

Social Assessment & Social Management Framework

**Providing Social Assessment, Gender Equality and Social Inclusion (GESI) Guidelines and
Indigenous People's policy Framework (IPPF)**

Nai Manzil

**A Scheme to Provide Education and Skill Training to the Youth from
Minority Communities**

September 24, 2015

**Government of India
Ministry of Minority Affairs**

List of Abbreviations

AMA	Assessment and Monitoring Authority
CCD	Conservation cum Development
CPS	Country Partnership Strategy
CSS	Centrally Sponsored Schemes
CWC	Central Wakf Council
EOC	Equal Opportunity Commission
GESI	Gender Equality and Social Inclusion
GoI	Government of India
IPP	Indigenous People's Policy Plan
IPPF	Indigenous People's Policy Framework
MAEF	Maulana Azad Education Foundation
M&E	Monitoring and evaluation
MoMA	Ministry of Minority Affairs
MoTA	Ministry of Tribal Affairs
NCTE	National Council of Teacher Education
NDB	National Data Bank
NGO	Non Government Organisation
NMDFC	National Minorities Development and Finance Corporation
NSQF	National Skills Qualification Framework
NSS	National Sample Survey
OBC	Other Backward Class
PDO	Project Development Objective
PIAs	Program Implementation Agencies
PTG	Primitive Tribal Group
PSC	Public Service Commission
SC	Scheduled Caste

SLP	Special Leave Petition
SMF	Social Management Framework
ST	Scheduled Tribe
TRIs	Tribal Research Institutes
TRIFED	Tribal Cooperative Marketing Development Federation of India Limited
UGC	University Grants Commission
VO	Voluntary Organisation
WPR	Work Participation Rate

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Preface

This Document has been prepared by the Ministry of Minority Affairs (MOMA), Government of India for the World Bank assisted Nai Manzil- a Scheme to provide education and market-driven job skill training to poor youth from minority communities. This Social Management Framework (SMF) includes Social Assessment, Gender Equality and Social Inclusion Guidelines and Indigenous People's Policy Framework (IPPF). The Social Assessment describes the socio-economic status of the minorities, summary of key independent reports on minorities carried out by retired Chief Justice Rangnath Mishra and Justice Sachar, and various schemes implemented by the Government to empower the minorities. The SMF describes the legal institutional setting, GESI Guidelines, IPPF, Implementation arrangements including consultation framework, grievance redress mechanism, monitoring and evaluation, and budget. This document has been prepared by compiling useful data, information, and analyses of various issues from secondary sources. The SMF makes no claims to original scholarly analysis of issues discussed herein, and has relied on the works of various scholars and information providers that have been cited in the footnotes. Any failure to cite any contributor's name and information source in the footnotes is regretted. We thank all the stakeholders who participated in the Consultation organized at the IICC, New Delhi on September 16, 2015, convened to discuss the "Nai Manzil Scheme" and key issues in the SMF.

Joint Secretary

Ministry of Minority Affairs

1. Introduction

- 1.1 India has experienced impressive growth in recent years. India's GDP has averaged 7.3% growth between 2007-2012. With growth, India has made remarkable progress in reducing poverty particularly in the last decade. As a result of expansion in social services, India has exceeded the first MDG to halve poverty. Between 2005-2012, 138 million people were lifted out of poverty. Life expectancy in India more than doubled from 31 years in 1947 to 66.5 years in 2013 and adult literacy more than quadrupled, from 18% in 1951 to 74% in 2011.¹ These successes in human development, however, have not benefited all sections of the Indian population equitably. Many of India's marginalized citizens have not yet benefitted from economic growth. As some groups have continued to lag behind other groups in their access to a range of opportunities, despite focused government attention to promote inclusion.
- 1.2 The Government of India classifies six communities, viz. Muslims, Christians, Sikhs, Buddhists, Jains, and Zoroastrians (Parsis) as Minorities. Together minorities comprise almost 18% of India's population, or about 225 million people. Muslims comprise the largest minority community at 13.8% of India's population, followed by Christians at 2.1%, Sikhs 1.7%, Buddhists 0.6% and Parsis comprising of 0.004%. The development indicators of minorities are lower than the national average. Muslims, constituting more than 75% of all minorities, have lower labor market participation, earnings, and educational attainment compared to the other minorities. The incidence of poverty among Muslims is 6% higher than national averages in rural areas and 4% in urban areas while their Infant and Under Five Mortality rates are slightly below the national average, with 52 and 70 per 1000 live births against an average of 57 and 74.² The incidence of female malnutrition and children suffering from anemia and stunting is above the national average among Muslims.³ Indicators for other minority categories are relatively better, but there are important regional disparities.
- 1.3 To focus on equitable development of the minority communities, the Government of India (GoI) created a separate Ministry of Minority Affairs (MoMA) in 2006, carved out of the Ministry of Social Justice and Empowerment. In the same year, a Prime Minister's high level committee chaired by Justice Rajender Sachar published a report on the social, economic and educational status of the Muslim community of India highlighting the lack of equity and equality of opportunities for Indian Muslims. The report identified various types of support required by the minority community, including enhancing their participation in governance, enhancing access to credit and government programs,

¹ World Development Indicators; The World Bank

² Tanweer Fazal; Millennium Development Goals and Muslims of India; Oxfam India (Jan 2013)

³ India Human Development Report 2011; Institute of Applied Manpower Research, Planning Commission

encouraging community initiatives, bringing a sharper focus on school education opportunities, and expanding technical education and training for non-matriculantes. The then Prime Minister's New 15 Point Programme for the Welfare of Minorities, launched in June 2006, identified specific program interventions towards ensuring and "equitable share of minorities in economic activities and employment through existing and new schemes." Ensuring that benefits of government schemes for the underprivileged reached the disadvantaged section of minority communities.

- 1.4 In view of the relative disadvantages of the minority communities in terms of literacy and education levels and labour participation of the minority communities, the Government of India has embarked on a novel initiative called Nai Manzil (new horizons) to provide education and skill support to the minority youth for their socio-economic empowerment.

2. Project Description

- 2.1 The Government of India (GoI) identified the need for a flexible integrated education and training program that provided youth from minority communities a greater set of skills needed to learn and adapt to different tasks in a rapidly changing world. Thus the GoI launched the “Nai Manzil” Scheme (“New Horizons” Scheme), a comprehensive education and skill development program on August 8th, 2015. The program design was envisaged to support basic education certification to make the youths eligible for most entry-level jobs and provide skills that could help them perform better in the labor market. Nai Manzil is aimed at improving the labor market outcomes of minority youths by offering an integrated program for education and market relevant skill training. The Scheme will also have linkages with the National Minorities Development and Finance Corporation (NMDFC) of MoMA that provides loans to the minority youths. The Scheme will cover 1,228 Community Development Blocks where minority population is at least 25%.
- 2.2 The Government of India in its National Skill Development Mission has a stated goal of training 500 million workers by 2022. This requires a concerted effort across public and private institutions to respond to the challenge of improving India’s global competitiveness, further reducing poverty and increasing shared prosperity. Further, the World Bank Group’s India Country Partnership Strategy (CPS) emphasizes improving market-driven skill development for productive employment as a key element of the Transformation pillar as well as improving access to services and opportunities for excluded population groups under the Inclusion pillar. The proposed project contributes to these objectives with its focus on minority youth education and skills development, and is consistent with the CPS strategy.
- 2.3 **Project Development Objectives and Beneficiaries:** The Project Development Objective is to improve completion of secondary education and market-driven skills training for targeted youth from Minority Communities.
- 2.4 **The main beneficiaries** of the project include: (a) Youth ages 17-35 from minority communities who wish to benefit from a class 8 or class 10 education certificate and a market-driven training program. (b) Education and training providers will benefit from the development of a national stock of programs, curricula, training methodologies and materials for education and training. (c) Private sector and employers who will benefit from a higher number and better quality youth.
- 2.5 **PDO level Results Indicators:** The following results indicators will be used to measure progress towards achievement of the PDO:
 - (a) Share of enrolled targeted beneficiaries who receive a secondary education certificate through open schooling

- (b) Share of enrolled targeted beneficiaries who receive a nationally recognized skills certificate in a labor market relevant area
- (c) Share of enrolled targeted beneficiaries who obtain employment (including self-employment and internship) 6 months after completing the integrated program
- (d) Share of enrolled targeted beneficiaries who go for further professional qualification in education or skills training 6 months after completing the integrated program.

2.6 Project Components

The Nai Manzil Scheme reflects the government's commitment to provide education and skilling opportunities for economically disadvantaged/underserved Minorities. The Project will have two components that are strategically designed to assist the implementation of Scheme. Component 1 will support improved access to education and enhanced market relevance of skills training. Component 2 will focus on system strengthening, policy design, as well as support the implementation of Component 1 through program coordination, technical assistance, capacity building, results monitoring and evaluation (M&E), and research and communication.

- (a) **Component 1: Results Based Financing for Increased Education and Market-Relevant Training (USD 45 million)**
- (b) **Component 2: Technical Assistance for Implementation of the Nai Manzil Scheme (USD 5 million)**

2.7 **Component 1: Results Based Financing for Increased Education and Market-Relevant Training (USD 45 million):** The objective of the Nai Manzil Scheme is to support productive employment among Minority youth not having education certification for Grades 5-8. The Project will primarily support hiring of Program Implementing Agencies (PIAs). The PIAs will provide non-residential integrated education and skill training for 9 to 12 months of which a minimum of 3 months will be devoted to skill training compliant with the National Skills Qualifications Framework (NSQF). The main instrument for implementing the Scheme will be results-oriented Performance Agreements between the MoMA and PIAs to: (i) provide support to eligible Minority youth to enrol in open schooling and undertake training and assessment as per applicable guidelines; (ii) provide additional education support/bridge program designed to help students obtain open schooling certification; (iii) impart high quality skills training including non-cognitive skills leading to productive employment; and (v) provide post-placement support to assist sustainable employment for those students who opt to enter the labor market.

2.8 The Performance Agreements will include a set of performance parameters that will be the primary basis for financial disbursements by the MoMA to the PIAs. The Performance Agreements will aim to provide incentives for meeting agreed upon targets, including physical targets, as well as education and labor market outcomes. The performance agreements will be built on the extensive experience and lessons learnt from other programs in the education and training sector in India and other relevant countries to

facilitate tailored approaches to education and skills development essential to effectively cater for specific groups and labor markets.

