



संयुक्त राष्ट्र कार्यालयों में
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Permanent Mission of India to the
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The Permanent Mission of India to the Office of the United Nations and Other International Organizations in Geneva presents its compliments to the Special Procedures Branch of the Human Rights Council and has the honor to refer to the Communication dated 30 October 2020 from the Special Rapporteur on freedom of religion or belief regarding a call for submissions for his next thematic report to be presented at the 46th Session of the Human Rights Council in February-March 2021 on "Report on Anti-Muslim Hatred and Discrimination".

2. In this regard, the Permanent Mission of India would request that the information enclosed in the Annexure on the measures to promote and protect the rights of minorities in India may be brought to the attention of the Special Rapporteur on freedom of religion or belief.

3. The Permanent Mission of India to the Office of the United Nations and Other International Organizations in Geneva avails itself of this opportunity to renew to the Special Procedures Branch of the Human Rights Council, the assurances of its highest consideration.

**The Secretariat of the Human Rights Council,
(Kind attn: Chief of the Special Procedures Branch)
8-14 Avenue de la Paix
Palais des Nations**



Measures to promote and protect the rights of minorities in India

1. India is a multi-religious, multi-cultural, multi-lingual and multi-racial society, interwoven into an innate unity by the common thread of national integration and communal harmony.
2. The social pluralism of India is fortified by the unique Constitutional concept of secularism, and constitutionally mandated protection and promotion of rights all minority communities. The Indian Constitution enshrines secularism in its Preamble. It guarantees fundamental rights to all minorities. Genuinely independent institutions, including Judiciary, Human Rights Commission, and Minorities Commission, protect and promote these rights.

Constitutional Provisions:

3. The **Preamble** to the Constitution declares the State to be 'Secular' and all citizens of India are to be secured 'liberty of thought, expression, belief, faith and worship and 'equality of status and of opportunity.'
4. Indian Constitution is unique as it provides for constitutionally mandated positive discrimination for minorities. **Part III of the Constitution, which deals with the Fundamental Rights** provides for:

Article 14: people's right to '**equality** before the law' and 'equal protection of the laws'.

Article 15(1) & 15(2): prohibition of discrimination against citizens on grounds of **religion**, race, caste, sex or place of birth.

Article 16(1) & 16(2): citizens' right to 'equality of opportunity' in matters relating to employment or appointment to any office under the State – and prohibition in this regard of discrimination on grounds of **religion**, race, caste, sex or place of birth.

Article 25(1): people's freedom of conscience and **right to freely profess, practice and propagate religion** – subject to public order, morality and other Fundamental Rights.

Article 26: **right** of 'every religious denomination or any section thereof – subject to public order, morality and health – **to establish and maintain institutions for religious and charitable purposes, 'manage its own affairs** in matters of religion', and own and acquire movable immovable property and administer it 'in accordance with law.

Article 27: prohibition against compelling any person to pay taxes for promotion of any particular religion.

Article 28: people's '**freedom as to attendance at religious instruction or religious worship** in educational institutions' wholly maintained, recognized, or aided by the State

Article 29 (2): restriction on denial of admission to any citizen, to any educational institution maintained or aided by the State, 'on grounds only of religion, race, caste, language or any of them'.

Article 30(1): right of all **Religious** and Linguistic Minorities to establish and administer educational institutions of their choice.

Article 30(2): freedom of Minority-managed educational institutions from discrimination in the matter of receiving aid from the State.

National Commission for Minorities- a Statutory body

5. In addition to these safeguards provided in the Constitution and the laws in force, a National Commission for Minorities has been established as a statutory body under the National Commission for Minorities Act, 1992. As per Section 9(1) of the NCM Act, 1992, the Commission is required to perform functions that, inter-alia, include, monitoring of the working of the safeguards for minorities provided in the Constitution and in laws enacted by Parliament and the State Legislatures; making recommendations for the effective implementation of safeguards for the protection of the interests of minorities by the Central Government or the State Governments; looking into specific complaints regarding deprivation of rights and safeguards of minorities and taking up such matters with the appropriate authorities, etc.

