

CHAPTER 2

PARTICULARS OF ORGANISATION, FUNCTIONS AND DUTIES

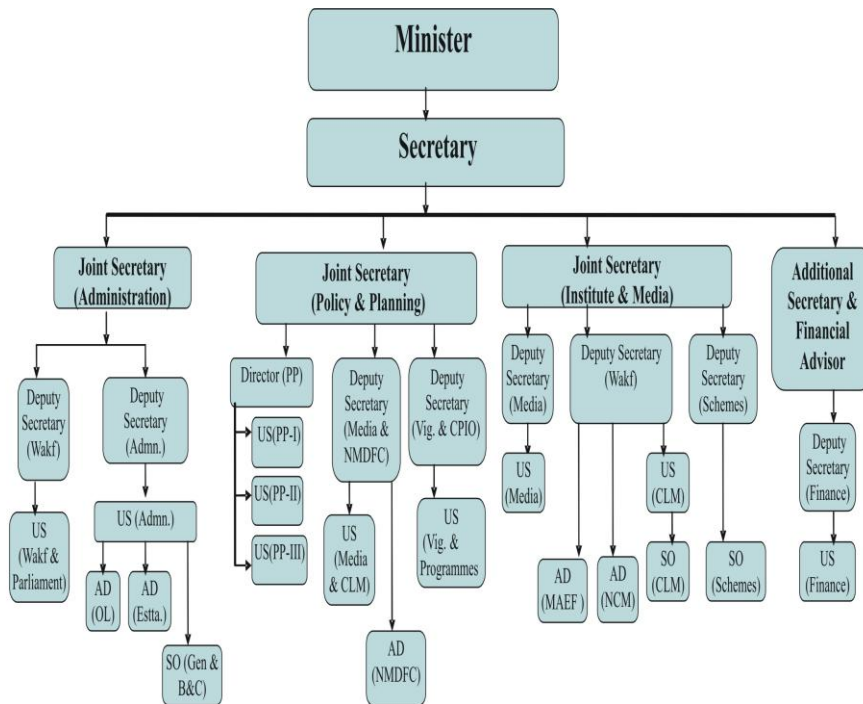
2.1 The Ministry of Minority Affairs was created on 29th January, 2006. The subjects allocated to this Ministry under the Allocation of Business Rules, 1961 are listed at **Annexure-I**. The Ministry is the nodal agency for formulation of policies and programmes and overall co-ordination of all activities for the welfare of minorities.

2.2 The Ministry is headed by the Minister of Minority Affairs who exercises all powers and authority of the Government in respect of matters allocated to this Ministry under the Government of India (Allocation of Business) Rules, 1961, subject to the provisions of the Government of India (Transaction of Business) Rules, 1961. There are three wings, namely, Admn. & Wakf Wing, Policy & Planning Wing and Institution & Media Wing. Each Wing is further sub-divided in to Branches and Sections.

2.3 The Secretariat of the Ministry of Minority Affairs is housed in 11th Floor, Paryavaran Bhavan, CGO Complex, Lodi Road, New Delhi – 110003. Brief particulars of the Minister and senior officers are given in the table below:

Name	Designation	Telephone/Fax
Shri Salman Khurshid	Minister of State (Independent Charge)	011-24364273 011-24364274 011-24364275 011-24364276 (Telefax)
Shri Vivek Mehrotra	Secretary	011-24364272 011-24364284 011-24364285 (Fax)
Shri Upendra Tripathy	Joint Secretary	011-24364280
Shri Ameising Luikham	Joint Secretary	011-24364312
Shri E.R. Solomon	Joint Secretary	011-24364271 011-24369217 (Fax)

2.4 Organisational chart of the Ministry of Minority Affairs



2.5 Organisations under the administrative control of the Ministry

2.5.1 NATIONAL COMMISSION FOR MINORITIES (NCM)

- (i) In January, 1978, the Government of India, through an executive order, set up a "Minorities Commission" to safeguard the interests of minorities. With the enactment of the National Commission for Minorities Act, 1992 (NCM Act, 1992) the Minorities Commission became a statutory body and was renamed as the "National Commission for Minorities". The Act extends to the whole of India, except the State of Jammu & Kashmir.
- (ii) The first statutory commission was constituted on 17th May, 1993. In accordance with Section 4 of the NCM Act, 1992, each Member holds office for a period of three years from the date of assumption of office.

The Government of India vide Notification dated 23rd October, 1993 notified five religious communities viz. Muslim, Christian, Sikh, Buddhist and Zoroastrian (Parsi) as minority communities under Section 2 (c) of the NCM Act, 1992.

