given wide publicity in a specialized and focused manner so as to create awareness amongst the minorities about such activities or programmes.
- (vi) The monitoring mechanism needs to be strengthened so as to have proper coordination with State level Minority Commissions which are more or less a replica of the Central Commission for minorities.
- (vii) The Ministry should frame and forward the set of guidelines to the States advising them about the manner of formation and functioning of State level Minority Commissions.

REPLY OF THE GOVERNMENT

- 2.12 (i) The Ministry of Minority Affairs has proposed an outlay of Rs.11724.50 crores for the Eleventh Five Year Plan.
- (ii) As given in the reply to Para at Sl. No. 6.17
 - (iii) The central government has notified five minority communities under section 2(c) of the National Commission for Minorities Act,1992, viz Muslims,

Christians, Sikhs, Buddhists and Zoroastrians (Parsis). In States, where one of the minority communities notified under the said section is, in fact, in majority, the earmarking of physical/financial targets under the Prime Minister's New 15 Point Programme for the Welfare of Minorities is for the other notified minorities so that all minorities, however, small in number, get the benefits of these schemes.

(iv) A number of measures and new schemes for the upliftment of the educationally and economically backward minorities have been envisaged to facilitate mainstreaming them.

(v) Last year, the Ministry of Minority Affairs launched a publicity campaign on the New 15- Point Programme for the Welfare of Minorities. A sum of Rs. 1.00 crore was provided for the purpose. As part of the publicity campaign, three color advertisements were released by DAVP during the month of November/December, 2006, in various newspapers. DAVP also published and distributed a number of posters, folders & booklets in English, Hindi Urdu, Assamese, Bengali, Gujrati, Kannada, Marathi, Malayalam, Oriya, Punjabi, Tamil & Telegu.

For 2007-08, there is a provision of Rs.4.86 crores for the publicity campaign. A multi-media publicity campaign is being planned in consultation with the PIB / DAVP which will cover publicity material, advertisements in the newspapers (national and regional), video-clips for TV channels in Hindi and regional languages, documentary film(s) for use in Publicity and Information Campaigns (PICs) organized by Government in different districts.

(vi) & (vii) A total of 15 States and Union Territories have set up State Minorities Commissions. The State Governments of Andhra Pradesh, Bihar, Chhatisgarh, National Capital Territory of Delhi, Jharkhand, Karnataka, Madhya Pradesh, Rajasthan, Uttar Pradesh, Maharashtra, Assam, Uttarachanal and West Bengal have set up statutory State Commissions for Minorities. The State Governments of Manipur and Tamil Nadu have set up non-statutory Commissions for Minorities.

Though the National Commission for Minorities Act, 1992 does not specifically mention State Commissions for Minorities, the State Governments/ Union Territories which have not set up State Commissions for Minorities have been requested to set up the same.

The National Commission for Minorities has also been requested to prepare guidelines regarding the powers and functions of States Minorities Commissions.

(Ministry of Minority Affairs O.M. No. G-20011/1/2007-B & C Dated 13.08.2007)

CHAPTER III

OBSERVATIONS/RECOMMENDATIONS WHICH THE COMMITTEE DO NOT DESIRE TO PURSUE IN VIEW OF THE REPLIES OF THE GOVERNMENT

RECOMMENDATION (Sl. No. 1, Para No. 1.10)

3.1 The Ministry of Minority Affairs was carved out of the Ministry of Social Justice and Empowerment on 29th January, 2006 with the objective of ensuring more focused approach towards the issues relating to the development of minorities. The Committee hope that with the creation of the new Ministry the interests of minority community would be taken care of effectively and efficiently. The Ministry should strive to achieve its avowed objectives by ensuring that all the notified minorities get the benefits of the ongoing and new schemes in a .focused and time bound manner as it would empower them to participate in the developmental process on equal basis on the terms which are available to the rest of the communities in the Country.

