



Rehnuma

A Facilitation & Entitlement Centre for Vulnerable Groups

Minority Appeasement Myth or Reality?

A GROUND REPORT ON MINORITY
WELFARE IN 7 STATES

SUPPORTED BY



Research Conducted by Rehnuma
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Rehnuma
A Joint Initiative of
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ABBREVIATIONS

AWC- ANGANWADI CENTRE

AWW- ANGANWADI WORKER

CIF- COMMUNITY INVESTMENT FUND (UNDER NRLM)

COS- COMMITTEE OF SECRETARIES FOR THE IMPLEMENTATION OF THE 15-POINT PROGRAMME FOR THE WELFARE OF MINORITIES

DLCS/DLMCS- DISTRICT LEVEL MONITORING COMMITTEE FOR THE IMPLEMENTATION OF THE 15-POINT PROGRAMME FOR THE WELFARE OF MINORITIES

FGD- FOCUS-GROUP DISCUSSION

HBA- HIGH BUDGET ALLOCATION

ICDS- INTEGRATED CHILD DEVELOPMENT SCHEME

IDMI- INFRASTRUCTURE DEVELOPMENT IN MINORITY INSTITUTES (SCHEME)

MCB- MINORITY CONCENTRATED BLOCK

MCD- MINORITY CONCENTRATED DISTRICT

MCT- MINORITY CONCENTRATED TOWN

MOCA-MINISTRY OF CIVIL AVIATION

MOMA- MINISTRY OF MINORITY AFFAIRS

MORD- MINISTRY OF RURAL DEVELOPMENT

MOWCD- MINISTRY OF WOMEN AND CHILD DEVELOPMENT

MHA- MINISTRY OF HOME AFFAIRS

MHRD- MINISTRY OF HUMAN RESOURCE DEVELOPMENT

MSDP- MULTI-SECTORAL DEVELOPMENT PROGRAMME

NRLM- NATIONAL RURAL LIVELIHOOD PROGRAMME

NULM- NATIONAL URBAN LIVELIHOOD PROGRAMME

PIA- PROGRAMME IMPLEMENTATION AGENCY

PMAY-G- PRADHAN MANTRI AWAAS YOJNA- GRAMIN

RF- REVOLVING FUND

SHG- SELF HELP GROUP

SPQEM- SCHEME FOR PROVIDING QUALITY EDUCATION IN MADRASAS

SLCS/SLMCS- STATE LEVEL MONITORING COMMITTEE FOR THE IMPLEMENTATION OF THE 15-POINT PROGRAMME FOR THE WELFARE OF MINORITIES

CHAPTER NO.	CONTENTS	CHAPTER NO.
1.	ABOUT REHNUMA	3
2.	BACKGROUND	5
3.	METHODOLOGY	6
4.	ANALYZING BUDGETS FROM A MINORITY LENS	9
5.	MONITORING THE IMPLEMENTATION OF THE PM’S NEW 15-POINT PROGRAMME ACROSS SEVEN STATES	25
5.A	INTEGRATED CHILD DEVELOPMENT SERVICES (ICDS)	36
5.B	SCHOLARSHIPS	46
5.C	SCHEME FOR LEADERSHIP DEVELOPMENT OF MINORITY WOMEN (NAI ROSHNI)	60
5.D	SCHEME FOR PROVIDING QUALITY EDUCATION IN MADRASAS (SPQEM)	67
5.E	COMMUNAL VIOLENCE	75
6.	STUDYING THE OPERATION OF COW SLAUGHTER LAWS ACROSS SEVEN STATES	85
7.	MAPPING ILLEGAL ARRESTS & DETENTION OF MEMBERS OF VULNERABLE GROUPS ACROSS SEVEN STATES	93
8.	WAY FORWARD	101
9.	ACKNOWLEDGEMENT	116
10.	CONTRIBUTORS	118

About REHNUMA

“Rehnuma” is an intervention anchored by the National Foundation of India (NFI) and Center for Social Justice (IDEAL-CSJ). It was started in 2013 with a vision to address exclusion and discrimination against vulnerable groups in India, particularly religious minorities, using a rights-based framework through entitlement centers. As part of an action-research, Rehnuma centers focused on the implementation of the Prime Minister’s New 15-Point Programme, involving outreach for increasing awareness among stakeholders, facilitating access to benefits and advocacy to remove systemic bottlenecks. It was launched across 11 states and has impacted the lives of more than 100,000 people through its 11 entitlement centers, responding to over 60,000 requests for legal advice, filing over 28,000 applications for entitlements and providing legal aid in more than 27,500 cases. At the end of the phase, a report titled “Baseline & Impact Study to Assess Schemes Related to Minorities under the Prime Minister’s New 15-Point Programme for the Welfare of Minorities” was published.

In January 2016, the scope of the Rehnuma action-research was expanded beyond the 15-Point Programme and religious minorities to a more comprehensive framework of addressing vulnerability, fighting discrimination and targeted violence, while moving towards a more inclusive, just and equitable society in consensus with the vision of the globally accepted and adopted Sustainable Development Goals (SDGs). As part of this, we are addressing additional issues including religious freedom, communal violence, land rights, labor rights and ensuring gender equity and justice through reforms in personal laws.

This expansion was carried out in the 7 minority-concentrated areas that Rehnuma has been operating in ever since. Entitlement centers have been operative in Bhopal City (Madhya Pradesh), Gumla District (Jharkhand), Howrah District (West Bengal), Kalaburagi District {unofficially known as Gulbarga} (Karnataka), Kandhamal District (Odisha), Modasa Town and adjacent areas (Gujarat) and Rangareddy District (Telangana). An entitlement center is a physical space; preferably an office space, with a team that consists of one Coordinator, two Lawyers, two Paralegals along with one Fellow and one Administration Support Staff to ensure that a centre can provide legal services that help minority communities access their rights and entitlements and to also be able to respond to serious human rights violations. All actions that are carried out by the centers form the basis for the research presented in this report. Even as the Law Centers are working in different states with diverse local settings, they share a common vision of securing the rights of the most vulnerable communities among them.

Background

“Rehnuma” is a programme that has been envisioned for effective implementation of socio-economic as well as civil and political rights for religious minorities, divided into different action-research themes. Certain actions continue over from the previous phase of the Rehnuma programme, which culminated in the Rehnuma Baseline Survey Report which informs, to a certain extent, the present phase’s action-research. This report is a presentation of our findings from the field and analysis of the same, aiming at presenting the varied experiences resulting from the implementation of a central policy in diverse regional settings.

Action research agendas that were undertaken to bind the work of the centers included the implementation of the PM’s New 15-Point Programme, with specific focus on targeting under some of the Schemes in particular like the Integrated Child Development Services, Scholarships, Nai Roshni and Scheme for Providing Quality Education in Madrasas as well as the points relating to the prevention of communal violence, though a scheme on this does not exist. Also included is a preliminary field study of Cattle Slaughter Prohibition Laws and of the problem of Illegal Arrest and prolonged detention of persons belonging to vulnerable groups. There were a few other action-researches taken up, such as one related to Community-Based Mechanisms for justice dispensation but these were found to be relevant to a few centers only and the observations regarding the same will thus culminate in a follow-up report.