Functions of the Commission:

The main functions of the Commission are to evaluate the progress of the development of minorities, monitor the working of the safeguards provided in the Constitution and in laws enacted by the Central Government/State Governments for the protection of the interests of minorities and look into specific complaints regarding deprivation of rights of the minorities. It also causes studies, research and analysis to be undertaken on the issues relating to the socio-economic and educational development of minorities and make recommendations for the effective implementation of the safeguards for the protection of the interests of minorities.

Composition of the Commission

The Commission consists of Chairman, Vice-Chairman and five Members to be nominated by the Central Government

For further details, please visit the website at www.ncm.nic.in

State Minorities Commissions

Thirteen State Governments of Andhra Pradesh, Assam, Bihar, Chhattisgarh, Delhi, Jharkhand, Karnataka, Maharashtra, Madhya Pradesh, Rajasthan, Uttar Pradesh, Tamil Nadu and West Bengal have set up statutory State Minorities Commissions. The State Governments of Manipur and Uttarakhand have set up non-statutory Commissions. The Ministry has also requested the remaining State Governments/Union Territory Administrations to set up such Commissions.

2.5.2 NATIONAL MINORITIES DEVELOPMENT AND FINANCE CORPORATION (NMDFC)

- (i) The National Minorities Development & Finance Corporation (NMDFC) was incorporated on 30th September, 1994 with the objective of promoting economic activities amongst the backward sections of notified minorities. To achieve its objective, NMDFC Corporation provides concessional finance for self-employment activities to eligible beneficiaries, belonging to the minority communities, having a family income below double the poverty line.

- (ii) The authorized share capital of NMDFC has been raised from Rs. 650 crores to Rs. 750 crores during 2007-08. It has been further raised to Rs. 850 crore in 2008-09 out of which, the share of Govt. of India is Rs.552.50 crore (65%) and the share of the State Govts. is Rs.221 crore (26%) while the remaining Rs. 76.50 crore (9%) is to be contributed by institutions/individuals having interest in minorities.
- (iii) NMDFC has two channels to reach the ultimate beneficiaries, viz. (i) through State channelising agencies (SCAs) nominated by the respective State Government/UT Administration and (ii) through non-governmental organizations (NGOs). Under the SCA window, projects costing up to Rs.5.00 lakhs for individual beneficiaries are financed. Funds for this purpose are made available to the SCAs at an interest rate of 3% for further loaning to the beneficiaries at 6%. NMDFC is also implementing schemes of Vocational training & Educational Loan, through the SCAs for capacity building of the target groups as well as for wage employment.
- (iv) Under the NGO programme, micro-credit up to Rs. 25,000/-, could be given to members of the minority self help groups (SHGs), through the NGOs. Funds for this purpose are made available to the NGOs at 1% for further lending at an interest rate of 5% per annum. In addition to lending activity, NMDFC assists the targeted group in training for skill up gradation and marketing assistance. Under NGOs programme, there is also a provision of interest free loan (adjustable as grant) for promotion and stabilization of SHGs.
- (v) NMDFC is implementing the Educational Loan Scheme through the State Channelising Agencies. Under this scheme, NMDFC provides upto Rs. 2,50,000/- to the eligible candidates belonging to minorities at a concessional interest rate of 3% p.a. for pursuing professional and technical education.

For further details, please visit the website at www.nmdfc.org

2.5.3 COMMISSIONER FOR LINGUISTIC MINORITIES (CLM)

- (i) The office of the Commissioner for Linguistic Minorities was set up in July, 1957 in pursuance of Article 350B of the Constitution, which came into existence as a result of the Constitution (Seventh Amendment) Act, 1956, consequent to the recommendations of the States Reorganization Commission. As per Article 350B, it is the duty of the Commissioner for Linguistic Minorities to investigate all matters relating to the safeguards provided for linguistic minorities under the Constitution and report to the President upon those matters, at such intervals as the President may direct, and the President shall cause all such reports to be laid before each House of Parliament, and sent to the Governments of the States concerned.
- (ii) The office of the Commissioner for Linguistic Minorities (CLM) has its headquarters at Allahabad with three regional offices at Kolkata, Belgaum and Chennai. The CLM takes up matters pertaining to the grievances arising out of the non-implementation of the constitutional provisions and Nationally Agreed Scheme of Safeguards relating to linguistic minorities that come to his notice or are brought to his knowledge by the linguistic minorities, groups, associations or organizations at the highest political and

administrative levels of the State Governments and Union Territory Administrations and recommends remedial action.

- (iii) The 44th Report of the Commissioner for Linguistic Minorities for the period July 2005 to June 2006 submitted to the President has been tabled in the Lok Sabha and Rajya Sabha on 24-10-2008 and 11-12-2008, respectively.