- 2.9 **Component 2: Technical Assistance for Implementation of the Nai Manzil Scheme (USD 5 millions):** The objective of this component is to strengthen capacity of the MoMA for program implementation, planning and policy development. Areas to be supported include (i) policy development; (ii) program implementation support through a Project Management Unit (PMU); (iii) documenting and disseminating best practices for delivery of education and training programs; (iv) piloting innovative interventions focused on improving education, training and employment outcomes for girls; and (v) M&E activities including impact evaluations, tracer studies, qualitative assessments, third party validation, and studies to facilitate improved scheme design related to target groups and eligibility criteria.

3. Social Assessment

- 3.1 **Demographic Distribution of the People from Different Groups:** The Government of India classifies six communities, viz. Muslims, Christians, Sikhs, Buddhists, Jains, and Zoroastrians (Parsis) as Minorities. Together minorities comprise almost 18% of India’s population, or about 225 million people. Muslims comprise the largest minority community at 13.8% of India’s population, followed by Christians at 2.1%, Sikhs 1.7%, Buddhists 0.6% and Parsis comprising of 0.004%. The development indicators of minorities are lower than the national average. Muslims, constituting more than 75% of all minorities, have lower labor market participation, earnings, and educational attainment compared to the other minorities.
- 3.2 **Population Growth Trend:** National Sample Survey (NSS) data reflects similar trend. According to 68th Round NSS, Muslims are 13.83%, Hindus are 81.37%, Christians are 2.06%, Sikhs are 1.68%, Jains are .26% and Buddhists are 59%. We have observed from 3 rounds of NSS data (61st, 66th and 68th Round) that there is a growth in the percentage of Muslims in the overall population.

Table 1: Religious Distribution of Absolute Population in India

Religion	NSS 68th Round	NSS 66th Round	NSS 61st Round
Hindu	995,118,509	969,792,231	901,662,127
Muslim	169,143,421	148,787,336	140,402,121
Christian	25,232,386	25,282,278	24,106,093
Sikh	20,518,290	19,641,306	20,778,052
Jain	3,187,201	2,761,740	3,421,323
Buddhist	7,187,533	7,803,691	7,321,909
Parsee	47,435	175,319	63,487
Others	2,533,517	4,125,682	3,938,358
Total	1,222,968,292	1,178,369,582	1,101,693,471

Source: NSS 61st, 66th and 68th Round

Table 2: Religious Distribution of Population in India in Percentage Terms

Religion	NSS 68th Round	NSS 66th Round	NSS 61st Round
Hindu	81.37	82.3	81.84
Muslim	13.83	12.63	12.74
Christian	2.06	2.15	2.19
Sikh	1.68	1.67	1.89
Jain	0.26	0.23	0.31

Buddhist	0.59	0.66	0.66
Parsee	0	0.01	0.01
Others	0.21	0.35	0.36
Total	100	100	100

Source: NSS 61st, 66th and 68th Round

Table 3: Absolute Distribution of Growth of Population along Age categories (68th Round)

Age category	A. Hindu	B. Muslim	C. Christian	D. Sikh	E. Jain	F. Buddhist	Parsee	H. Others	Total
0-14	290845870	59735027	6606980	4954448	626007	1761037	10720	832899	365372988
15-19	97665301	19043247	2274304	2114320	231774	818413	0	325746	122473106
20-29	167347910	28411356	4080479	3877468	612365	1289931	12998	299446	205931953
30-39	155688480	23632731	3758734	3160746	532669	1177136	7328	389784	188347609
40-49	121688806	17836322	3606378	2412990	453313	922116	3240	373679	147296844
50-59	78082554	10417252	2325917	1674611	335277	597276	6049	166771	93605706
& above	83799588	10067486	2579596	2323706	395795	621625	7099	145192	99940087
Total	995118509	169143421	25232386	20518290	3187201	7187533	47435	2533517	1222968292

Source: NSS 68th Round

Table 4: Absolute Distribution of Growth of Population along Age categories (68th Round)

Age category	A. Hindu	B. Muslim	C. Christian	D. Sikh	E. Jain	F. Buddhist	Parsee	H. Others	Total
0-14	29.2	35.3	26.2	24.1	19.6	24.5	22.6	32.9	29.9
15-19	9.8	11.3	9.0	10.3	7.3	11.4	0.0	12.9	10.0
20-29	16.8	16.8	16.2	18.9	19.2	17.9	27.4	11.8	16.8
30-39	15.6	14.0	14.9	15.4	16.7	16.4	15.4	15.4	15.4
40-49	12.2	10.5	14.3	11.8	14.2	12.8	6.8	14.7	12.0
50-59	7.8	6.2	9.2	8.2	10.5	8.3	12.8	6.6	7.7
& above	8.4	6.0	10.2	11.3	12.4	8.6	15.0	5.7	8.2
Total	100	100	100	100	100	100	100	100	100

Source: NSS 68th Round

- 3.3 From the above set of tables, it could be observed in the age group based distribution among different categories – representation of Muslims is highest in the 0-14 year age group. This is reflected in all the three rounds of data where the Muslim population in the 0-14 year represent 35% and above of the total Muslim population. Huge bulge of 0-14 year age population among the Muslims requires special attention to their education.
- 3.4 **Education:** The Table below represents the distribution of academic qualification from different categories. Rows in the left indicate highest academic qualifications from different religious categories. Each cell represents the percentages from a particular religious group into different categories of education. High Percentages of graduate and

above level educated population are highest among the Parsees. It is followed by the Jains. In fact, Jains and Parsees are educationally quite ahead of the rest of the categories. Sikhs and Buddhists are also doing better than Hindus in terms of enrolment in different levels of education and in terms of access to higher education. Over these rounds, there is a gradual decline of the illiterates and below primary education category manpower and there is gradual increase of graduate and post-graduates. This is true for all the groups. The attrition rate at higher level of education among Muslims is higher than others.

Table 5: 68th Round (15-59 Year Age education attainment)

	Hindu	Muslim	Christian	Sikh	Jain	Buddhist	Parsee	Others	Total
Illiterate	29.4	32.3	15.2	24.9	1.3	20.4	20.9	33.1	29.3
Below Primary	10.8	13.8	9.4	6.2	5.4	13.6	0.0	10.7	11.1
Primary	12.8	17.1	14.5	15.2	1.7	15.6	0.0	13.5	13.4
Middle	16.8	16.5	19.3	12.4	12.2	17.6	0.0	17.8	16.7
Secondary	12.2	9.9	14.4	19.2	17.8	14.6	0.0	13.1	12.1
Higher Secondary	6.8	4.7	7.2	11.6	13.8	9.4	18.7	7.0	6.7
Diploma/Cert	1.5	0.9	4.7	1.3	3.1	0.9	0.0	0.1	1.5
Graduate	7.0	3.7	11.3	6.3	31.0	6.1	57.5	3.6	6.8
PostGrad+	2.7	1.1	3.9	3.0	13.8	1.7	2.9	1.0	2.6
Total	100	100	100	100	100	100	100	100	100

Source: NSS 68th Round

- 3.5 **Labour Market Participation.** The labor market outcome can be explained in terms of employment and wages. It can be observed in all three rounds that proportion of participation in agriculture related self-employment is high from Hindu and Sikh communities. Proportional participation of Muslims, Buddhists, Jains, and Parsees is low in agricultural self-employment, possibly due to landholding patterns. (Lanjhow & Sharif, 2004). Non-firm self-employment is higher among Jains, Parsees and Muslims. Casual employment is high among the Buddhists. Participation in Salaried Employment from Christian, Buddhists, Sikhs, and Jains is higher than the Salaried Employment participation from Hindus. On the other hand, Salaried Employment participation from Muslims is lower than the Salaried Employment participation from Hindus.

Table 6: 68th Round (Labor Market Participation)

	Self-Employment in Agricultural Sector	Non-Firm Self Employment	Salaried	Casual	Unemployed	Total
Hindu	30.6	18.1	18.6	30.2	2.5	100.0
Muslim	16.9	34.2	16.9	28.5	3.6	100.0
Christian	26.7	17.1	28.8	20.9	6.5	100.0
Sikh	30.1	20.7	23.0	23.7	2.5	100.0
Jain	11.1	59.0	27.1	2.2	0.7	100.0
Buddhist	18.0	10.2	27.4	41.8	2.7	100.0
Parsee	0.0	2.4	80.9	0.0	16.7	100.0
Others	71.5	9.0	9.0	7.5	3.0	100.0
Total	28.8	20.1	18.7	29.6	2.7	100.0

Source: NSS 68th Round

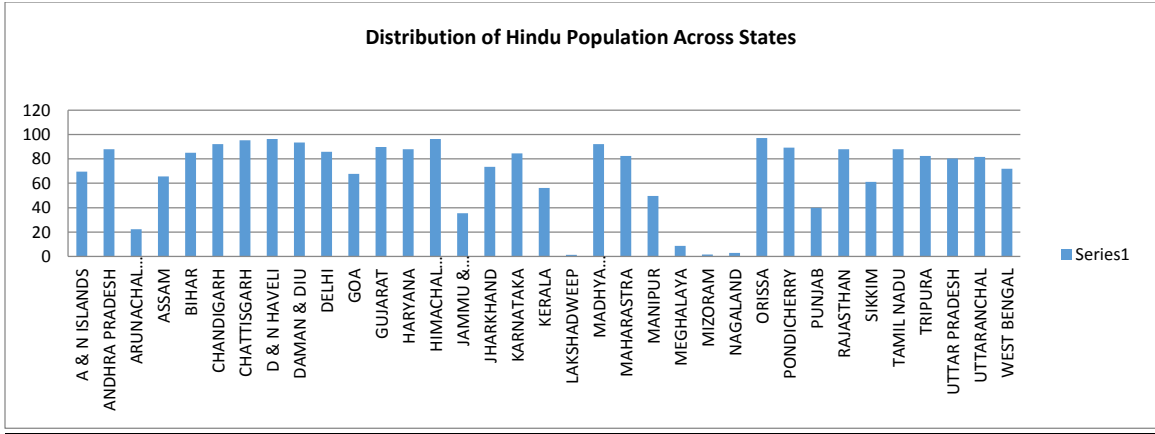
- 3.6 **Distribution of Communities in States:** The data provided below shows the distribution of the religious communities across states. The percentage values are the share of the respective religions in given States. For example, figure 1 represents that there are 69.6% Hindus in Andaman and Nicobar (A&N) Islands; 87.98% of Hindus in Andhra Pradesh and so on. Similarly, figure 2 represents there are 10.02% Muslims in A&N Island, 9.81% Muslims in Andhra Pradesh and so on. Figure 3, Figure 4, Figure 5, Figure 6, Figure 7 and Figure 8 represents the distribution of Christian, Sikh, Jain, Buddhist, Parsee and Other category populations. From the figures below, it could be observed that Muslims are dominantly present in J&K, West Bengal, Lakshadweep, Assam and Kerala. Christians are found mostly in Nagaland, Meghalaya, Mizoram, Arunachal, Manipur and Goa. Sikhs are a majority in Punjab. Buddhists are largely live in Sikkim and in Arunachal Pradesh. Jains are present mostly in Delhi and to some extent in Maharashtra, Rajasthan and in Madhya Pradesh. Other category people are present in Arunachal, Jharkhand, Manipur and Meghalaya. Parsees are present sparsely in Maharashtra, Gujarat, and Arunachal.