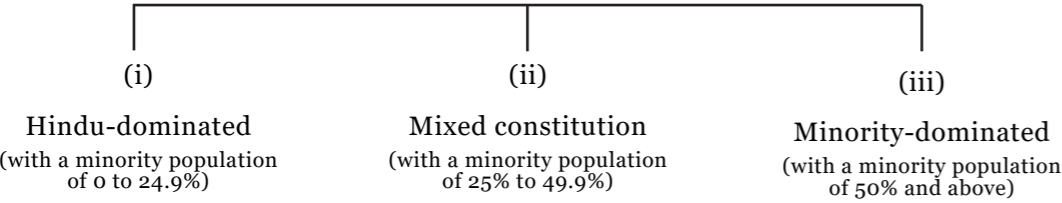
This report is an attempt to present the variety of experiences resulting from the implementation of a central policy in different regions of this country and to understand the gaps between policy formation and implementation through a vulnerability lens. Apart from this, since the current climate of intolerance towards religious and other minorities and growing inequality between the sexes is a cause for great concern, experiences in these areas too have been explored.

METHODOLOGY

The “Rehnuma” intervention spans seven states (Gujarat, Jharkhand, Karnataka, Madhya Pradesh, Odisha, Telangana and West Bengal) across the country. For the purposes of this action-research, a thematic research toolkit was formulated, based on which work has gone on since 2016 till the present day. For each thematic, base documents have been referred to, research tools have been designed based on an ‘entitlement-availability framework’ and these have been utilized to collect information from different spheres. The guideline on the PM’s New 15-Point Programme for the welfare of minorities (‘15-point Programme’), Central scheme guidelines and notifications for various schemes such as the Integrated Child Development Services (‘ICDS’), Scholarships, Scheme for Leadership Development of Minority Women (‘Nai Roshni’), Scheme for Providing Quality Education in Madrasas (‘SPQEM’), Communal Harmony, Central and State laws and by-laws and notifications on the ban on cow slaughter Central legislations and Supreme Court-issued guidelines on arrest procedures and police powers, etc. are a few of the base documents that informed the design of our research tools. Relevant portions of the toolkit clearly identify the stakeholders that were approached for collecting the requisite information on each research theme.

• IDENTIFICATION OF FIELD AREAS:

The research covered three categories of areas in a given district. These are



Typically, researchers started with identifying three villages/village clusters/bastis (localities) falling into each of these categories that were adjacent to each other. However, wherever the suitable localities were not adjacent to each other anywhere in that district, they were allowed to select any three such localities. Anganwadi Centres (‘AWCs’) were then identified and visited in these three particular localities. The area served by one AWC formed the basic unit of area for our research (‘area-units’). The research covered 30 such area units, 10 of each of the three categories mentioned above.

It is to be noted that, where an AWC in a mixed constitution locality served a minority dominated area, the area-unit was considered to be a part of category (iii) not (ii). The population constitution of the locality was important only to the extent that it leads us to AWCs in areas belonging to the aforementioned three categories. Where all the areas under an AWC in these three localities had been visited and this still did not give a sufficient number of area-units in any of the categories, researchers selected another area, ideally, adjacent to the present areas and visited those AWCs. Researchers kept repeating this till they had 10 area-units of each.

• CARRYING OUT FOCUS-GROUP DISCUSSIONS & INTERVIEWS:

While visiting an area-unit, researchers identified different individual stakeholders and stakeholder groups as mentioned in the relevant portions of the toolkit and carried out all the Focus-Group Discussions (‘FGD’s) pertaining to the themes chosen for this action-research. Each FGD engaged a closed group of 8-12 persons and comprised of one person as a Moderator and one assigned for Documentation Support. It is to be noted that only the FGDs pertaining to the ICDS and access to other basic entitlements were carried out with the non-minorities in any given area. However, these FGDs were carried out with minorities even in a Hindu-dominated area.

General FGDs: The broader community-level FGDs for the 15-Point Programme and access to other basic entitlements were clubbed together instead of carrying these out among different groups of people. The general FGDs were carried out with a group of just men, just women and both men and women. At least a third of all general FGDs were just with women.

ICDS FGDs: There were FGDs which were carried out with regard to two different kinds of beneficiaries of the ICDS – one with parents of children (0-6 years of age) and the other with pregnant and/or lactating women. The initial visit to the AWCs enabled us to separately interview the Anganwadi workers (‘AWW’s) and gave us access to the actual beneficiaries of the scheme. Where some beneficiaries were not reluctant to talk about the service delivery while at any particular AWC’s premises, FGDs were conducted at the beneficiaries’ villages or at other spaces away from the centers.

Scholarship FGDs: FGDs with students and their parents on the scholarship sub-thematic was carried out in the area-unit as well as at the schools where children belonging to those area-units study.

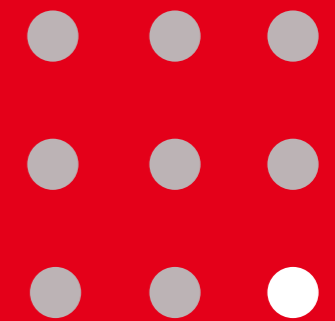
Other FGDs: FGDs on Nai Roshni, SPQEM, Communal Violence, Cow Slaughter and Illegal Arrests were carried out in those areas which were identified as relevant to that particular research thematic.

For instance, FGDs on SPQEM and interviews were carried out at Madrasas in a given district. However, wherever Madrasa students were found in the area-units, we spoke to them there. Similarly, FGDs on Nai Roshni were carried out at the training center of the relevant Project Implementation Agency ('PIA'), even when outside the district. FGDs on Cow Slaughter were carried out at meat markets while those on Communal Violence were conducted in areas which have either seen violence/tension or those which are communally-sensitive, just like the FGDs on Illegal Arrest were carried out in areas prone to targeted harassment by the Police.

To gauge the level of awareness, we approached two groups – members of all communities (especially the religious minorities living within the district where Rehnuma works) and the duty bearers who are primarily responsible for implementing different schemes brought under this programme and accordingly answerable. The responses were recorded through focus-group discussions and personal interviews and the level of awareness has been assessed as low, medium and high, with low being nil to 40 percent, medium being 40 to 70 percent and high being 70 to 100 percent as the parameter.

- **RECORDING OF EXPERIENCES:**

All statements made by the participant(s)/interviewee(s) were recorded verbatim. The researcher's observations were noted down separately. Any distinct incident and/or experience that resulted from an FGD or interview were documented separately and converted into a case study. Since this collation of data is part of an action-research, awareness on the topics covered in the FGDs was an important part of assessment of the situation at the ground-level. Where any participant(s) was found to be in need of legal support for any issue, they were linked to the Rehnuma Law Center in that particular area for availing free legal aid services provided therein.