REPLY OF THE GOVERNMENT

3.2 The Prime Minister's New 15 Point Programme for the Welfare of Minorities, launched in June 2006, provides for earmarking for the minorities, 15% of outlays & targets of schemes included in the programme and considered amenable to earmarking. Existing schemes have been revised to improve their effectiveness and a number of new schemes like Merit-cum-Means based Scholarship, Free Coaching & Allied, Pre-matric scholarship, Post-matric scholarship, Grant-in-aid to State Channelising Agencies of National Minorities Development Finance Corporation, Research/studies, monitoring, evaluation including publicity and Multi sectoral development programme for minority concentration districts have either been approved or are being processed for approval.

(Ministry of Minority Affairs O.M. No. G-20011/1/2007-B & C Dated 13.08.2007)

RECOMMENDATION (SI. No. 2, Para No. 1.11)

3.3 The Committee note that against the projected demand of 120 posts by the Ministry only 70 posts in different categories have been sanctioned and 51 thereof have been filled so far. Besides, the Ministry have no facility for Hindi work and are having shortage of supporting staff. The Committee desire that the sanctioned posts may be filled up at the earliest to enable the Ministry of to carry out its mandate effectively for which the Ministry of Finance should be approached at the earliest at appropriate level. Meanwhile, the available staff may be efficiently utilized for successful implementation of various welfare schemes launched/to be launched by the Ministry.

REPLY OF THE GOVERNMENT

3.4 All efforts are being made to fill up the vacant posts. However, bulk of the vacant posts viz, 7 posts of UDC/LDC and 4 posts of Stenographer Grade 'D' are to be filled up through the Department of Personnel & Training / Ministry of Human Resource Development, which is the cadre controlling authority for these categories of posts. Because of overall shortage in these categories, they have still not been able to deploy personnel against these posts. As regards the post of Hindi translator, deployment is to be done by the Department of Official Languages. This Ministry is pursuing the matter vigorously with the concerned Departments. Meanwhile, work in the Ministry is being carried out by optimum utilization of the existing staff.

(Ministry of Minority Affairs O.M. No. G-20011/1/2007-B & C Dated 13.08.2007)

RECOMMENDATION (SI. No. 8, Para No. 4.10)

3.5 The Committee note that the budgetary allocation of National Minorities Development and Finance Corporation has substantially been increased from Rs. 18.29

crores in 2006-07 to Rs. 70 crores in 2007-08 which will be used by the Corporation for implementing schemes namely Term Loan, Micro Financing, Education Loan, Mahila Samridhi Yojna, Vocational Training, Marketing, Cluster Development as well as new schemes/projects that may be taken up in pursuance of the recommendations of the Expert Committee set up for suggesting the action plan for improving the operational performance of NMDFC. The Government also propose to strengthen the infrastructure of State Channelising Agency. The Committee hope that the increased allocation would provide a major boost to NMDFC's operational performance and desire that NMDFC should fix targets for each scheme, draw an action plan to achieve the targets and utilize the increased allocation prudently so as to cover more beneficiaries.

REPLY OF THE GOVERNMENT

3.6 A MOU is signed by the Govt. of India in the Ministry of Minority Affairs and NMDFC detailing physical and financial targets and other broad parameters of implementation of NMDFC schemes. The progress is monitored through quarterly review meetings.

Based on the annual target and availability of funds, state-wise allocations have been finalized in consultation with representatives of SCAs. Disbursements and coverage of beneficiaries in the first quarter of the financial year 2007-08 have shown a considerable improvement over the disbursement and coverage in the corresponding quarter of the last financial year.

(Ministry of Minority Affairs O.M. No. G-20011/1/2007-B & C Dated 13.08.2007)

RECOMMENDATION (SI. No. 12, Para No. 5.15)

3.7 The Committee note that the Finance Minister had announced in his budget speech 2006-07 that 20,000 merit cum-means scholarships would be awarded to students belonging to minority community every year. The Committee find that under the scheme proposed outlay for 2006-07 was Rs. 30.00 crores and the allocation approved by the Planning Commission for 2006-07 was Rs. 10.00 crores and the BE for 2007-08 is Rs. 54 crores. However, the scheme is yet to receive the approval from Planning Commission. The Committee desire that the Ministry should take up the matter with the Planning Commission to obtain approval of the scheme at the earliest so that the funds earmarked during 2006-07 and 2007-08 could be utilized and the benefit of the scheme accrue to the needy persons.