Table 9: Geographical Distribution of Religious Communities 68th Round Percentage

State	Hindu	Muslim	Christian	Sikh	Jain	Buddhist	Parsee	Others	Total
A & N Islands	69.63	10.02	19.48	0.75	0.00	0.00	0.00	0.12	100.00
Andhra Pradesh	87.98	9.81	1.90	0.02	0.01	0.26	0.00	0.02	100.00
Arunachal Pradesh	22.20	1.47	23.67	0.04	0.15	16.18	0.01	36.28	100.00
Assam	65.51	31.39	2.71	0.04	0.05	0.04	0.00	0.26	100.00
Bihar	85.07	14.41	0.44	0.04	0.01	0.01	0.00	0.02	100.00
Chandigarh	92.11	3.63	0.15	3.74	0.00	0.00	0.00	0.36	100.00
Chattisgarh	95.23	2.25	1.72	0.40	0.06	0.34	0.00	0.00	100.00
D & N Haveli	96.22	2.54	1.24	0.00	0.00	0.00	0.00	0.00	100.00
Daman & Diu	93.39	6.04	0.58	0.00	0.00	0.00	0.00	0.00	100.00
Delhi	85.77	8.86	0.42	2.73	2.11	0.00	0.00	0.11	100.00
Goa	67.69	6.17	26.04	0.08	0.00	0.00	0.00	0.02	100.00
Gujarat	89.87	9.34	0.34	0.16	0.26	0.00	0.03	0.00	100.00
Haryana	87.94	5.91	0.17	5.75	0.12	0.12	0.00	0.00	100.00
Himachal Pradesh	96.29	1.56	0.02	1.61	0.00	0.52	0.00	0.00	100.00
Jammu & Kashmir	35.56	61.54	0.12	2.13	0.01	0.59	0.00	0.06	100.00
Jharkhand	73.54	16.85	4.47	0.28	0.00	0.00	0.00	4.86	100.00
Karnataka	84.64	13.25	1.51	0.00	0.57	0.00	0.00	0.02	100.00
Kerala	56.29	28.64	15.07	0.01	0.00	0.00	0.00	0.00	100.00
Lakshadweep	1.20	98.75	0.05	0.00	0.00	0.00	0.00	0.00	100.00
Madhya Pradesh	92.27	6.18	0.50	0.29	0.65	0.07	0.00	0.04	100.00
Maharashtra	82.32	10.84	0.84	0.21	0.65	5.08	0.02	0.04	100.00
Manipur	49.57	10.19	33.39	0.00	0.01	0.19	0.00	6.66	100.00
Meghalaya	8.63	2.88	84.28	0.02	0.00	1.11	0.00	3.09	100.00
Mizoram	1.54	0.52	90.24	0.00	0.00	7.66	0.00	0.04	100.00
Nagaland	2.87	0.73	96.31	0.00	0.00	0.00	0.00	0.08	100.00
Orissa	97.06	1.42	1.43	0.00	0.01	0.00	0.00	0.08	100.00
Pondicherry	89.15	6.40	4.45	0.00	0.00	0.00	0.00	0.00	100.00
Punjab	39.82	2.74	0.93	56.33	0.13	0.00	0.00	0.06	100.00
Rajasthan	88.02	10.16	0.32	0.79	0.71	0.00	0.00	0.00	100.00
Sikkim	61.13	1.97	5.21	0.07	0.00	31.63	0.00	0.00	100.00
Tamil Nadu	87.88	5.78	5.95	0.00	0.38	0.00	0.00	0.00	100.00
Tripura	82.34	9.99	6.24	0.00	0.00	1.33	0.00	0.10	100.00
Uttar Pradesh	80.40	19.24	0.08	0.20	0.07	0.01	0.00	0.00	100.00
Uttaranchal	81.75	16.36	0.12	1.67	0.10	0.00	0.00	0.00	100.00
West Bengal	71.87	27.09	0.54	0.08	0.10	0.21	0.00	0.12	100.00
Total	81.37	13.83	2.06	1.68	0.26	0.59	0.00	0.21	100.00

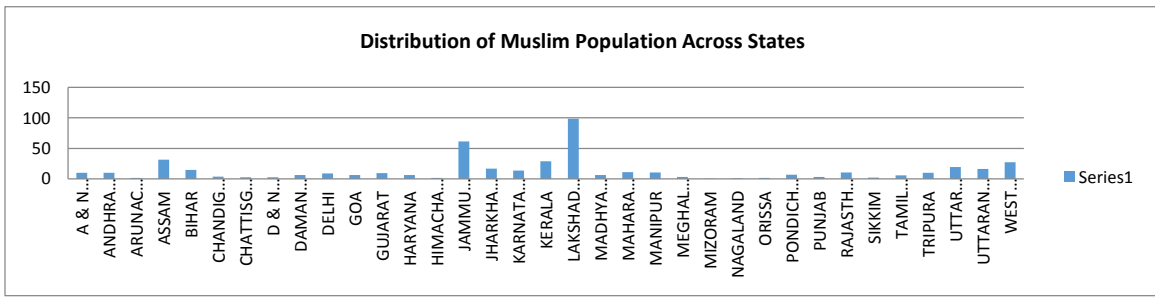
Source: NSS 68th Round

Figure 1: Distribution of Hindu Population across States (NSS 68th Round)



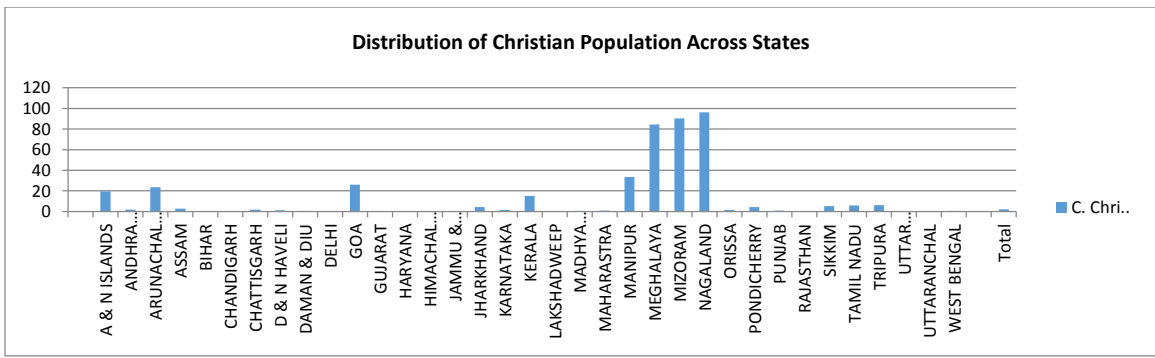
Source: NSS 68th Round

Figure 2: Distribution of Muslim Population across States (NSS 68th Round)



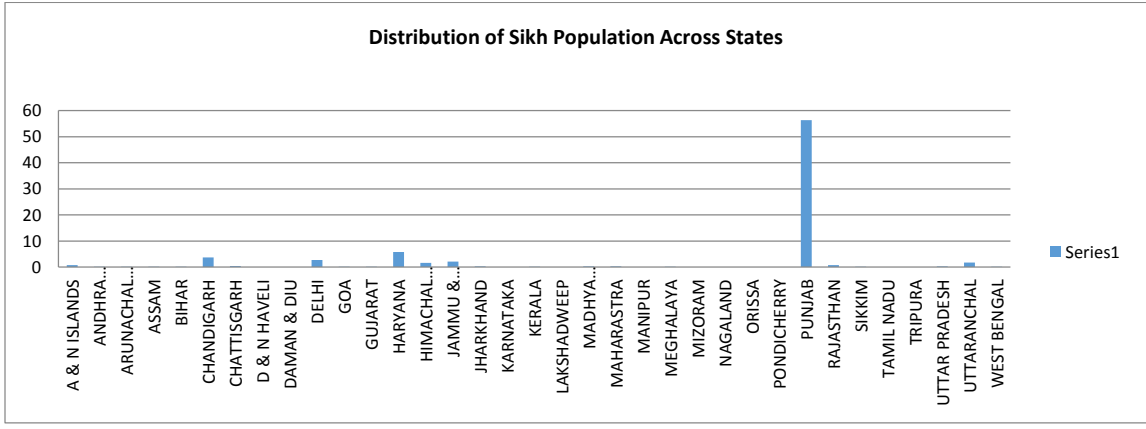
Source: NSS 68th Round

Figure 3: Distribution of Christian Population across States (NSS 68th Round)



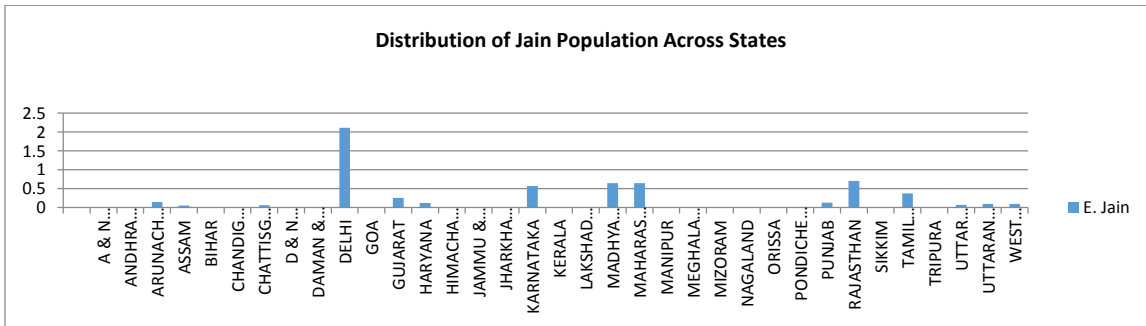
Source: NSS 68th Round

Figure 4: Distribution of Sikh Population across States (NSS 68th Round)