ANALYZING BUDGETS FROM A MINORITY LENS

In India six religious communities – Muslims, Christians, Sikhs, Buddhists, Zoroastrians and Jains, are notified as minorities under Section 2 (c) of the National Commission for Minorities Act, 1992. In 2006, the Sachar Committee Report highlighted the serious social, economic and educational backwardness suffered by Muslims in India. Around the same time, a separate Ministry of Minority Affairs was established to ensure a more focused approach towards the development of vulnerable religious minorities within the country.

The major policy responses to address the development deficits of minorities came in the form of a re-casted 15-Point Programme and the Multi-sectoral Development Programme (‘MsDP’) both of which entailed significant budgetary commitments. Thus, budgetary analysis of these programmes can provide a reliable indicator of the progress on the Central Government’s efforts directed towards the development of minorities.

The 15-Point Programme initiated the concept of minority budgeting in flagship schemes of the Central Government while also introducing a number of minority-specific schemes. The latter were largely implemented through the Ministry of Minority Affairs (‘MoMA’) and also, to some extent, through other Ministries (Eg. Ministry of Human Resource Development (‘MHRD’) with respect to the implementation of the SPQEM). Studies have revealed that minority budgeting in flagship schemes as was required under the 15-Point Programme has largely been notional without there being specific targeting of minorities for benefits. The present report verifies and substantiates this finding, though this has been made difficult due to the frequent non-availability of disaggregated data of beneficiaries.

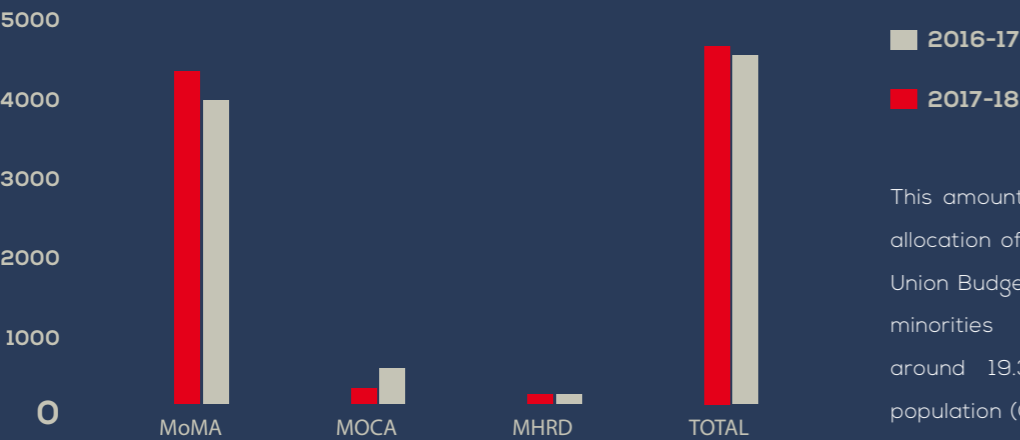
Before we grapple with the challenges in studying the implementation of these schemes as well as other laws in the following chapters, we shall undertake to study the Union Budget 2017-18 in the present chapter. First, we will take a look at certain minority-specific schemes and direct fund allocation for minorities under the budget of three ministries – MoMA, MHRD and the Ministry of Civil Aviation (‘MOCA’). An attempt has been made to analyze the adequacy of funds, priority given to different areas within the minority allocation and the progress made in terms of utilization. Next, we will scrutinise Minority Welfare Budgets for the seven States that the Rehnuma programme has been active in. These are – Gujarat, Jharkhand, Karnataka, Madhya Pradesh, Odisha, Telangana and West Bengal. From these too, we will try to get a sense of the State’s commitment to minority welfare and its priorities based on the allocation, utilization and distribution between different sectors and schemes.

Union Budget

The 2017-18 budget increased allocation to the MoMA by over 9 percent. At the same time there was a decline in the allocation to the MOCA with regard to Haj subsidy. Because of this, the overall increase in direct allocation for minorities is just over 2 percent. This is actually less than the increase in the size of the budget and actually reduces the direct share of minorities in the Union Budget.

Overall allocation

Year	Ministry of Minority Affairs (MoMA)	Ministry of Civil Aviation {Haj Subsidy} (MOCA)	Ministry of Human Resource Development {Education Scheme for Madrasas & Minorities} (MHRD)	Total Allocation for Minorities
2017-18	4195.48	200	120	4515.48
2016-17	3827.25	450	120	4397.25



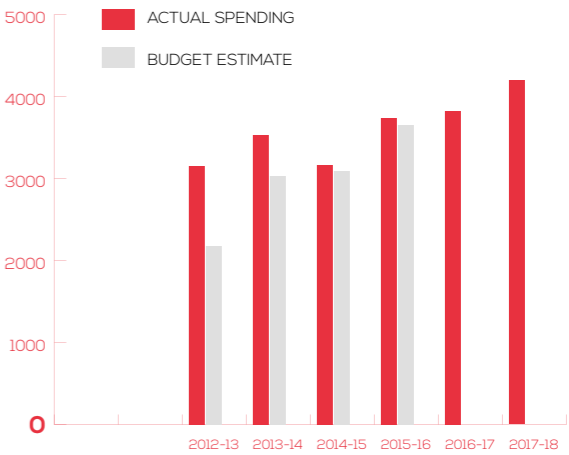
This amounts to a direct allocation of 0.21% of the Union Budget 2017-18 for minorities who form around 19.32% of the population (Census 2011).

Allocation & Utilization by the MoMA

The MoMA is tasked with implementing major minority-specific development programmes, relating to educational empowerment, livelihood, skill and infrastructural development, etc. As mentioned above, there is a 9 percent increase in the allocation to the Ministry; however, looking at the situation of minorities, particularly Muslims, there is a need for allocation of a far greater amount of resources to cater to the development of all minorities.

On the positive side of things, the utilization percentage of funds has gone up significantly over the years. The increasing utilization level for MoMA is a reflection of greater efficiency and actual expenditure on the schemes as is visible in the Table 4.3.

Year	Allocation (Budget Estimate)	Expenditure (Actual)	Utilization Level (%)
2012-13	3154.7	2174.29	68.92
2013-14	3530.98	3026.7	85.71
2014-15	3165	3088.57	97.58
2015-16	3738.11	3654.86	97.77
2016-17	3827.25	-	-
2017-18	4195.48	-	-

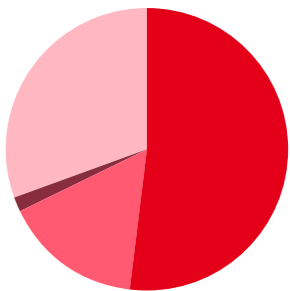


Funds Distribution WITHIN THE MoMA BUDGET

Almost the entirety of the fund allocation in the MoMA Budget is provided under the Centrally-sponsored 'Net Umbrella Programme for Development of Minorities.' A look at the division of funds reveals that almost half of the funds are devoted to education empowerment, i.e. different scholarship programmes for minority students.

About less than one-third of the funds are allocated for the MsDP. The next priority for the Government appears to be skill development and livelihood programmes for minorities.