For further details, please visit the website at <http://nclm.nic.in>

2.5.4 MAULANA AZAD EDUCATIONAL FOUNDATION (MAEF)

- (i) The Maulana Azad Education Foundation (MAEF) was established in the year 1989 as a voluntary, non-political, non-profit making society registered under the Societies Registration Act, 1860 to formulate and implement educational schemes for the benefit of educationally backward minorities.
- (ii) The main objectives of MAEF are to formulate and implement educational schemes and plans for the benefit of the educationally backward minorities in particular and weaker sections in general, to establish residential schools, especially for girls, in order to provide modern education to them and to promote research and encourage other efforts for the benefit of educationally backward minorities.

General Body & Governing Body

The General Body of the MAEF consists of fifteen members, consisting of six ex-officio members and nine nominated members. The latter are nominated by the President of the MAEF for a period of three years. The Union Minister for Minority Affairs is the ex-officio President of the Foundation. As per the rules & regulations of the MAEF, the General Body meets at least twice in a calendar year. The management of the MAEF is vested in and rests with the Governing Body. As per Rules & Regulations of the MAEF, the Governing Body is to meet at least once in two months.

Schemes

The Foundation, since its inception, has been extending financial assistance for construction and expansion of hostels and technical and vocational training, with emphasis on girl students. The various schemes run by the Foundation are as under: -

- (i) Financial assistance to establish/expand schools/residential schools/colleges;
- (ii) Financial assistance for purchase of laboratory equipment and furniture, etc;
- (iii) Financial assistance for setting up/strengthening vocational/technical training centers/institutes;
- (iv) Financial assistance for construction of hostel buildings;
- (v) Maulana Azad National Scholarships for meritorious girl students;
- (vi) Maulana Abdul Kalam Azad Literacy Awards.

Corpus Fund

MAEF is implementing schemes out of the interest earned on its Corpus Fund, which is its only source of income. The Corpus Fund has been provided to the MAEF as part of plan assistance. The Corpus fund, which stood at Rs.30.01 crores during the Eighth Plan, was augmented by Rs.40 crores during 1997-98,

Rs.29.99 crore in the year 2005-06, Rs.100 crores in the year 2006-07 and Rs.50 cores in the year 2007-08. Presently, MAEF has a Corpus Fund of Rs.250 crores.

For further details, please visit the website <http://maef.nic.in>

2.5.5 WAKF ADMINISTRATION AND CENTRAL WAKF COUNCIL

- (i) Wakf is a permanent dedication by a person professing Islam, of any moveable or immoveable property for any purpose, recognized by Muslim law as pious, religious, or charitable.
- (ii) The Ministry is responsible for the administration of the Wakf Act, 1995, which was enacted on 1st January, 1996. The Act extends to the whole of India, except Jammu & Kashmir. Twenty two States, namely Andhra Pradesh, Assam, Bihar, Chhattisgarh, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Orissa, Punjab, Rajasthan, Tamil Nadu, Tripura, Uttar Pradesh, Uttrakhand and West Bengal, and six Union Territories namely Andaman & Nicobar, Chandigarh, Dadra & Nagar Haveli, National Capital Territory of Delhi, Lakshadweep and Pondicherry have constituted Wakf Boards under the Act.

THE CENTRAL WAKF COUNCIL (CWC)

- (i) The Central Wakf Council is a statutory body, established in December, 1964, under Section 8A of the Wakf Act, 1954 (now read as Sub-Section (1) of Section 9 of Wakf Act, 1995). The Council consists of the Union Minister in-charge of Wakfs as ex-officio Chairperson and such other Members, not exceeding twenty in number, appointed by the Central Government. The Secretary, Central Wakf Council is the Chief Executive of the Council. The main function of the Central Wakf Council is to advise the Central Government on matters concerning the working of Wakf Boards and the proper administration of wakfs in the country. Besides, important issues affecting the community, especially those pertaining to religious matters like administration of mosques, durgahs and the proper management of properties are also considered by the Council and its committees.
- (ii) The Central Wakf Council normally meets twice a year. However, various committees of the Council meet, as often as possible, to transact business relating to the monitoring of programmes, administrative and financial matters, implementation of the scheme for development of urban wakf properties and educational schemes. The committees discharge the functions entrusted to them by the Council from time to time.
- (iii) In terms of Section 10(1) of the Wakf Act, 1995, the Council derives its income from the contribution received by it from the various State Wakf Boards @ 1% (one per cent) of the net income of wakfs. All the administrative and other expenses of the Council are met from this income.