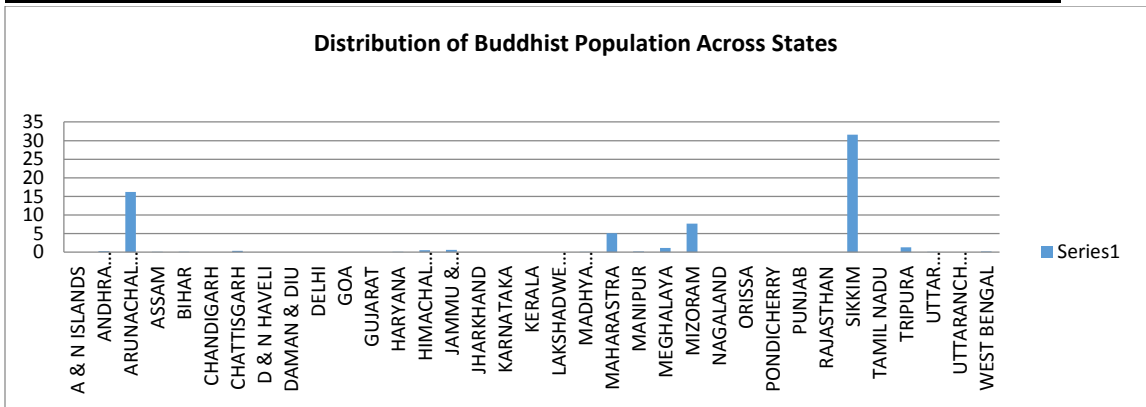
Source: NSS 68th Round

Figure 5: Distribution of Jain Population across States (NSS 68th Round)



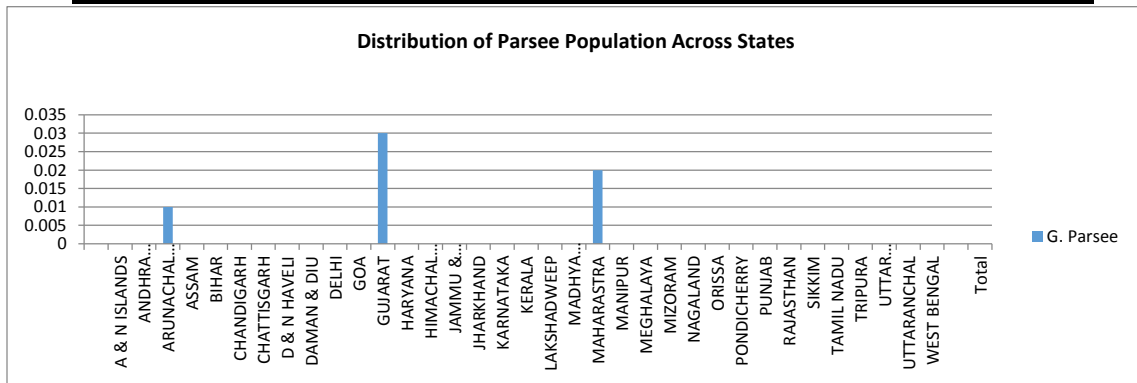
Source: NSS 68th Round

Figure 6: Distribution of Buddhist Population across States (NSS 68th Round)



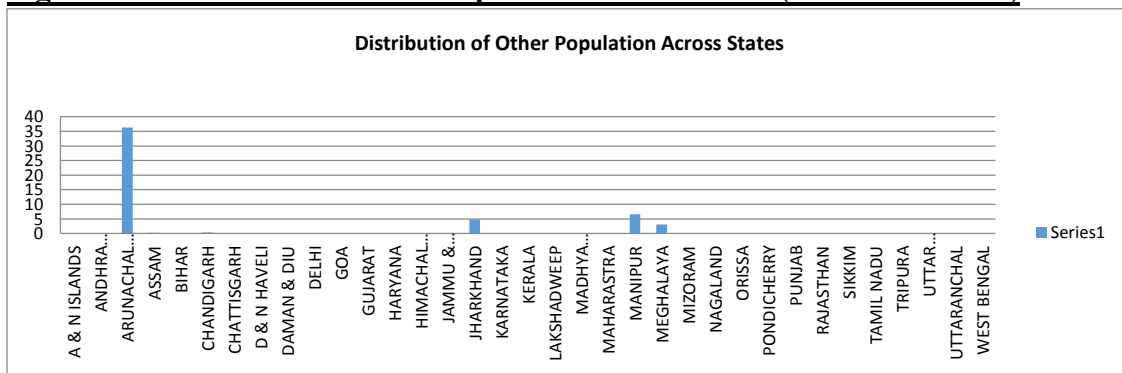
Source: NSS 68th Round

Figure 7: Distribution of Parsee Population across States (NSS 68th Round)



Source: NSS 68th Round

Figure 8: Distribution of Other Population across States (NSS 68th Round)



Source: NSS 68th Round

3.7 There have been several studies to further elaborate regarding the socio-economic status of minorities in the country including the Justice Sachar Committee report (2006) and the Ranganath Mishra Committee Report (2009). The findings are summarized below.

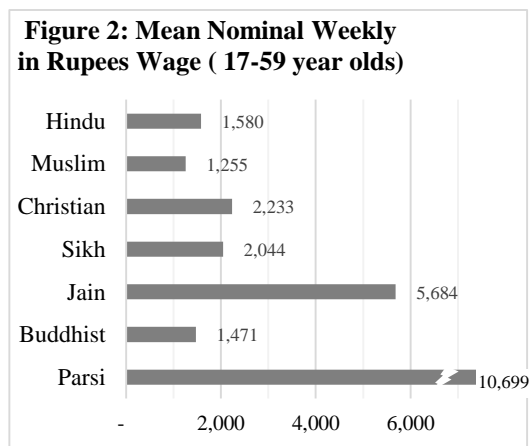
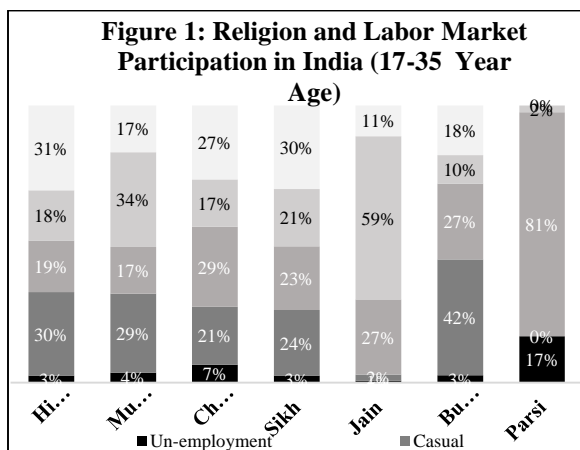
3.8 National Commission for Religious and Linguistic Minorities (Justice Ranganath Misra Commission for Minorities):

The Government set up National Commission for Religious and Linguistic Minorities (NCRLM) on 29th October 2004 with the following terms of reference:

- (a) To suggest criteria for identification of socially and economically backward sections among religious and linguistic minorities;
- (b) To recommend measures for welfare of socially and economically backward sections among religious and linguistic minorities, including reservation in education and government employment;
- (c) To suggest the necessary constitutional, legal and administrative modalities, as required for the implementation of their recommendations.

- (d) To give its recommendations on the issues raised in W.P 180/04 and 94/05 filed in the Supreme Court and in certain High Courts relating to para 3 of the Constitution (Scheduled Castes) Order, 1950, in the context of ceiling of 50% reservation as also the modalities of inclusion in the list of Scheduled Castes.
- 3.9 The Commission submitted its report to the Government in May, 2007 and the report was laid in both the Houses of the Parliament on 18th December, 2009.
- 3.10 The Commission made several recommendations for minorities including inter-alia economic measures, educational measures, reservation for minorities etc.
- 3.11 **Justice Sachar Committee Report:** The Sachar Committee submitted its report on 17th November, 2006. The Ministry of Minority Affairs circulated the recommendations / suggestions, contained in the report, to the concerned Ministries / Departments for examination and comments. Later, each recommendation was discussed in various rounds of inter-ministerial meetings. After detailed discussions, the Government accepted 72 recommendations out of 76 recommendations made by the Committee. Out of the remaining 4 recommendations, 3 recommendations were not accepted and 1 (one) recommendation was deferred.
- 3.12 For administrative convenience and effective implementation of 72 accepted recommendations, the Government took 43 decisions by clubbing the recommendations of similar nature in the following focus areas:
- (a) Education (15 decisions)
 - (b) Skill Development of Minorities (2 decisions)
 - (c) Access to credit (6 decisions)
 - (d) Special development initiatives (2 decisions such as Multi-sectoral Development Programme and Jawaharlal Nehru National Urban Renewal Mission)
 - (e) Measures for affirmative action (4 decisions such as Setting up of National Data Bank and Assessment & Monitoring Authority, etc)
 - (f) Protection and Management of Waqf Properties (4 decisions), and,
 - (g) Miscellaneous (10 decisions such as Prevention of Communal Violence, Delimitation Act, Sensitization, Multi-Media campaign etc.)
- 3.13 The responsibility for implementation of these decisions has been given to Ministry of Minority Affairs and the concerned Ministries/Departments. Follow up action on all 43 decisions has been taken by the Government. Most of the decisions have already been implemented. The follow up action on remaining decisions is of on-going nature and their progress is monitored on regular basis by the Ministry of Minority Affairs. The text of each recommendation, the details of each accepted recommendation, the details of decision taken and their up-to-date status, are available on the website of this Ministry www.minorityaffairs.gov.in.

- 3.14 A **World Bank study** of short-term skill training programs in 5 States of India was undertaken in collaboration with the Ministry of Skill Development & Entrepreneurship. The report provides an in-depth analysis of employment outcomes of 5 flagship skill development programs of Government of India (GoI), earning premium of their beneficiaries, cost-benefit analysis of the programs, administrative aspects affecting delivery, and recommendations on improving their performance.
- 3.15 According to the **National Sample Survey (68th round)** minority communities tend to have lower labor market outcomes than the national average. Muslims have the lowest labor market outcomes amongst all communities. They earn 25-30% lower wages, are 50% less likely to be engaged in formal sector, and have higher rates of unemployment.⁴ Muslims also have the lowest percentage of salaried employment (Figure 1). Indicators for other minority categories are relatively better, but there are important regional disparities. The National Commission for Religious and Linguistic Minorities (Ranganath Misra Commission) tabled a report at the Indian Parliament in December 2009 highlighting such disparities. The report stated that, amongst Buddhists, there are two distinct classes – those living in the Northern States from Leh to Arunachal Pradesh and those in the rest of the country that are largely comprising of converts after independence. The latter class of Buddhists faces acute problems of low quality employment, with 42% of 17-59 year olds engaged in casual labor, landlessness and access to capital. The Standing Committee on Social Justice and Empowerment noted in February 2015 that the percentage of Minorities in public sector jobs have decreased overtime.