REPLY OF THE GOVERNMENT

3.8 The scheme of merit-cum-means based scholarship to the students belonging to minority communities has been approved. It is a centrally sponsored scheme. The state Governments/UT administrations have been requested to advertise it and invite applications for scholarships for 2007-08.

(Ministry of Minority Affairs O.M. No. G-20011/1/2007-B & C Dated 13.08.2007)

CHAPTER IV

OBSERVATIONS /RECOMMENDATIONS IN RESPECT OF WHICH REPLIES OF THE GOVERNMENT HAVE NOT BEEN ACCEPTED AND HAVE BEEN COMMENTED UPON IN CHAPTER –I

RECOMMENDATION (SI. No. 6, Para No. 3.13)

4.1 The Committee note that funds from Maulana Azad Education Foundation are made available to reputed NGOs, throughout the country for construction/expansion of schools/colleges/girl hostels/polytechnics/ITIs and purchase of equipment/machinery/furniture. However, it has been observed that no amount was sanctioned to Assam, Manipur and Uttranchal during the last three years. The Committee are constrained to note that MAEF do not disburse funds State-wise in proportion to the percentage of minority population. The Committee do not agree with the plea advanced by the Ministry that the release of funds depend upon the proposals received from the States. The Committee are of the opinion that unless the funds are made available to the States in proportion to the percentage of minorities, they would be deprived of the benefits of the scheme. The Committee, therefore, recommend that State-wise allocation of funds may be made under the MAEF in proportion to the percentage of minorities in respective States and ensure that funds allocated are fully and gainfully utilized by the NGOs.

REPLY OF THE GOVERNMENT

4.2 The Foundation has been advised to ensure that distribution of available resources across States / UTs is done taking into account the minority population, literacy levels, particularly female literacy, and enrollment and drop out rates. This will ensure that assistance goes to areas where it is needed most and priority is given to States where the minorities are relatively worse-off compared to the national average.

(Ministry of Minority Affairs O.M. No. G-20011/1/2007-B & C Dated 13.08.2007)

Comments of the Committee

(Please see Para 1.10 of Chapter I of the Report)

RECOMMENDATION (Sl. No. 9, Para No. 4.11)

4.3 The Committee have been informed that NMDFC implements its scheme through State Channelising Agencies (SCAs) and NGOs. During the inspections of SCAs by NMDFC, various shortcomings like poor selection of beneficiaries, delay in documentation and release of loans, improper follow up for recovery from the beneficiaries etc. have come to the notice. The Committee feel that unless these shortcomings are removed, the schemes of the NMDFC will not be effectively implemented and it will not give a boost to the economic activities of the minorities living below the poverty line. The Committee, therefore, recommend that the Ministry should take necessary steps to analyse the reasons for these shortcomings noticed during inspections so that the suitable remedial steps could be taken.

REPLY OF THE GOVERNMENT

4.4 The shortcomings in the functioning of the SCAs are basically because of their lack of resources and weak infrastructure. The Ministry of Minority Affairs has been persistently taking up with State Governments the need to strengthen the infrastructure

of SCAs. Besides, the Ministry proposes to implement a scheme for grants-in-aid to the SCAs for strengthening their infrastructure. Under the scheme, financial assistance will be given to SCAs to improve their delivery system. A budget provision of Rs. 10 crore has been made in 2007-08 for this purpose.

(Ministry of Minority Affairs O.M. No. G-20011/1/2007-B & C Dated 13.08.2007)

Comments of the Committee

(Please see Para 1.13 of Chapter I of the Report)

RECOMMENDATION (Sl. No. 10, Para No. 4.12)

4.5 The Committee find that State Channelising Agencies are the main links between the beneficiaries and the Corporation. These agencies have been conferred with the responsibility to identify the beneficiaries, seek sanctions, receive funds and ultimately disburse the funds to the beneficiaries. The Committee, however, regret to point out that some State Channelising Agencies are not utilizing the full amount disbursed to them. The coverage of the intended minority beneficiaries is also much below the desired average and the SCAs are not strong enough in respect of infrastructure and staffing etc. and, therefore, are not able to use the funds made available to them for the desired purpose. Consequently many beneficiaries have been deprived of the intended benefits of the scheme. Since the SCAs are the main links between the beneficiary and the Corporation and their objective is to make funds available for upliftment of the poor minority beneficiaries, the Committee desire that the work structure of the State Channelising Agencies and their manner of functioning needs to be looked into afresh. Feasibility may be examined to allow the State Channelising Agencies to create their

own infrastructure, recruit their own staff and for deputing some officials of the SCAs in districts to carry out the designated task effectively and efficiently.