Schemes/ Initiatives

6. India has undertaken numerous initiatives to empower all sections of society without any discrimination. Particular focus has been given to the rights of women; education of children; skill development; and protect and promote culture, especially for minority communities.

7. Some of the initiatives being implemented since 2014 are:

Educational Empowerment:

8. Several Schemes for coaching, studies abroad, Government Jobs etc have been implemented. Between 2014-2018, over 300 thousand students from minority communities have benefitted from the aforementioned schemes relating to educational empowerment.

9. **“Naya Savera” (New Dawn) Free Coaching and Allied Scheme** to enhance skills and knowledge of students and candidates for employment through competitive examination and admission in technical and professional courses.
10. **“Padho Pardes” Scheme (Study Abroad Scheme)** for interest subsidy on educational loans for overseas studies in technical and professional courses.
11. **“Nai Udaan”** to support students clearing Preliminary Examination conducted by Central Government and State Government like UPSC, SSC, State Public Service Commission (PSC), etc.
12. **“Begum Hazrat Mahal National Scholarship” for Meritorious Girls**, implemented by Maulana Azad Educational Foundation (MAEF).
13. Between 2014-2018, over 300 thousand students from minority communities have benefitted from the aforementioned schemes relating to educational empowerment.
14. **Maulana Azad National Fellowship Scheme** for pursuing higher studies such as M.Phil and PhD. Between 2014-2019, 31.8 million students from minority communities have received scholarships, of which, more than 50% constitute girls.
15. **Bridge Course for madrasa students & school dropouts** by Aligarh Muslim University, Aligarh and Jamia Milia Islamia, New Delhi under Nai Manzil Scheme.

Support to Minority Institutions:

16. Government of India has granted **Grants-in-Aid to Maulana Azad Education Foundation (MAEF)** for implementation of education and skill related schemes.
17. **Equity to National Minorities Development and Finance Corporation (NMDFC)** for providing loans at concessional interest rates to minorities for self-employment and income generating activities. INR 19.79 billion amount concessional loans were disbursed to minority communities for education and employment in 2017-18.

Infrastructure Development:

18. Government is implementing **Pradhan Mantri Jan Vikas Karyakram (PMJVK)**, a multi-sectoral development programme in identified Minority Concentration Blocks, Minority Concentration Towns,

Minority Concentration District Headquarters & Cluster Villages for Infrastructural Development.

Between 2014 and 2018, 340 Multi-purpose Community Centres, 67 Gurukul-type Residential Schools, 436 Market Sheds for farmers and artisans, 11 Degree Colleges, 163 Girls Hostel, 53 ITIs and 925 School Buildings have been constructed by the Government in the minority dominated areas. During the current financial year, i.e. 2019-20, INR 14.70 billion has been allocated for this scheme.

Skill Development and Employment Generation:

19. **‘Nai Manzil’ Scheme** for formal school education and skilling of school dropouts;

20. **‘Seekho aur Kamao’** - a placement linked skill development scheme for minorities, aims at upgrading skills of minority youth in various model/traditional skills depending upon their qualification, present economic trends and market potential which can earn them a suitable employment or make them skilled to go for self-employment.

21. **‘Garib Nawaz Skill Development’ Training for Minorities** is a scheme to provide short-term job oriented skill development courses to youths belonging to the six centrally notified minority communities. Between 2014 and 2018, 5,23,890 people from minority communities have benefitted from Government’s employment-oriented skill development programme.

22. **USTTAD, i.e. Upgrading the Skills and Training in Traditional Arts/Crafts for Development.** Hunar Haat is also being organized under the Scheme from 2016-17 to further promote traditional crafts/arts, employment generation and strengthen their market linkages. Since its inception, 21 **Hunar Haat** were organized for providing employment and employment opportunities to more than 300 thousand artisans and craft persons from the minority communities.

23. **‘Nai Roshni’ Scheme** for Leadership Development of Minority Women to empower women and instill confidence. Since inception, nearly 400 thousand women from minority communities have benefitted under this scheme.

Special Needs:

24. **Hamari Dharohar Scheme** to preserve rich heritage of minority communities under the overall concept of Indian Culture.

25. **Swachh Vidyalaya** is a scheme under which, schools/ institutions that does not have the facility of toilets in their premises are provided grants to construct the separate toilet blocks for girls and boys.