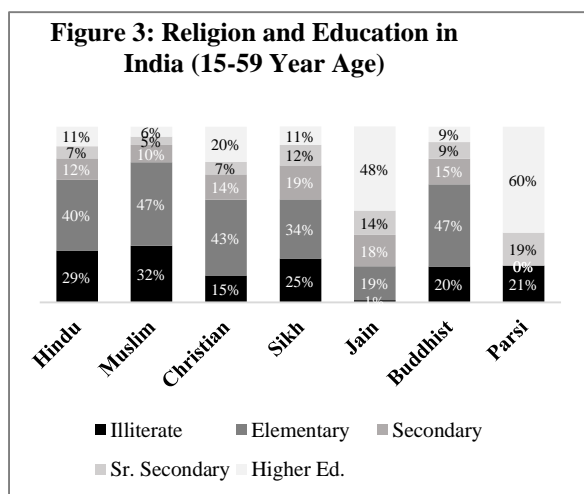


- 3.16 Low education outcomes are likely to contribute to the weaker labour market outcome of some minority communities. Education outcomes of minority communities is almost at par with the national average due to concerted efforts made by the Government of India. However, among minority communities, transition rates at secondary level are especially

⁴ National Sample Survey 68th Round (July 2011 - June 2012); Ministry of Statistics and Programme Implementation

poor for Muslims and Buddhist, which put them at a disadvantage in the labor market.⁵ Only 50% of Muslims who complete upper primary are likely to complete secondary education, compared to 62% at the national level. As a result, only 20% of 15-59 year old Muslims in India have completed secondary education, 10 percentage points lower than the national average (Figure 3). Among Muslims, nearly 30% of 5-14 year olds and 26% of 15-24 years olds stated financial constraints for being out of school. Parents not interested in education was found as another major reason for poor education outcomes of minority students.

3.17 A promising avenue for improving labour outcomes of minorities that have missed opportunities for early education and training are open school education programs which provide students a second chance to obtain a secondary education certificate and skills training programs. Participation in skills development programs can increase the employment rates and provide a positive earnings premium for beneficiaries. As per the World Bank study, employment rates of beneficiaries of such programs increase by 7% overall, with a stronger effect for women than for men (12% vs. 4.5%). Further,



beneficiaries who are working earn on average about 21% more than non-beneficiaries (with same age, education, marital status, state of residence) and even higher when the training content is directly relevant to the job held. However skills development programs have differential impacts on labor market outcomes depending on the personal characteristics of the trainees, including educational attainment. The earnings of the beneficiaries increase with the level of education; those with primary education or

lower receive 12% lower wages than those with secondary education. This is consistent with NSS findings discussed above.

3.18 Access to skills development programs and second change education programs in India has significantly expanded over the last decade. The expedited learning schedule and flexible hours tailored to the needs of older youth can especially useful for people employed in the informal sector and seeking to gain employment.⁶ Coaching centers that provide students additional support to pass the open school exams have improved the success rates of students taking the open school exams, however the cost of the courses and the geographic location range can act as deterrents for disadvantaged population. On the training side, in addition to training programs led by Central Ministries and State a large private sector supply of training providers has been created, using a public-private partnership vehicle

⁵ Presentation on report of the Standing Committee of the National Monitoring Committee for Minorities' Education (NMCME) (May 2013)

⁶ A.V. Adams; The Role of Youth Skills Development in the Transition to Work: A Global Review; The World Bank (Feb 2007)

for funding. However, not all these interventions have been equally effective. Historically, skills training programs have relied on supply-driven financing focused on inputs at the individual beneficiary level. Such a design leads to a lack of accountability, on the part of providers, in terms of training outcomes such as number of trainees placed, improvements in retention and completion, and services delivered to targeted population groups and industrial sectors. Hence, to deepen the labour market responsive of programs, there is a need to shift the financing for skills provision from supply-driven financing to results-based financing.⁷ Linking the financing of programs to education and training targets can incentivize private sector implementing agencies to design and implement high quality education and training programs that actually cater to the needs of the communities. There is now substantial experience with performance based financing of service providers, and these are more efficient and effective service delivery modalities compared to input based financing.

⁷ A.V. Adams, S.J. de Silva, and S. Razmara; Improving Skills Development in the Informal Sector; The World Bank (2013)

4. Legal and Institutional Setting

- 4.1 Constitutional rights and safeguards provided to Minorities:** Though the Constitution of India does not define the word ‘Minority’ and only refers to ‘Minorities’ and speaks of those ‘based on religion or language’, the rights of the minorities have been spelt out in the Constitution. The National Commission for Minorities Act, 1992 says that “Minority for the purpose of the Act, means a community notified as such by the Central Government”- Section 2(7). Acting under this provision on 23-10- 1993, the Central Government notified the Muslim, Christian, Sikh, Buddhist and Parsi (Zoroastrian) communities to be regarded as “minorities” for the purpose of this Act.
- 4.2 Article 366 (25) of the Constitution of India refers to Scheduled Tribes as those communities, who are scheduled in accordance with Article 342 of the Constitution. This Article says that only those communities who have been declared as such by the President through an initial public notification or through a subsequent amending Act of Parliament will be considered to be Scheduled Tribes. The list of Scheduled Tribes is State/UT specific and a community declared as a Scheduled Tribe in a State need not be so in another State/UT. In exercise of the powers conferred by Clause (1) of Article 342 of the Constitution of India, the President, after Consultation with the State Governments concerned have promulgated so far 9 orders specifying the Scheduled Tribes in relation to the state and union territories.
- 4.3 The Preamble to the Constitution declares the State to be ‘Secular’ and this is a special relevance for the Minorities. Equally relevant for them, especially, is the declaration of the Constitution in its Preamble that all citizens of India are to be secured ‘liberty of thought, expression, belief, faith and worship and ‘equality of status and of opportunity.’
- 4.4 **Fundamental Rights** (Chapter III, Constitution of India) and Rights under Article 347, 350A & 350B etc: In Part III of the Constitution, which deals with the Fundamental Rights is divided into two parts viz. (a) the rights which fall in the ‘common domain’ and (b) the rights which go to the ‘separate domain’. In the ‘common domain’, the following fundamental rights and freedoms are covered:
- 4.5 Equality & Non-Discrimination:**
- (a) The State shall not deny to any person ‘equality before the law’ or the ‘equal protection of the laws’ within the territory of India; [Article 14]
 - (b) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth, or any of them, either in general or in the matter of access to or use of general and public places and conveniences; [Article 15 (1) & (2)]

- (c) The 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 16(1)&(2)]
- (d) Abolition of Untouchability.—“Untouchability” is abolished and its practice in any form is forbidden. The enforcement of any disability arising out of “Untouchability” shall be an offence punishable in accordance with law; [Article 17]
- (e) If the State imposes compulsory service on citizens for public purposes no discrimination shall be made in this regard on the ground of religion, race, caste, class or any of them; [Article 23(2)].

4.6 **Freedom of Religion:**

- (a) All persons are equally entitled to freedom of conscience and the right to freely profess, practice and propagate their religion – subject to public order, morality and other Fundamental Rights; [Article 25(1)]
- (b) Prohibition against compelling any person to pay taxes for promotion of any particular religion'; [Article 27]
- (c) People's 'freedom as to attendance at religious instruction or religious worship in educational institutions' wholly maintained, recognized, or aided by the State.[Article 28]
- (d) The 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 26]

4.7 **Minority & Tribal protection rights** provided in the Constitution which fall in the category of 'Separate Domain' are as under:

- (a) Nothing in article 15 or in clause (2) of article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes; [Article 15 (4)]
- (b) The authority of the State to make 'any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State; [Article 16(4)]
- (c) The right of 'any section of the citizens' to 'conserve' its 'distinct language, script or culture'; [Article 29(1)]
- (d) The 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 29(2)]
- (e) The right of all Religious and Linguistic Minorities to establish and administer educational institutions of their choice;[Article 30(1)]

- (f) The freedom of Minority-managed educational institutions from discrimination in the matter of receiving aid from the State;[Article30(2)]
- (g) The provision for facilities for instruction in mother-tongue at primary stage under Article 350A lays down that 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 communities; and the President may issue such directions to any State as he considers necessary or proper for securing the provision of such facilities;[Article 350 A]
- (h) There shall be a Special Officer for linguistic minorities to be appointed by the President. It shall be the duty of the Special Officer to investigate all matters relating to the safeguards provided for linguistic minorities under this 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. [Article 350 B]
- (i) Sikh community's right of 'wearing and carrying of kirpans; [Explanation 1 below Article 25]
- (j) Provides for the special measures and provisions with respect to the states of Maharashtra and Gujarat, Nagaland, Assam, and Manipur; [Article 371, 371 A, 371 B and 371 C respectively].

4.8 **Directive Principles of State Policy (Chapter IV, Constitution of India):** The Constitution has made provisions for the Fundamental Rights in Part III, which the State has to comply with and these are also judicially enforceable. There is another set of non-justiciable rights stated in Part IV, which are connected with social and economic rights of the people. These rights are known as 'Directive Principles of State Policy', which legally are not binding upon the State, but are "fundamental in the governance of the country and it shall be the duty of the State to apply these principles in making laws" (Article 37). Part IV of the Constitution of India, containing non-justiciable Directive Principles of State Policy, includes the following provisions having significant implications for the Minorities.

- (a) The obligation of the State 'to endeavour to eliminate inequalities in status, facilities and opportunities' amongst individuals and groups of people residing in different areas or engaged in different vocations;[Article 38 (2)]
- (b) The obligation of State 'to promote with special care' the educational and economic interests of 'the weaker sections of the people' (besides Scheduled Castes and Scheduled Tribes); [Article 46]

4.9 **Fundamental Duties (Chapter IVA):** The Chapter on Fundamental Duties (non-enforceable and non-justiciable) inserted into the Constitution by 42nd Amendment Act 1976, and includes the following among the basic obligations of all the citizens: (a) To promote harmony and the spirit of common brotherhood amongst all the people of India

transcending religious, linguistic and regional or sectional diversities; [Article 51A(e)]; (b) To value and preserve the rich heritage of our composite culture; [Article 51A (f)].