Schemes run by the Central Wakf Council

The Central Wakf Council, apart from advising the Central Government on matters pertaining to wakfs, has also been entrusted with the work of running the scheme for development of urban wakf properties and educational advancement programmes for the community. The details are as under;

(i) Scheme of Development of urban wakf properties

With a view to protect vacant wakf land from encroachers and to develop it on commercial lines for generating more income so as to widen welfare activities, the Council has

been implementing this scheme since 1974-75 with yearly grants-in-aid from the Central Government. Under the scheme, loans are extended to various wakf institutions in the country for taking up economically viable projects on wakf land, such as commercial complexes, marriage halls, hospitals, cold storages, etc.

(ii) **Loan from Revolving Fund for development of wakf properties:-**

The loan amount, repaid to the Council by the loanee institutions, forms the Revolving Fund of the Council, which is again utilized for minor development projects on wakf land by advancing loans up to the tune of Rs.20 lakhs only.

The grant-in-aid received by the Central Wakf Council is forwarded to the loanee wakfs in the form of interest free loans for the development of urban wakf properties with the following two conditions:-

Educational programmes:

- (i) they would pay 6% donation on the outstanding loan to the Education Fund; and
- (ii) after repayment of the loan, they would spend 40% of their enhanced income on the education of Muslims, particularly on technical education.

The 6% donation received from loanee wakfs on the outstanding loan for the of development of urban wakf properties, as well as the interest accrued on the bank deposits of the revolving fund, form the Education Fund of the Council. This fund is utilised for implementing the following programmes:

- (a) Scholarships to poor students pursuing technical/professional degree courses @ Rs. 8,000/- per annum from 2006-07 (as against Rs.6,000/- per annum earlier).
- (b) Adhoc grant to poor and needy students of general degree courses @ Rs. 3,500/- per annum from the 2006-07 (as against Rs.3,000/- in earlier years).
- (c) Matching grant to the State Wakf Boards for providing scholarship in their respective states to Higher Secondary school students, Madarsa students and to students undergoing technical/professional diploma courses;
- (d) Grant for the establishment of ITIs in Muslim concentration areas;
- (e) Financial assistance to voluntary organizations for vocational training centres; and
- (f) Financial assistance to libraries for developing book banks.

For further details, please visit the website at www.centralwakfcouncil.org

2.5.6 ADMINISTRATION OF DURGAH KHAWAJA SAHEB ACT,1955.

The Durgah of Khwaja Moin-ud-din Chishti at Ajmer in Rajasthan is a wakf of international fame. The Durgah is being administered under a Central Act known as the Durgah Khwaja Saheb Act, 1955. The administration, control and management of the Durgah Endowment vests in the Durgah Committee, Ajmer constituted as per the provisions of the Durgah Khwaja Saheb Act, 1955. The Members of the Committee are appointed by the Central Government under Section 5 of the Act. The Committee consists of not less than five and not more than nine members all of whom are Hanafi Muslims, appointed by the Central Government. The Central Government, in consultation with the Committee, appoints the Nazim of the Durgah in accordance with Section 9 of the Act. The Nazim is the ex-officio Secretary of the Committee.

The services being rendered by the Dargah Committee include free meals to poor pilgrims, stipends for widows, aid to needy persons, free medical aid, burned of unclaimed bodies, running of schools in rural areas, computer center and coaching classes for competitive examinations, etc.

For further details, please visit website at <http://www.garibnawaz.in>

2.5.7 PRIME MINISTER'S NEW 15 POINT PROGRAMMED FOR THE WELFARE OF MINORITIES.

- (i) The Prime Minister's New 15 Point Programme for the Welfare of Minorities was announced in June, 2006.
- (ii) The objectives of the programme are (A) Enhancing opportunities for education (B) By ensuring equitable availability of ICDS services improving access to school education, greater resources for launching Urdu, modernizing madarsa education, scholarships to meritorious students from minority students and improving educational infrastructure through the Maulana Azad Education Foundation, equitable share in economic activities and employment, through existing new schemes for self-employment for the poor, up gradation of skills through technical having enhanced credit support for economic activities and recruitment to State and Central Government jobs. (C) Improving the conditions of living of minorities by ensuring equitable share in rural housing scheme and improvement in condition of slums inhabited by minority communities. (D) Prevention & control of communal riots by prevention of communal incidents, prosecution of communal offences and rehabilitation of communal riots.
- (iii) An important aim of the programme is to ensure that the benefits of various government schemes for the underprivileged reach the disadvantaged sections of the minority communities. In order to ensure that the benefits of these schemes flow equitably to the minorities, the new programme envisages location of a certain proportion of development projects in minority concentration areas. It also provides that, wherever possible, 15% of physical targets and financial outlays under various schemes should be earmarked for minorities.
- (iv) As envisaged in the Programme, earmarking of 15% of the physical targets and financial outlays for 2007-08 has already been done in respect of the schemes, which were considered amenable to earmarking. These targets have been conveyed to the Ministries/Departments concerned.

For further details, please visit the website at www.minorityaffairs.gov.in