REPLY OF THE GOVERNMENT

4.6 The State Channelising Agencies are Agencies of the respective State Governments. The Ministry of Minority Affairs has been advising State Governments to strengthen the infrastructure of the SCAs. Besides, the Ministry of Minority Affairs also proposes to implement a scheme for Grants-in-aid to SCAs and an outlay of Rs. 10 crore has been provided in BE 2007-08 for the purpose. It is expected that financial assistance under the scheme for improving the delivery system of the SCAs would result in improvement of their performance.

(Ministry of Minority Affairs O.M. No. G-20011/1/2007-B & C Dated 13.08.2007)

Comments of the Committee

(Please see Para 1.16 of Chapter I of the Report)

CHAPTER V

OBSERVATIONS/RECOMMENDATIONS IN RESPECT OF WHICH REPLIES OF THE GOVERNMENT ARE INTERIM IN NAUTRE

RECOMMENDATION (Sl. No. 3, Para No. 2.8)

5.1 The Committee observe from the data made available to them that inadequate funds were allocated to the Ministry during the 10th Five Year Plan (2002-03 to 2006-07) which was at that time under the Ministry of Social Justice and Empowerment. For the year 2007-08, budget provision of only Rs.500 crores under Plan and Rs.12.83 crores under Non-Plan has been made whereas the Ministry had asked for about Rs.1100 crores. Considering the fact that in addition to existing schemes some more new schemes are in the pipeline for implementation for the upliftment of minorities (having 18.42% of population as per 2001 census), the Committee feel that the budgetary allocation for the year 2007-08 needs to be augmented. The Committee desire that the Ministry should keep on pursuing with the Planning Commission and Ministry of Finance to allocate more funds in order to ensure that implementation of schemes is not hampered for want of funds. At the same time, Committee would like the Ministry to ensure prudent and judicious utilization of available scarce funds for the various schemes.

REPLY OF THE GOVERNMENT

5.2 The Ministry has already projected its requirement of Rs.11724.5 crores to the Planning Commission for the XIth Five Year Plan. A final decision has not yet been taken on this.

All efforts are being made to get necessary approvals for new schemes so that the available funds are fully utilized.

(Ministry of Minority Affairs O.M. No. G-20011/1/2007-B & C Dated 13.08.2007)

RECOMMENDATION (SI. No. 14, Para No. 6.18)

5.3 The Committee would like to point out that “The Constitution One Hundred and Third (Amendment) Bill, 2004” was introduced by the Government in Lok Sabha on 23rd December, 2004 and was referred to Standing Committee on Social Justice and Empowerment for examination and report. The Bill intended to confer constitutional status on the National Commission for Minorities with the purpose to inspire greater confidence amongst minorities and to enable the Commission to implement the safeguards provided in the Constitution and in laws enacted by Parliament and the State legislatures. The Committee had examined the Bill and the Report thereon containing its considered views was presented to the Parliament on 21.2.2006. The Committee, however, understand that this Bill is still pending with the Government as according to them the judicial pronouncements made by Hon’ble Supreme Court regarding giving minority status to certain communities is still under consideration. The Committee hope that urgent steps would be taken to bring the amended Bill to Parliament.

REPLY OF THE GOVERNMENT

5.4 The recommendations of the Standing Committee on Social Justice & Empowerment on the Constitution (One Hundred and Third Amendment) Bill, 2004 and the National Commission for Minorities (Repeal) Bill, 2004 were examined in consultation with concerned Ministries / Departments, including the Ministry of Law and Justice. The proposed official amendments to the Bill have been approved. Accordingly, notice was

also given to the Secretary General Lok Sabha on 11/05/2007 for moving official amendments and for consideration and passing of these Bills.