4.10 **Minority Rights are Non-Amendable in Indian Constitution (Article 368 & Basic Structure of the Constitution):** The Preamble of Indian Constitution aims to constitute India a Sovereign, Socialist, Democratic Republic. The terms Socialist and Secular were added to it by the 42nd amendment. Article 368 of the Constitution provides for amendment of the provisions of the Constitution. The doctrine of basic structure as upheld in the case of *Kesavananda Bharati v. State of Kerala*, identified certain constitutional principles and values which composed the basic foundation and structure of the Constitution, and held that such aspects cannot be altered through constitutional amendments. Multiple constitutional cases especially the *S.R.Bommai v. U.O.I* have since ruled that secularism forms the basic structure of the Indian Constitution.

4.11 **Legislative Framework Governing Minorities and STs (IPs)**

4.12 **The National Commission for Minorities Act 1992** to constitute a National Commission for Minorities and to provide for matters connected therewith or incidental thereto. The 1992 governing statute of the Commission has been examined and explained by the Supreme Court in *Misbah Alam Shaikh v State of Maharashtra* AIR 1997 9(1419; *Bal Patil v Union of India* AIR 2006 SC.

4.13 **The National Minority Educational Institutions Commission Act 2004** to constitute a Commission charged with the responsibilities of advising the Central Government or any State Government on any matter relating to education of minorities that may be referred to it, looking into specific complaints regarding deprivation or violation of rights of minorities to establish and administer educational institutions of their choice, deciding on any dispute relating to affiliation to a scheduled University and reporting its findings to the Central Government for implementation. The Act was extensively amended in 2006 (Act 18 of 2006), inter alia, empowering the Commission to enquire suo moto or on a petition presented to it by any minority educational institution (or any persons on its behalf) into complaints regarding deprivation or violation of rights of minorities to establish and administer an educational institution of its choice and any dispute relating to affiliation to a University and report its finding to the appropriate Government for its implementation. The Act also provides that if any dispute arises between a minority educational institution and a University relating to its affiliation to such University, the decision of the Commission thereon shall be final.

4.14 **State Minorities Commissions:** State Minority Commissions have been established in various states under the following legislations like Bihar State Minorities Commission Act 1991, Karnataka State Minorities Commission Act 1994, Uttar Pradesh State Minorities Commission Act 1994, Madhya Pradesh State Minorities Commission Act 1996, West Bengal State Minorities Commission Act 1996, Andhra Pradesh State Minorities Commission Act 1999 and Delhi Minorities Commission Act 1999. The State Minorities

Commission Acts usually empower the local governments to notify the minorities in their respective states.

4.15 **Protection of Civil Rights Act 1955** [formerly known as the Untouchability (Offences) Act 1955, the **Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989** and the **Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995** have been enacted by the Central Government to protect persons belonging to Scheduled Castes and Scheduled Tribes from untouchability, discrimination, humiliation, etc.

4.16 **Legal Framework:**

- (a) **Representation of the People Act 1951**, Section 125 (using religion for electoral gain)
- (b) **Indian Penal Code: Sections 153-A and 153-B** lay down penalties for the following offences: (i) Promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc. and doing acts prejudicial to maintenance of harmony (ii) Imputations and assertions prejudicial to national integration respectively. The provision relating to offence (i) was drastically amended in 1969 and 1972 on the recommendation of the National Integration Council. An association which has for its object any 'activity' punishable under these provisions of the IPC, or which encourages or aids people to undertake such an activity, will be deemed to be an 'unlawful association' under the Unlawful Activities (Prevention) Act 1967 and also attract the penalties which that Act provides for such associations. Under the Representation of the People Act 1951 persons convicted of the offences under Sections 153-A and 153-B of the IPC may be disqualified from contesting elections to central and State legislatures for different periods in different circumstances specified in the Act - Section 8.
- (c) **Chapter XV of the Indian Penal Code**, consisting of Sections 295- 298, is dedicated entirely to punishments for 'Offences against Religion.' In these provisions each of the following acts is declared to be an offence respectively: (i) Injuring or defiling a place of worship with an intention to insult the religion of any class of persons (ii) Deliberate and malicious act intended to outrage religious feelings of any class of persons by insulting their religion or religious beliefs (iii) Disturbing a religious assembly lawfully engaged in the performance of religious worship or ceremonies (iv) Trespassing in a place of worship or graveyard, etc., or disturbing an assembly for funeral, with a view to wounding religious feelings of any person or persons (v) Uttering words or making a sound or gesture with an intention to wound religious feelings of any person or persons
- (d) **Chapter XXII of the Indian Penal Code, relating to 'criminal intimidation, suit and annoyance', Section 505** provides penalties for the following offences: (i) Making, publishing or circulating any statement, rumor or report with intent to incite or likely to incite one community to commit an offence against another (ii) Making, publishing or circulating any statement or report containing rumor or alarming news with intent to create or promote on grounds of religion or community feelings of enmity, hatred or ill-will between various religious groups or communities (iii) Committing offence (ii) above in a

place of worship or religious assembly. By virtue of the provisions of the CrPC all the offences against religion under the IPC are cognizable and non-bailable.

- (e) **The Army Act 1950** provides for conviction by court martial and punishment of persons governed by the Act if they commit any of the following offences: (a) Defiling any place of worship, (b) Insulting religion, or (c) Wounding religious feelings of any person - Section 64. A similar provision is found also in Section 66 of the Act.
 - (f) **Religious Institutions (Prevention of Misuse) Act 1988** (misusing shrines for unlawful activities); and Places of Worship (Special Provisions) Act 1991 (distorting nature of particular of shrines); In Orissa a Prevention of Dangerous Activities of Communal Offenders Act has been in force since 1993.
 - (g) **The Police Forces (Restriction of Rights) Act 1966** prevents members of the police force from being associated in any way with any other society, institution, association or organization, but makes a specific exemption for any such body of a purely religious nature, which will be a question of fact to be decided by the government – Section 3. Provisions relating to religion, more or similar to the one referred to above, are found also in the following laws: Navy Act 1957, Railway Protection Force Act 1957, Border Security Forces Act 1968, Central Industrial Security Forces Act 1968, Coast Guard Act 1978, Indo-Tibetan Border Police Force Act 1992.
 - (h) **Requisitioning and Acquisition of Immovable Property Act 1952, Section-3(2)** prohibits the State from requisitioning in normal circumstances any property which is used for religious worship by the public. **Suppression of Immoral Traffic in Women and Girls Act 1956** prohibits prostitution activity in the vicinity of the places of public worship belonging to any religious community and provides penalties for those who perform or permit such activity within the specified distance from any such place.
- 4.17 **The Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006:** The Act recognizes and vests the forest rights and occupation in forest land in forest dwelling Scheduled Tribes and other traditional forest dwellers who have been residing in such forests for generations but whose rights could not be recorded, and provides for a framework for recording the forest rights so vested and the nature of evidence required for such recognition and vesting in respect of forest land. The definitions of forest dwelling Schedule Tribes, forest land, forest rights, forest villages, etc. have been included in Section 2 of the Act. The Union Ministry of Tribal Affairs is the nodal agency for implementation of the Act.
- 4.18 **The Provisions of The Panchayats (Extension to the Scheduled Areas) Act, 1996:** The Act provides for extension of the provisions of Part IX of the Constitution relating to the Panchayats to the Scheduled Areas. As per the provisions of the Act, the concerned Gram Sabhas or Panchayats shall be consulted before making the acquisition of land in a Scheduled Area for any development project and before re-settling or rehabilitating the affected persons.

4.19 **Policies and Schemes for the Minorities:**

4.20 **Government Schemes and Policies for the Welfare of Minorities:** The Government of India has undertaken several programs for minority development such as the multi-sectoral development program, an area development initiative to address the development deficits of minority concentration areas by creating new socio-economic infrastructure and providing basic amenities; the learn and earn scheme, a skill development initiative for minorities; and a scholarships schemes for minorities. The Governments at State as well as Central levels have made sustained efforts to provide opportunity to these communities for their overall development and upliftment.

4.21 **Multi sectoral Development Scheme:** In 1987, a list of 41 minority concentration districts was prepared, based on a single criterion of minority population of 20 percent or more in a district based on the data from Census 1971, for enabling focused attention of government programs and schemes on these districts. The Multi-sectoral Development Program (MsDP) was conceived as a special initiative of the follow up action on the Sachar Committee recommendations. It is a Centrally Sponsored Scheme (CSS) approved by the Government in the beginning of the 11th five Year Plan and launched in the year 2008-09 in 90 Minority Concentrations Districts (MCDs). It is an area development initiative to address the development deficits of minority concentration areas by creating socio-economic infrastructure and providing basic amenities. The program aims at improving the socio-economic conditions of minorities and providing basic amenities to them for improving the quality of life of the people and reducing imbalances in the identified minority concentration areas during the 12th Five Year Plan period. The projects taken up under MsDP would be related to the provisions of better infrastructure for education, skill development, health, sanitation, pucca housing, roads, drinking water, besides schemes for creating income generating opportunities. The objective of the scheme is to fill the gaps in the existing schemes of the Govt. of India by providing additional resources and to take up non-gap filling projects (innovative projects) for the welfare of the minorities.

4.22 **Scholarship Schemes:** Pre-Matric Scholarship Scheme, Post- Matric Scholarship Scheme and Merit cum Means Scholarship Scheme are 3 scholarship schemes run by the Ministry of Minority Affairs for providing financial assistance to students belonging to the minority communities viz Christians, Sikhs, Parsis, Muslims, Jains and Buddhists upon fulfillment of certain criteria. The first scheme is for studies till Class Xth, the second one is for Class 11th and 12th to PHD and the last one is for professional courses like engineering, medical etc.

4.23 **Free Coaching and Allied Scheme for Minority Communities Students:** The scheme aims to empower the minority communities, which are relatively disadvantaged section of their skills and capabilities to make them employable in industries, services society, by assisting them as well as those institutions working for them, towards in-resilience to adapt itself to the market dynamics on a continuous basis so that the target groups are not deprived of the professional acumen demanded by the enhancing and business sectors in

addition to the government sector. It has the built changing/emerging market needs and opportunities for employment at domestic as well as international levels.