1. Education Empowerment	2053.54
2. Skill Development and Livelihoods	634.95
3. Special Programmes of Minorities	64
4. Multi Sectoral Development Programme for Minorities (MSDP)	1200
Net Total : Umbrella Programme for Development of Minorities	3952.49



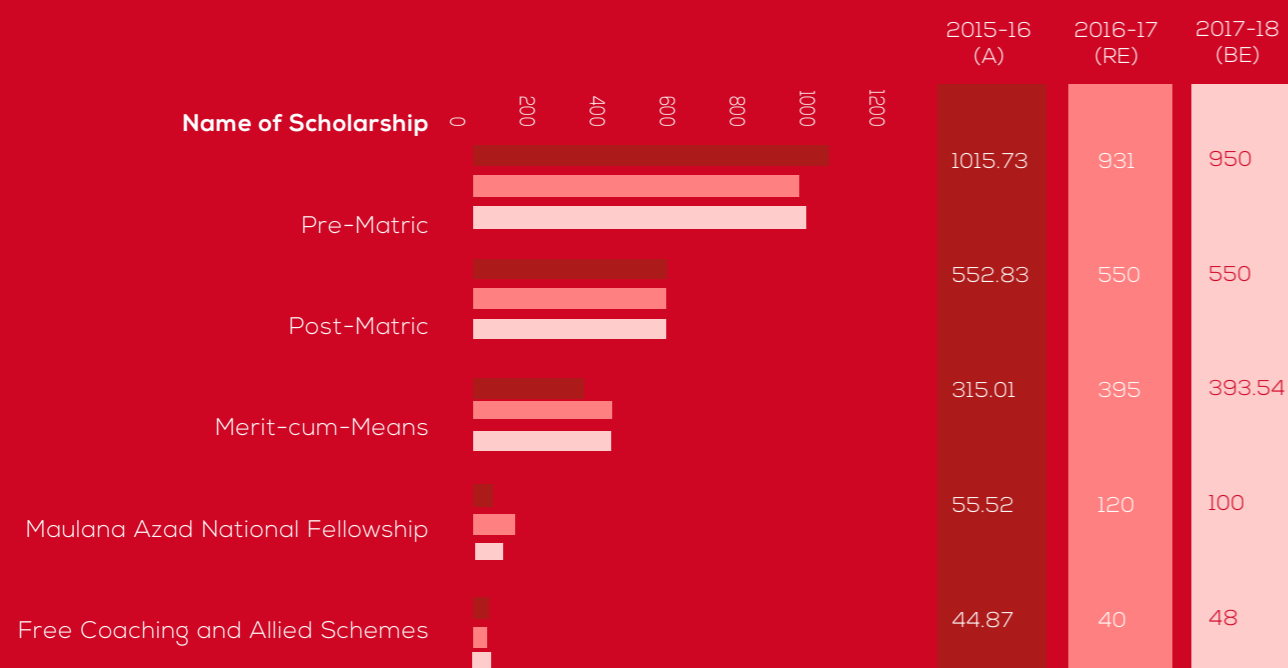
Education Empowerment UNDER THE MoMA BUDGET

The schemes for providing scholarships to minority students are an important area of expenditure for the MoMA. Scholarship programmes already suffer from inadequate funding.

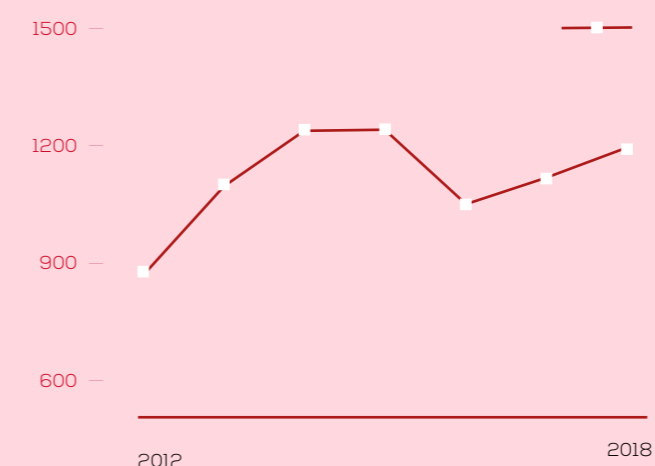
It is sad that the 2017-18 Budget failed to adequately increase funding for the same. For, while we find that the actual spending on these schemes has overtaken the allocation in the past several years, the physical allocation is claimed to be based on the 2001 census data and so even if the actual expenditure is marginally higher versus the allocated budget, it is tough to see it fulfilling the demand for this.

There is a case to be made for adopting a demand driven model for the scholarship schemes instead of the present budget allocation-based model. This had also been recommended by the Standing Committee on Social Justice and Empowerment (2015-16) to which the MoMA had suggested that this had not been approved (ostensibly, by the Ministry of Finance).

The state of affairs with respect to these scholarship schemes has been dealt with in greater detail in Chapter 5.B where we look at allocation and achievement figures provided by the Government and compare this to the situation we found on the field.



MsDP for Minorities UNDER THE MoMA BUDGET

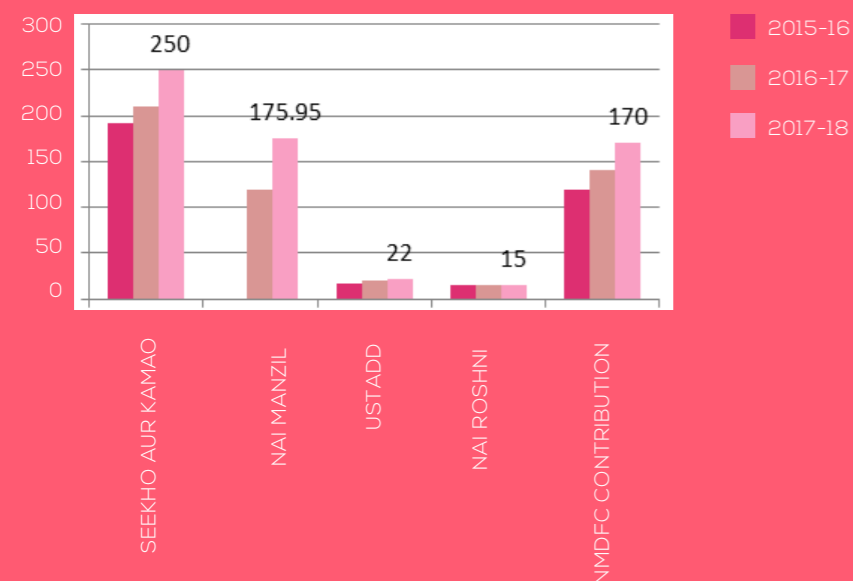
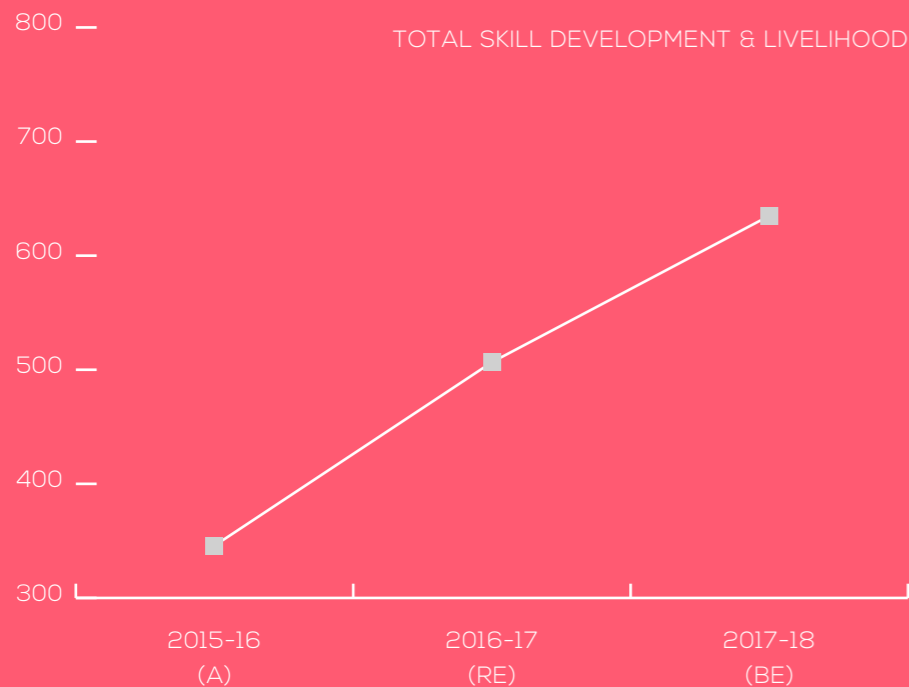