Some representations raising certain issues regarding the proposed official amendments have been received thereafter. The advice of the Ministry of Law & Justice has been sought regarding these issues.

(Ministry of Minority Affairs O.M. No. G-20011/1/2007-B & C Dated 13.08.2007)

NEW DELHI:
14 December, 2007
23 Agrahayana, 1929 (Saka)

SUMITRA MAHAJAN,
Chairperson,
Standing Committee on
Social Justice and Empowerment.

MINUTES OF THE THIRD SITTING OF THE STANDING COMMITTEE ON SOCIAL JUSTICE AND EMPOWERMENT HELD ON 14TH DECEMBER, 2007.

The Committee met from 1500 hrs. to 1550 hrs. in Committee Room 'C', Parliament House Annexe, New Delhi.

PRESENT

1. **Smt. Sumitra Mahajan** - **Chairperson**

MEMBERS

LOK SABHA

2. Shri Eknath M. Gaikwad
3. Shri Haribhau Jawale
4. Shri Bhai Lal
5. Shri Tek Lal Mahato
6. Dr. Babu Rao Mediyam
7. Shri Kailash Meghwal
8. Shri Rupchand Murmu
9. Shri Lalit Mohan Suklabaidya
10. Smt. Usha Verma

MEMBERS

RAJYA SABHA

11. Shri Urkhao Gwra Brahma
12. Shri Silvius Condpan
13. Dr. Narayan Singh Manaklao
14. Shri Dharam Pal Sabharwal
15. Shri Veer Singh
16. Ms. Anusuiya Uikey

SECRETARIAT

1. Shri R.K. Saxena - Director
2. Shri Bhupesh Kumar - Deputy Secretary

2. At the outset, Hon'ble Chairperson welcomed the Members to the sitting of the Committee and apprised them that the sitting has been convened to consider and adopted the following Draft Reports of the Committee.

- (i) Draft Twenty- ninth Report on Action taken by the Government on the observations/recommendations contained in the Twenty-fourth Report on Demands For Grants (2007-08) of the Ministry of Social Justice and Empowerment.
- (ii) Draft Thirtieth Report on Action taken by the Government on the observations/recommendations contained in the Twenty-fifth Report on Demands for Grants (2007-08) of the Ministry of Tribal Affairs.
- (iii) Draft Thirty-first Report on Action taken by the Government on the observations / recommendations contained in the Twenty-sixth Report on Demands for Grants (2007-08) of the Ministry of Minority Affairs.
- (iv) Draft Thirty-second Report on the subject "Voluntary Organisations Engaged in Implementing Integrated Programme for Welfare of Older Persons" pertaining to the Ministry of Social Justice and Empowerment.

3. XXX XXX XXX XXX.

4. XXX XXX XXX XXX

5. Thereafter, the Committee considered and adopted the Thirty-first, Report without any amendment.

6. XXX XXX XXX XXX

7. The Committee authorized the Chairperson to finalise these draft Reports and present the same to Parliament on their behalf.

The Committee then adjourned.

APPENDIX

ANALYSIS OF ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS CONTAINED IN THE TWENTY-SIXTH REPORT OF THE STANDING COMMITTEE ON SOCIAL JUSTICE AND EMPOWERMENT (FOURTEENTH LOK SABHA)

	Total	Percentage
I. Total number of Recommendations	15	
II. Recommendations/Observations which have been accepted by the Government: (Paragraph Nos. 2.9, 3.12, 3.14, 5.14, 6.17, and 6.19)	6	40%
III. Recommendations/Observations which the Committee do not desire to pursue in view of the replies of the Government: (Paragraph Nos. 1.10, 1.11, 4.10 and 5.15)	4	26.67%
IV. Recommendations/Observations in respect of which replies of the Government have not been accepted and have been commented upon by the Committee in Chapter I (Paragraph Nos. 3.13, 4.11 and 4.12)	3	20%
V. Recommendations/Observations in respect of which replies of the Government are interim in nature: (Paragraph Nos. 2.8 and 6.18)	2	13.33%