- 4.24 **Computerization of Records of State Wakf Boards:** The scheme aims to streamline record keeping, introduce transparency, and to computerize the various functions/processes of the Wakf Boards and to develop a single web based centralized application.
- 4.25 **Equity to NMDFC:** 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 is providing concessional finance for self-employment activities to eligible beneficiaries belonging to the minority communities, having a family income Rs. 81,000/-p.a. in Rural Areas and Rs. 1,03,000/- p.a. in Urban Areas. As a special initiative, a new annual family income eligibility of up to Rs. 6.00 lakh per annum has been introduced with effect from September, 2014. This category will get concessional credit at a high rate of interest. The authorized share capital of NMDFC which stood Rs.650 crore in 2004 now stands at Rs.1500 crore.
- 4.26 **Corpus Funds to MAEF:** The Maulana Azad Education Foundation main objective is to formulate and run schemes for the educationally backward minorities in particular and weaker sections in general. These schemes are mainly of two types, Viz; Grants-in-aid to NGOs for construction and expansion of schools / hostels, technical / vocational training centres with emphasis on girl students and Scholarships to meritorious girl students. The various schemes run by the Foundation are as under: Financial assistance to establish/expand schools/residential schools/colleges; Financial assistance for purchase of laboratory equipment and furniture etc; Financial assistance for setting up/strengthening vocational/technical training centre/institutes; Financial assistance for construction of hostel buildings; Maulana Azad National Scholarships for meritorious girl students; Maulana Abdul Kalam Azad Literacy Awards.
- 4.27 **Maulana Azad National Fellowship for Minority Students Scheme:** The objective of the Fellowship is to provide integrated five year fellowships in the form of financial assistance to students from minority communities, as notified by the Central Government to pursue higher studies such as M. Phil and Ph.D. This scheme is implemented by the Ministry of Minority Affairs through UGC for students belonging to the minority communities.
- 4.28 **Maulana Azad National Academy for Skills:** MANAS has been established under the aegis of Ministry of Minority Affairs for providing an institutional arrangement to meet all Skill Development/Upgradation needs of the Minority communities in the country. MANAS is a Special Purpose Vehicle (SPV) which comprises of an all India Level, Training framework, based on collaboration (PPP mode) with training providers of national level in the country for the purpose of providing quality skills training, for those Skill sets, which are in demand. MANAS is a policy intervention of Ministry of Minority Affairs to achieve Government's vision of – "Skilling India" leading to achievement of Sabka Sath –

Sabka Vikas, by providing meaningful and sustainable livelihood options, in terms of self-employment/wage employment opportunities to all minority communities, with primary focus on self-employment.

- 4.29 MANAS has signed the comprehensive MoU with National Skill Development Corporation (NSDC) on 8th October 2014 in the presence of Hon'ble Minister of Minority Affairs. It has also signed MoUs with 10 Sector Skill Councils for Security, Apparel, Media & Entertainment, Logistics, Telecom, Healthcare, Beauty & Wellness, Furniture & Fittings, Tourism & Hospitality and Life Science Sectors to promote and develop entrepreneurial skill training environment.
- 4.30 In order to organize skill development programmes in various parts of the country, and expanding its network MANAS has registered more than 260 Project Implementing Agencies (PIA), who are having presence in 29 states/ 3 Union Territories in the field of more than 35 sectors in skill development.
- 4.31 **"Nai Roshni" (The Scheme for Leadership Development of Minority Women):** This is a leadership development scheme and its objective is to empower and instill confidence among minority women, including their neighbours from other communities living in the same village/locality, by providing knowledge, tools and techniques for interacting with Government systems, banks and other institutions at all levels.
- 4.32 **Lear and Earn:** It's a skill development scheme of the Ministry of Minority Affairs aims at bringing down the unemployment rate of the minorities. The scheme aims to establish placement linked training program for modern trades, skills training program for traditional trades, the training program also includes soft skills training, basic Information and Technology (I.T) and English training, project implementing agencies to ensure 75 percent employment and out of that 50 percent in organized sector, mechanism for placement and post placement support, 100 percent assistance by Ministry of Minority affairs of Government of India.
- 4.33 **Jiyo Parsi:** The scheme is for containing population decline of Parsis in India. The scheme comprises of two components a) Advocacy Component b) Medical Component. The former component involves counseling of Parsi families to encourage early marriages among the community youth, to get treatment for medical issues from puberty onwards, to allow for parenthood at the right time and to approach for assistance to treat infertility as soon as the problem is detected. The latter involves treating fertility related issues as soon as they are detected. The scheme has been further revised to allow for surrogacy.
- 4.34 **Padho Pradesh Scheme:** This scheme aims to award interest subsidy to meritorious students belonging to economically weaker sections of notified minority communities so as to provide them better opportunities for higher education abroad and enhance their employability.
- 4.35 **Hamari Dharohar:** This is a scheme to preserve the rich heritage of the minority Communities of India under the Overall Concept of Indian Culture. Through this scheme

the government aims to curate exhibitions including iconic exhibitions, support and promote calligraphy etc, preservation of literature, documents, manuscripts etc, documentation of oral traditions and art forms, support ethnic museums (not supported under schemes of Ministry of Culture or its bodies) for showcasing and preserving heritage of minority communities and support for organizing heritage related seminars/ workshops. The scheme also provides for fellowship for research in preservation of heritage and development, and any other support to individual/ organization in furtherance of cause of protection and promotion of rich heritage of minority communities.

- 4.36 **Nai Udaan:** It is a scheme to award support for students clearing prelims conducted by UPSC/SSC, State Public Service Commission (PSC) etc in order to increase the representation of minorities in Civil services.
- 4.37 Apart from the aforesaid schemes the Ministry of Minority Affairs also runs schemes like Grant in Aid Scheme to State Channelizing Agencies of National Minorities Development & Finance Corporation, Schemes for strengthening of Wakf Boards are also under implementation by the ministry.
- 4.38 Schedule Tribe Empowerment Schemes:** Promotion of all round development of STs inhabiting the length and breadth of our country has received priority attention of the government. There are numerous government policies for ensuring the welfare and wellbeing of tribal people. The Governments at State as well as Central levels have made sustained efforts to provide opportunity to these communities for their economic development by eradicating poverty and health problems and developing communication for removal of isolation of their habitats.

5. Policy Framework

- 5.1 **Key Safeguards Policy Applications:** The Nai Manzil scheme shall be implemented with financial assistance from the World Bank. The scheme shall therefore be implemented in line with the applicable social safeguards policies of the World Bank, the funding partner for this project. The project involves no construction activities such as establishing training facilities. Compulsory land acquisition has been ruled out for this project as the proposed activities will not involve any civil works. Therefore, the **World Bank Policy on Involuntary Resettlement (OP 4.12)** shall not be applicable. Nai Manzil is a nation-wide scheme all minority communities in the country including states like Jharkhand, Chattisgarh, Odisha and the NER. Therefore World Bank Operational Policy (OP) 4.10 (**Indigenous People**) shall be applicable.
- 5.2 **Applicable National Laws:** The scheme will be undertaken by MOMA consistent with the relevant laws and policies of the Government of India and of states in which this is implemented which have been discussed in detail in Chapter-4 of this document.
- 5.3 **Gender Equality and Social Inclusion Guidelines:** The Project is socially inclusive and gender sensitive with its explicit focus on vulnerable communities from the minority communities. The Ministry is already implementing a range of welfare schemes targeting the minorities with special attention to women and the poor and vulnerable communities amongst minorities. "Nai Roshni" is a leadership development scheme and its objective is to empower and instill confidence among minority women, including their neighbours from other communities living in the same village/locality, by providing knowledge, tools and techniques for interacting with Government systems, banks and other institutions at all levels. Nai Manzil will be implemented in establishing coordination with the Nai Roshni scheme. There are a host of education and earning support schemes for the minority students. The Nai Manzil program will benefit from the experience of having implemented these schemes in the past.
- 5.4 Key GESI Implementation Guidelines include the following:
- (a) The scheme shall earmark at least 30 percent for women candidates in the training program beneficiaries
 - (b) The schemes shall pay special attention to the needs of the people living with disability, including those cognitively challenged, and shall earmark 5 percent of seats for the people living with disabilities from minority communities;
 - (c) The scheme will include measures to ensure access and outreach for most vulnerable amongst minority youth in rural and urban areas;
 - (d) There shall be a technical advisory committee representing the minorities to guide the implementation process

- (e) The scheme will emphasize community mobilization, student orientation, and awareness raising amongst minority communities through using culturally appropriate media;
- (f) There shall be a helpline to address needs and concerns of the target communities, especially women and vulnerable communities;
- (g) The training process will include student orientation on gender sensitivity, labor laws, and financial literacy as a part of the curriculum;

5.5 **Indigenous People's Policy Framework:** The Government of India has a special ministry of Tribal Affairs (MOTA) which works with several ministries to ensure that the development benefits reach the tribal communities through a range of targeted schemes and through mainstreaming tribal people's needs and concerns in various development programs implemented by different Government Departments. The Chapter-3 has outlined in detail various Constitutional rights of the IPs (Scheduled Tribes), legal frameworks to prevent any harm to and protect them against different forms of exploitation. There are several punitive laws providing for punishing those who unleash discrimination, or exploitation of the tribal people explained in Chapter-4.

5.6 **Nai Manzil** is primarily targeted at youth from the below poverty line minority households. However, the Project shall earmark 15 percent seats in training for the below poverty line families from the non-minority households, which could include scheduled tribe and scheduled caste families. The scheme as such does not make a distinction between tribal and non-tribal minorities as the prime consideration is to reach out to the below poverty line families from the minority communities. However, wherever, tribal minorities are found amongst the local areas where the scheme establishes centers, the tribal youth will benefit. One example, is the north-eastern, eastern, south eastern, western and north western parts where tribal people with minority status may be found and will be thus benefitted.

5.7 The key elements of the IPPF for this Scheme will include the following:

- (a) Paying special consideration towards schedule tribe and caste groups within the 15 percent seats earmarked for poor non-minority youth to be covered by the scheme;
- (b) A robust consultation framework providing for free, prior and informed consultation with the beneficiaries emphasizing community mobilization at the field level;
- (c) A grievance redress mechanism for all beneficiaries and a helpline for the vulnerable amongst the minority youth including the tribal and women students;
- (d) A robust information, education and communication strategy emphasizing the use of culturally appropriate media to reach out the beneficiary communities;
- (e) Provision of benefits under this scheme along with other benefits that minority tribal youth may be entitled as belonging to the ST or SC category.