MsDP is an area development initiative for minority-concentrated areas that focuses on infrastructure for education, skill development, health, sanitation, drinking water, pucca housing, roads, etc. for minorities. There is some increase in the allocation for MsDP this year; however, the same is inadequate keeping in view the wide scope of the programme covering 710 Blocks and 66 towns falling under 196 districts all over the country.

An important concern with respect to MsDP is the **low levels of physical outcome** progress indicating poor rate of work completion under the programme. Hence, as of now, even though around 80% of the proposed funds for MsDP under the 12th Five-Year Plan ('FYP') have been spent, there is poor progress on the ground. This suggests an urgent need for better implementation of the programme by the Ministry.

Skill Development & Livelihood UNDER THE MoMA BUDGET

Overall the skill development and livelihood programme of the MoMA has seen a 25 percent increase over the previous revised budget. This reflects the priority of the government on skill development programmes for the development of minorities.



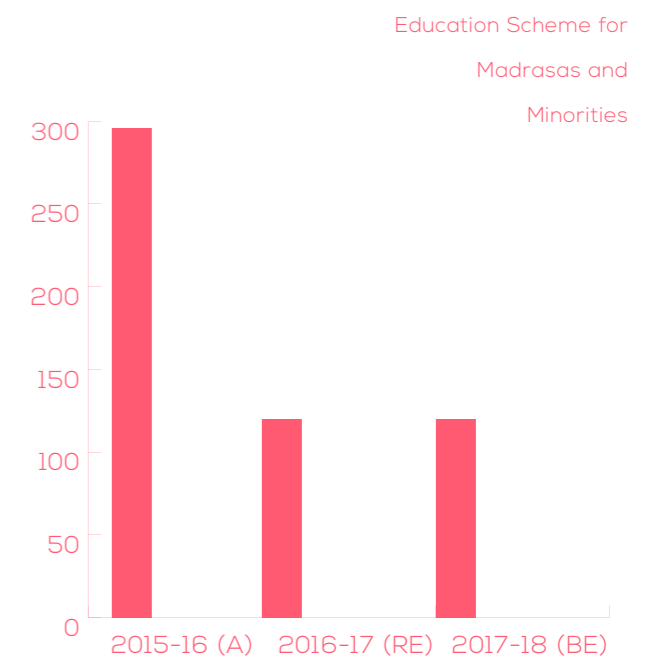
The above chart shows the funds allocated and spent for the skill development schemes under the Ministry over three years. The schemes – Seekho aur Kamao and Nai Manzil have registered the largest increase. Similarly, there has been an increase in contribution to National Minority Development Corporation (NMDFC) which would lead to increase in access to credit for the minorities.

Allocation & Utilization by the MHRD

FOR MADRASA & MINORITY EDUCATION INSTITUTIONS

The Government had initiated two madrasa-related schemes – SPQEM and Scheme for Infrastructure Development in Minority Institutes ('IDMI'), to provide funds for improving the quality of education provided in madrasas.

However, the fund allocation for these schemes was substantially reduced in the previous budget and the present allocation remains fixed at that reduced level.



HAJ SUBSIDY (MoCA)

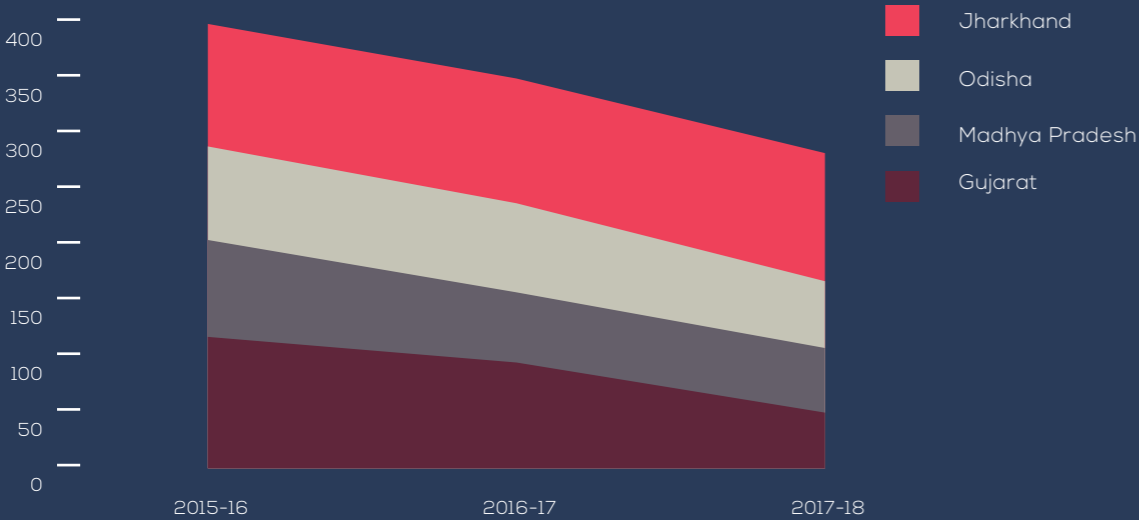
Haj subsidy is provided by the government not directly but in the form of subsidy to the Haj Charter operators, which in most cases happen to be the government-owned 'Air India'. Allocations under this head have seen a consistent decline over the past few years, reflecting the budgetary outcome of the political rhetoric surrounding the issue.

