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Title: Minority Rights in India vis-à-vis the Sachar Committee Report;
A socio-legal study

Abstract

“In any country, the faith and confidence of the minorities in the functioning of the State in an impartial manner is an acid test of it being a just State”. **Justice Rajendra Sachar**

Keywords: Minority, Minority Rights, Sachar Committee Report, Cultural and Educational Rights, Muslims.

India is the largest democracy in the world and it is a country of multi-ethnic culture where people belonging to different religious, racial, cultural and lingual identities live together harmoniously. India’s diversity - linguistic, religious, ethnic, cultural, etc. is incomparably richer than in any other country in the world. In a democratic country, the majority is secured by the very fact of being the majority. The minority needs special protection in order to ensure the security and basic equality. Minority rights were made the cornerstone of the constitution of independent India. Articles 15, 16, and 29 enjoin that the state shall not discriminate against any citizens on grounds of religion, race, caste, place of birth or any of them. Similarly, Articles 25 to 28 guarantee non-discrimination in the exercise of the right to the freedom of religion. Article 30 guarantees religious and linguistic minorities the most important right, the right to establish and administer educational institutions of their choice.

The Indian constitution not only provided safeguards to minorities against discrimination and ensuring equality of treatment, it granted special rights to them as well.

Minority Rights in India has been one of the issues repeatedly disputed both in public and on the floor of the court of justice. In the present study, the researcher has tried to explore stand of the judiciary through various judicial pronouncements on the educational aspect of Minority Rights. The changing minority character of AMU and Jamia Millia Islamia is the case in study.

Keeping in view the problem of the minorities and especially of Muslim Minorities, the govt. of India has constituted different committees to improve the condition of Minorities. Minority community especially Muslims are the most backward community on all fronts of human development. They are most backward educationally, economically and politically. Poorest community in India is Muslim. After a long stony silence on the issue of educational

backwardness of the Indian Muslims since Independence, the Government of India ultimately decided to publicly appreciate the fact that Muslims are educationally most backward and special actions have to be taken to remove this. Several provisions concerning education of minorities were incorporated in the National Policy of education- 1986 and the Sachar Committee Report (2006), have pointed out this fact. The govt. initiated various developmental schemes for the welfare of Minorities. It also appointed Post Sachar Committee under Prof. Amitabh Kundu (2014) to analyze the implementation of recommendations of Sachar Committee Report.

The Sachar Committee has remarked that the representation of Muslims is only 3 percent in IAS, 1.8 percent in IFS and 4 percent in IPS. The Muslim community has a representation of only 4.5% in Indian Railways while 98.7% of them are positioned at lower levels. It was found through Sachar and through Ranganath commission report that Muslims are lagging behind on all fronts of development. The committee emphasized the need to view the recommendations:

Hence, the present study is conducted to examine and identify various minority rights, protection of those rights by central and state governments and the implementation of recommendations given by the Justice Sachar Committee Report for the removal of backwardness of Muslim minorities.