Other affirmative action for the welfare of minorities

26. In a major step towards women empowerment, the Parliament on 30 July 2019 passed the **Muslim Women (Protection of Rights on Marriage) Bill 2019**, to abolish the practice of Triple Talaq thereby extending gender justice and gender equality to Muslim women.

27. The **Citizenship Amendment Act 2019** enacted on 12 December 2019 provides for expedited consideration for Indian citizenship to certain persecuted religious minorities such as Hindu, Sikhs, Buddhist, Jain, Parsi and Christian communities from Pakistan, Afghanistan and Bangladesh which are already in India so that their basic human rights are met.

Members from the minority communities in constitutional or other higher posts in India

President

DR. A.P.J. Abdul Kalam, 25 July 2002 to 25 July 2007

Giani Zail Singh , 25 July 1982 to 25 July 1987

Dr. Fakhruddin Ali Ahmed, 24 August 1974 to 11 February 1977

Dr. Zakir Husain, 13 May 1967 to 3 May 1969

Vice-President

Sh. M. Hamid Ansari, 11 August 2007 to 10 August 2017

Sh. M. Hidayatullah, 31 August 1979 to 30 August 1984

Dr.Zakir Hussain, 13 May 1962 to 12 May 1967

Prime Minister

Dr. Manmohan Singh, 22 May 2004 – 26 May 2014

EAM

Sh. Salman Khurshid, 28 October 2012 to 26 May 2014

Home Minister

Giani Zail Singh, 4 January 1980 to 22 June 1982

Sardar Buta Singh, 12 May 1986 to 2 December 1989

Mufti Mohammad Sayeed, 1989 to 10 November 1990

Defence Minister

Sh. George Fernandes 21 October 2001 – 22 May 2004

Sh. A.K. Antony, 24 October 2006 to 26 May 2014

Chief Justice of India

Mr. Justice M. Hidayatullah, 25 February 1968 to 16 December 1970

Mr. Justice M. Hameedullah Beg, 29 January 1977 to 21 February 1978

Mr. Justice A.M. Ahmadi, 25 October 1994 to 24 March 1997

Mr. Justice J.S. Khehar, 04 January 2017 to 27 August 2017

Chief Election Commissioners

Sh. M. S. Gill, 12 December 1996 to 13 June 2001 (Sikh)

Sh. J.M.Lyngdoh, 14 June 2001 to 7 February 2004 (*)

Sh. S. Y. Quraishi, 30 July 2010 to 10 June 2012 (Muslim)

Sh. Nasim Zaidi, 19 April 2015 to 5 July 2017 (Muslim)

Army Chiefs

Field Marshal Sam Hormusji Framji Jamshedji Manekshaw, 8 June 1969 to 15 January 1973 (Parsi)

General Sunith Francis Rodrigues, 1 July 1990 to 30 June 1993 (Christian)

General Joginder Jaswant Singh, 31 January 2005 to 30 September 2007 (Sikh)

General Bikram Singh, 31 May 2012 to 31 July 2014 (Sikh)

Navy Chiefs

Admiral Jal Cursetji, March 1, 1976 to March 1, 1979 (Parsi)

Admiral Ronald Lynsdale Pereira, March 1, 1979 to February 28, 1982 (Christian)

Admiral Oscar Stanley Dawson, March 1, 1982 to November 30, 1984 (Christian)

Admiral Karambir Singh, incumbent (Sikh)

Air Chiefs

Air Chief Marshal Arjan Singh, 1 August 1964 to 15 July 1969 (Sikh)

Air Chief Marshal Idris Hasan Latif, 1 December 1978 to 31 August 1981 (Muslim)

Air Chief Marshal Dilbagh Singh, 1 September 1981 to 3 September 1984 (Sikh)

Air Chief Marshal Denis Anthony La Fontaine, 3 July 1985 to 31 July 1988 (Christian)

Air Chief Marshal Fali Homi Major, 31 March 2007 to 31 May 2008 (Parsi)

Air Chief Marshal Birender Singh Dhanoa, 31 December 2016 to 30 September 2019 (Sikh)