State Budgets

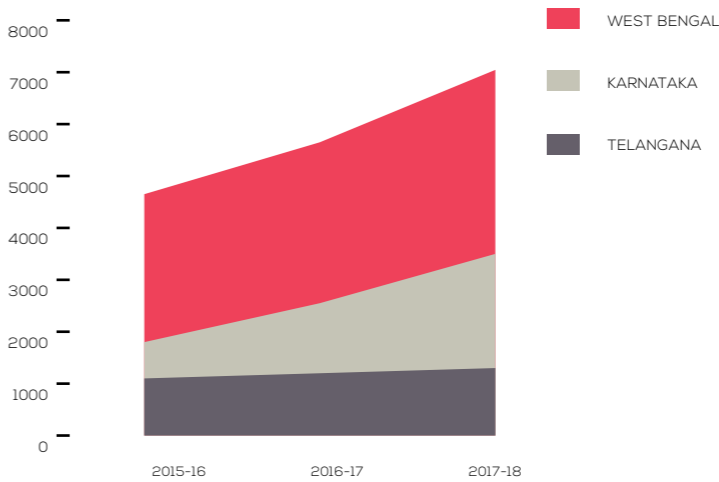
We looked at the Budgets of 2017-18 of each of the seven states that we worked in and compared their performances on several different markers.

Overall allocation & Utilisation

Upon a quick examination of their minority welfare related Budgets, the seven states classify themselves into two categories – Low Budget Allocation States (‘LBA’s) and High Budget Allocation States (‘HBA’s). The difference in the direct allocation made for minorities between the two categories is quite stark. While the lowest Allocation was in Gujarat (Rs. 51.44 Crore), the highest was in West Bengal (Rs. 3470.78 Crore).



LOW BUDGET ALLOCATION STATES



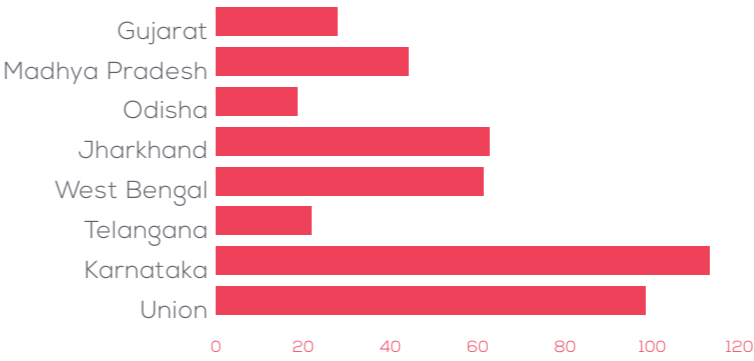
HIGH BUDGET ALLOCATION STATES

Spending on minorities as a percentage of the total State Budget is also the lowest for Gujarat (0.029%) and highest for West Bengal (1.9%).

The respective percent direct spending on minorities and the minority population percentage of the States is given in the table below.

State	Allocation for Minorities	Total State Expenditure	% Share of Minorities in State Budget	% Share of Minorities in State Population
Gujarat	51.44	172179.24	0.029	11.3
Madhya Pradesh	55.4363	169954	0.039	8.15
Odisha	61.8	106911	0.057	5.04
Jharkhand	117.4223	75673.42	0.15	18.27
West Bengal	3470.7834	182297	1.9	28.18
Telangana	1249.6624	149646	0.83	12.68
Karnataka	2199.9354	186561	1.17	15.72
Union	4195	2146735	0.195	19.32

The comparison between the percentage of spending and the population would not give a completely accurate picture of the State’s priorities considering that the former is the direct allocation and minorities do get access to a proportion of the spending made by other ministries on aspects such as housing and education. However, a comparison between the percentage of spending on minorities to the percentage of spending on other marginalized groups such as Scheduled Castes and Scheduled Tribes might help answer the question of priorities.



It is also important to look at the trend of utilization without being deceived by the size of the allocation.

Certainly, while the allocations in West Bengal are the highest, its utilization is weak. In fact, utilization percentages for most States are dismal. Karnataka is the only State whose spending exceeded its allocated budget. Gujarat expectantly fared badly but it did still better than Odisha. Both the West Bengal and Telangana State governments have made minority welfare a part of their governance programme but this is largely only reflected in their allocation and not necessarily in the outcome of the allocations, which usually goes unnoticed and unaccounted for.

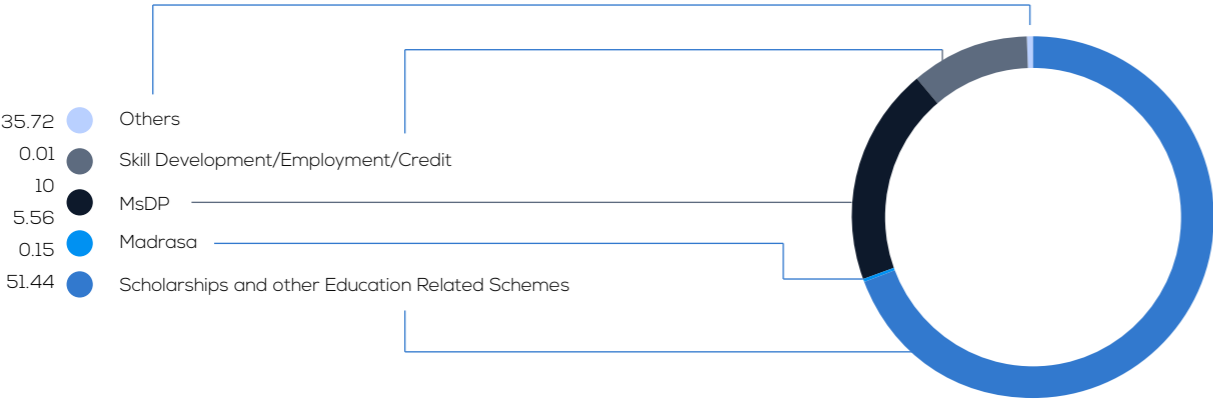
State Priorities

A further analysis of the distribution within these State Budgets for 2017-18 gives us a clearer understanding of the priorities of the different states. Of the LBA States, Gujarat is the most focused on Scholarships and education-related schemes (69.4%) and little on anything else. 19.4% of the estimated expenditure is for infrastructure development under the MsDP. Jharkhand on the other hand has a much higher allocation under MsDP (39.2%) and much lower for Scholarships (1.7%). MsDP is of course funded heavily by the Center. 25.5% of the allocation is made for building boundary walls for graveyards and 17% for sub-allocation to minorities under the Jharkhand Government's flagship scheme for distribution of bicycles. Interestingly, much of the allocation under Minority Welfare Budget is further targeted towards Adivasi areas under the Tribal Area Sub-Plan ('TSP'); so about Rs. 72.26 Crore of the total of Rs. 117.42 Crore (61.54%) is to be spent presumably for the benefit of minorities in Tribal areas.