- 5.8 **Consultation Framework:** The primary stakeholders of Nai Manzil include youth mostly from minority households living below the line of poverty. The secondary stakeholders include: faith and non-faith based CBOs working with the youth in program areas, training providing institutions, educational institutions, relevant departments and agencies of the concerned state governments and the federal government, INGOs and NGOs working on the issue. A free, prior and informed consultation was conducted by MOMA at the Islamic Center, New Delhi on October 16, 2015 with key stakeholders including minority community leaders and development organizations working in the field in order to enlist their views and inputs. Follow up student orientation and community mobilization will be held in field locations to plan and implement the training activities.
- 5.9 **Disclosure:** This Social Management Framework (SMF) including the Indigenous People's Policy Plan (IPP) and Gender Equality and Social Inclusion (GESI) Guidelines shall be disclosed by the MOMA in country. The scheme will also disclose in advance eligibility criteria, implementation guidelines and the training beneficiary lists shall be disclosed by the Ministry locally and on its website.
- 5.10 **The Right to Information Act, 2005:** The Act provides for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority, the constitution of a Central Information Commission and State Information Commissions and for matters connected therewith or incidental thereto. The PMU-MOMA will have a designated Public Information Officer (PIO) as a Public Authority under the Act. The process for obtaining information and details of designated PIOs will be disclosed on the MOMA website.

6. Implementation Arrangements

Nai Manzil aims to engage with poor Minority youth and help them obtain sustainable and gainful employment opportunities that can facilitate them to be integrated with mainstream economic activities. The Ministry of Minority Affairs (MoMA), Government of India will be the principal implementing agency of the Project. The MoMA is a recently created Ministry carved out of Ministry of Social Justice & Empowerment in January, 2006 to ensure a more focused approach towards issues relating to the notified minority communities namely Muslim, Christian, Buddhist, Sikhs, Parsis and Jain. The mandate of the Ministry includes formulation of overall policy and planning, coordination, evaluation and review of the regulatory framework and development programs for the benefit of the minority communities.

The Ministry is headed by a Secretary who is assisted by three Joint Secretaries heading the three divisions and a Joint Secretary & Financial Adviser. The Ministry has a sanctioned strength of 98 Officers/Staff. The functions of the three divisions, each headed by a Joint Secretary have been divided into the following:

a) Policy and Planning: This includes overall policy, planning, coordination, evaluation and review of the regulatory and development programs of the minority communities. Other functions include skill development, monitoring and evaluation of development schemes, gender related matters and communication among others.

b) Scholarships and Media: This bureau implements several scholarship and education related schemes for minority communities.

c) Institutions and Wakf⁸ Board: This bureau looks after all wakf related matters including implementation of the Wakf Act, 1995 and functioning of related institutions.

The Joint Secretary and Financial Advisor, a position currently being held as additional charge, heads the Integrated Finance Division (IFD) of the Ministry. The IFD provides financial advice on all matters involving government expenditure / concurrence to financial proposals. It monitors and reviews the progress of expenditure against sanctioned grant along with the outcome budget.

6.1 Project Management Unit The overall operations for the project will be headed by a Project Director not below the rank of Joint Secretary to the Government of India. The MoMA has nominated the Joint Secretary heading the Policy and Planning division to lead the implementation of the project. This division is also suitably aligned to implement the project since it encompasses the functions of skill development, gender, monitoring and evaluation, communication etc. The division is headed by a Joint Secretary who is supported by a Director and an Under Secretary. The Ministry is further deputing dedicated staff for the implementation of the scheme. The scheme will be implemented by Ministry of Minority Affairs through the Program Implementing Agencies (PIAs). A Technical Support Agency (TSA) will be engaged to support the Ministry in management and implementation of the Scheme. The Ministry through the TSA is also provisioning for hiring of subject matter experts as and when needed during the course of implementation. The day to day functions will be managed by a Project Management Unit (PMU) set up within the Ministry and supported by a Technical Support Agency (TSA). The PMU will identify Program Implementation Agencies (PIAs) through a rigorous process of quality checks who will be the direct implementers of the Scheme. The key functions of the PMU will include a) day to day project implementation, management and coordination and meeting all administrative and legal requirements; b) preparation of implementation manual, guidelines etc.; c) preparation of annual work plan, budget, annual performance and financial reports; d) selection and termination of the PIAs including contract management; e) review the functioning of PIAs, processing and approval of disbursements; f) undertake advocacy and IEC for better beneficiary targeting and enrolment; g) setting up quality assurance standards; h) conducting overall monitoring and evaluation for the scheme, including the project appraisal, annual benchmarking surveys etc.; i) set up and maintain an MIS for the scheme, periodically review the MIS reports, and identifying and implementing any necessary action items. Hired through

⁸ According to the Wakf Act 1995 - Wakf means the permanent dedication by a person professing islam, of any movable or immovable property for any purpose recognized by the muslim law as pious, religious or charitable.

the TSA, the day to day operations of the Nai Manzil scheme will be led by a Team Leader who will work under the overall supervision and guidance of the Joint Secretary.

6.2 The MoMA is currently implementing about 22 schemes for the minority population. These include cash transfers, skill development, leadership development, education etc. From program management perspective, some schemes such as *Seekho aur Kamao* (Learn and Earn) are typically based on a model similar to that of Nai Manzil i.e. implementation through Program Implementing Agencies (PIAs). The Ministry every year selects a number of agencies through a defined process for the implementation of various schemes. The implementation is monitored on the ground by a third party agency that is specifically hired for the purpose. MOMA will further enhance its capacity to manage the project.

6.3 **Supervision and Guidance:** At the national level, the Project will be guided by a Steering Committee which will be set up at the Ministry of Minority Affairs for all key decisions related to scheme implementation. The Committee will be chaired by the Secretary, Ministry of Minority Affairs, and will have the following composition:

- Secretary, Ministry of Minority Affairs – *Chairperson*
- Financial Advisor to Ministry of Minority Affairs (or his / her nominee)
- Joint Secretary, Ministry of Skill Development & Entrepreneurship
- Joint Secretary, National Commission for Minorities
- Chairman, National Institute of Open Schooling (or his / her nominee)
- Director General, National Skill Development Agency
- CEO, National Skill Development Corporation
- Managing Director, National Minorities Development & Finance Corporation
- Two members nominated by GoI India with expertise in education and skills training
- Members nominated respectively by CII, FICCI, and ASSOCHAM
- Joint Secretary, MoMA/Project Director of the PMU – *Member Secretary*

6.4 The Steering Committee will discharge the following functions:

- Guiding the work of the Project Management Unit (PMU);
- Reviewing and approving the Annual Work Plan and Budget (AWPB) of the PMU;
- Reviewing implementation progress periodically;
- Approving any additional guidelines, changes, and modifications with respect to scheme implementation including beneficiary identification, training delivery, engagement terms for Program Implementing Agencies (PIAs), etc.; and
- Take decisions on any other matter escalated by the PMU.
- The Steering Committee will meet twice a year, although ad hoc meetings may be convened by the Chairperson based on needs.

6.5 **Technical Advisory Committee:** Apart from the Steering Committee, in order to provide frequent support and guidance to the implementation of Nai Manzil, it is proposed to set up a Technical Advisory Committee at the MoMA level. The Committee will be chaired

by the Project Director (Joint Secretary). This Committee will provide need-based advice on curriculum, outreach, social inclusion and gender equality, IEC, and networking and collaboration with CSOs and community leaders. The TAC will be a five member committee comprising representatives from relevant NGOs, resource organizations, and community leaders. The Joint Secretary, MOMA (Project Director) shall be responsible for convening the TAC on a quarterly basis.

- 6.6 **Program Implementing Agency:** The Nai Manzil scheme at the ground level will be implemented by Program Implementing Agencies hired for the purpose. The PIAs will be selected from amongst private (for profit or not for profit) and/or government agencies. The PIAs may also form a consortium with each partner responsible for implementation of one major component. A detailed appraisal process for the selection of PIA will be laid down. The appraisal process would include qualitative appraisal of the a) organization strength b) training and placement track record c) experience of education related work d) experience in minority areas e) experience in skill development f) experience in the concerned state / region g) available infrastructure h) financial record. The PIAs will be the key drivers of the scheme. Outcome based contracts with adequate flexibility in approach and methodology will be given to the PIAs. The PIAs will undertake mobilization of minority youth in the age group of 17 to 35.
- 6.7 **IEC and awareness generation programs** will be designed and implemented at the macro level by MoMA and at the micro level in the project areas by the PIAs. The mobilised youth will be provided counselling in order to do a pre selection screening of the candidates to identify appropriate education and skilling intervention needed. After successful completion of training, the PIAs will facilitate the placement of trainees in jobs for wage employment. Based on the total target candidates, area etc. the PIAs may propose the required human resource that may comprise of managerial staff, teachers for the education component, trainers/instructors for skill development, counsellors, administrative staff, staff for placement cell among others.
- 6.8 **Concurrent Monitoring Agency:** Ministry of Minority Affairs would hire an agency to conduct concurrent monitoring and random checking of physical and financial reports on the MIS. The information gathered from this will be fed into the decision making process for further sanctions and release of funds under the Scheme. Monitoring would (among others) include random visits to training centres and validation of:
- Presence of minimum infrastructure supposed to be present as per due requirements
 - MIS entries by utilizing appropriate methods to certify the veracity of beneficiaries
 - Facts about training, placement and retention of those candidates from the residing area who were trained under the scheme by meeting the beneficiaries and / or members of the beneficiaries' family
- 6.9 The concurrent monitoring agency will also be used for verification and robust reporting of DLIs and these third-party verification reports will also be a part of the Annual Progress Reports (APRs). The APRs will assess the objectives and outcomes rather than monitoring

the progress of individual activities and accounting solely for inputs. It will assess progress toward meeting targets and will spell out lessons learned and recommendations. The APR will also report on the fiduciary and safeguards aspects of the project. Further, the Ministry may also engage specialized agencies in the field of education and skill development through the PMU set up for the purpose as Knowledge Partner(s) as and when necessary.

- 6.10 Grievance Redress Mechanism:** The Department of Administrative Reforms and Public Grievances, Government of India has formulated a mechanism for redressing grievances for various Ministries and Departments. Grievances for various ministries are received in <http://pgportal.gov.in/>. The grievances received by the Department are forwarded to the concerned Ministries/Departments/State Governments/Union Territories, dealing with the substantive functions related to which a particular grievance has been received. The MoMA is following the guidelines laid down by the Department for a grievance redress mechanism. MoMA has set up a mechanism based on the national guidelines. It has constituted a public grievance cell. This cell is headed by the Joint Secretary (in-charge of Administration) with the support of Director and Under Secretary along with their section. This cell receives grievances from the central portal as well as any grievance that come directly to the Ministry and forwards them appropriately for resolution. The project will adopt the existing grievance redress mechanism of the MoMA and strengthen it further.
- 6.11 Budget:** The implementation of the SMF shall be mainstreamed into the overall Project implementation and therefore no separate budget has been earmarked for the SMF.