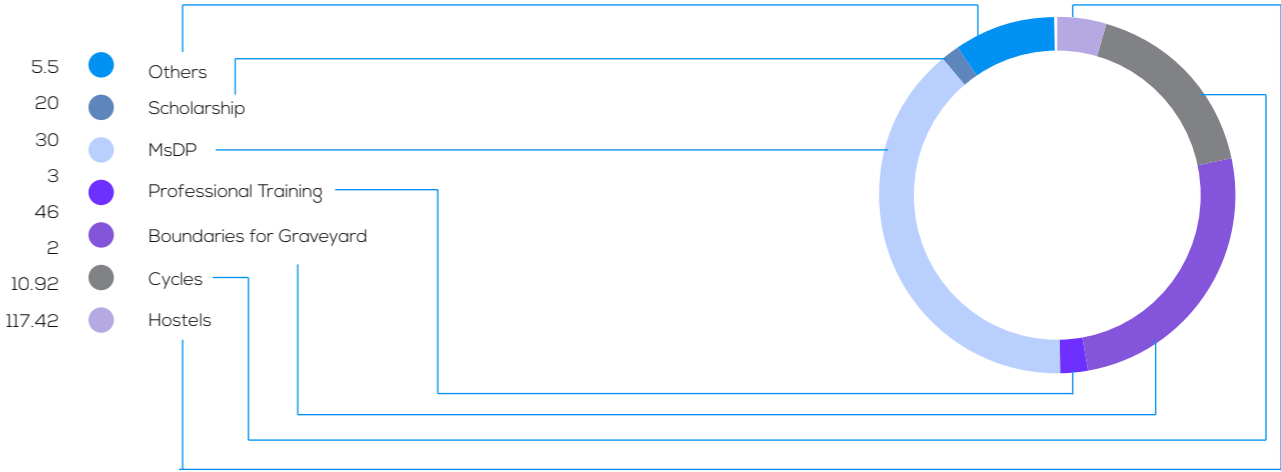
Madhya Pradesh, like Gujarat, is focused more on educational empowerment for minority children. However, unlike Gujarat, it seems to have invested in madrasa education as a way to attain this. 54.2% of its spending is on the SPQEM, a Central scheme. Another 8.1% is spent on grants related to madrasa and Schooling Education for Minority Children, though the exact nature of this grant is not clear. The emphasis is validated in the findings presented in Chapter 6.D of this report. In the Madhya Pradesh Budget, the allocation for scholarship itself is nominal. There is also some focus on Livelihood programmes through sub-allocations under the Mukhyamantri Arthik Kalyan Yojna and the Mukyamantri Swarojgar Yojna.

Odisha's allocation pattern is closer to Jharkhand with MsDP allocation forming the biggest chunk. These funds are also used for building hostels and this spending represents 21% of the overall minority welfare allocation. Stipends and Scholarship together amount to less than 2% of the expenditure. Odisha's record in distributing minority scholarship has been touched upon in Chapter 5.B of this report.

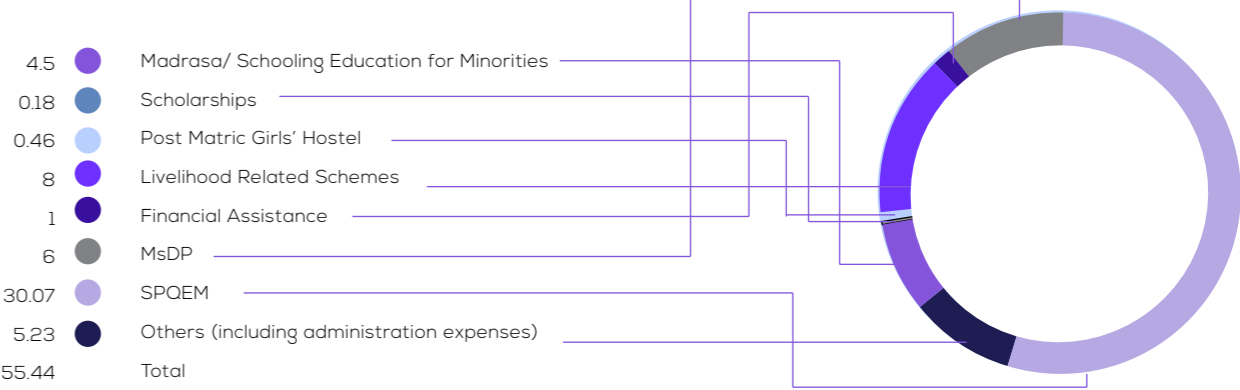
GUJARAT



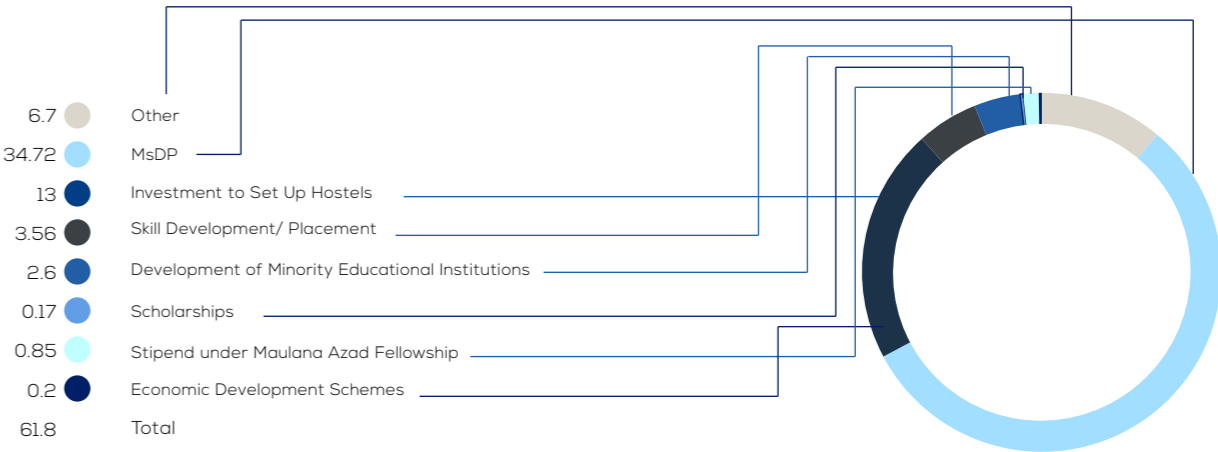
JHARKHAND



MADHYA PRADESH



ODISHA



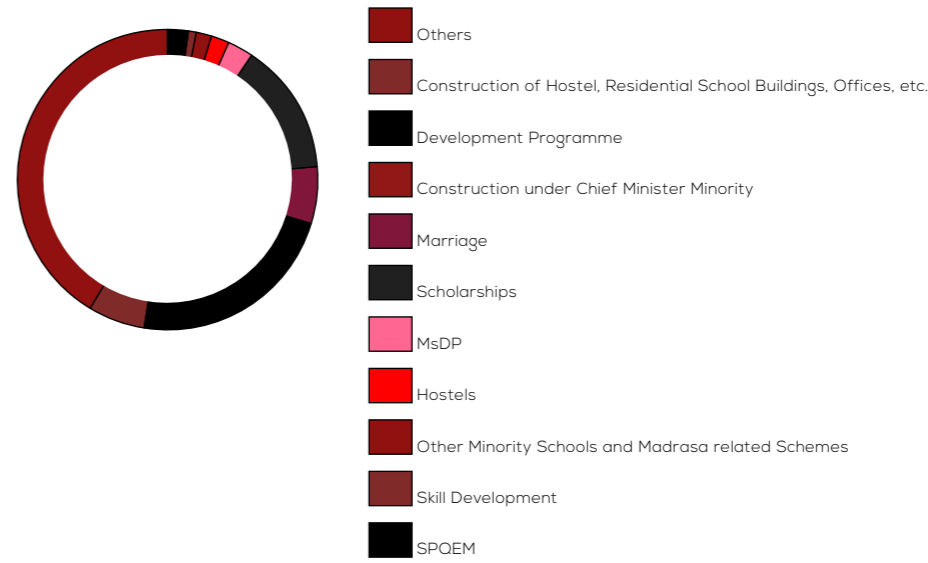
Coming to the HBA States, Karnataka has allocations the most number of heads. Smaller schemes, grants and costs together amount to a big chunk. However, of the important specific heads, infrastructure development under the State’s flagship Chief Minister’s Minority Development Programme leads to a large expenditure of Rs. 500 Crore (22%). This in itself is around ten-fold of Gujarat’s allocation for minority welfare. Rs. 316 Crore or 14.4% is allocated for scholarships in Karnataka while another flagship scheme called ‘Bidaai’ meant to support marriages of poor/divorced and widowed minority women gets 6.1%. 6% is also separately allocated for the construction of minority hostels, office complexes etc. The Central MsDP (2.7%) and SPQEM (2.3%) expenditures round up the major expenditures for this state and the overall focus seems to be on infrastructure development in the Karnataka Budget.

Similar priorities can be found in the Telangana Budget. However, the infrastructure development is specifically concentrated around education (34% just on residential schools and hostels). For the size, it has a large proportion of estimated expenditure devoted to scholarships (22%). There is a sizable allocation for schemes aimed at income generation for minorities (12%) and its flagship scheme for financially supporting the marriage of minority girls called ‘Shaadi Mubarak’, akin to the Karnataka Government’s ‘Bidaai’ scheme (12%). Of all the seven state Budgets including the LBA States, Telangana reports the lowest allocation under MsDP, which at Rs. 30 Lakh is merely nominal.

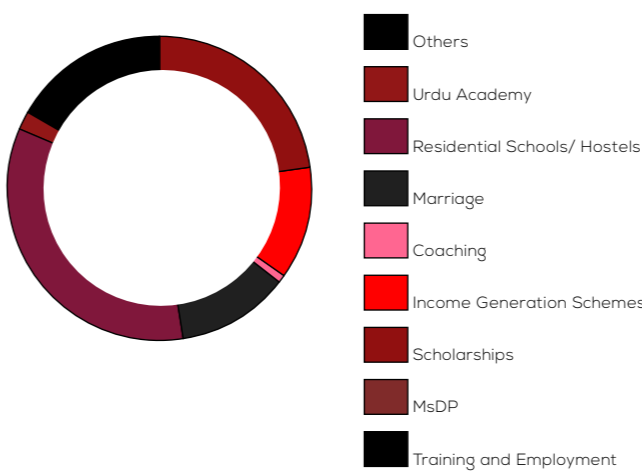
Finally, West Bengal, completely contrary to Telangana, has the highest allocation under MsDP (Rs. 1004.5 Crore or 28.9%). As separate from SPQEM, West Bengal is the only state to give its own large assistance to Government and Non-Government schools and colleges that are presumably either minority education institutions or cater to minority students. This comes to about 18.1% of the West Bengal Budget. There is allocation sprinkled around for setting up minority educational institutions and hostels. What appear to be two flagship schemes of the West Bengal Government – Scheme for Development and Welfare of Minorities and Integrated Minority Development Scheme also see allocation that is each higher than the minority welfare budgets of the LBA States. There is also significant spending on Scholarships, though lower than both Karnataka and Telangana. Like Telangana, the overall emphasis appears to be on educational empowerment through both direct and indirect interventions and infrastructural development. While high Allocation under MsDP seems to be a pattern in the West Bengal Budget, it fares poorly in utilization. The utilization for the MsDP component of the budget was particularly low for 2015-16.

Apart from a few budgets such as that of West Bengal and Jharkhand, the State share in the Central Schemes is not clearly identified. MsDP and SPQEM are both schemes that are implemented by the State and funded significantly by the Center; hence, wherever the spending on these is high, the State Government spends even less on minorities out of its own treasury. Madhya Pradesh, for instance, where SPQEM forms the largest expenditure and where State schemes have low allotment, gets to spend very little of its own money on minorities.

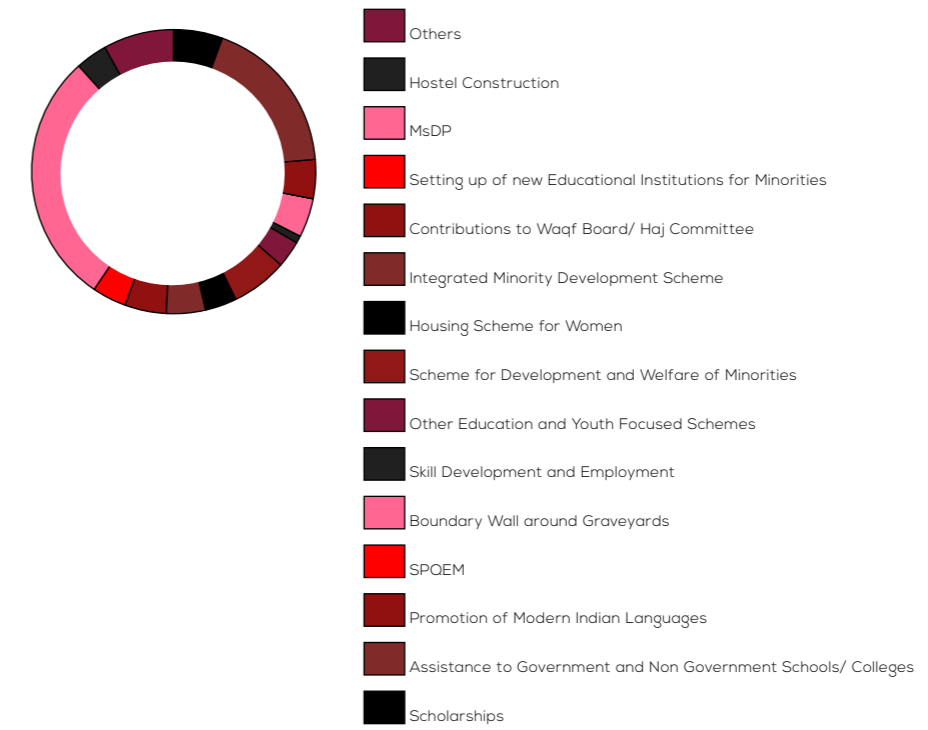
KARNATAKA



TELANGANA



WEST BENGAL



Telangana and Karnataka, and to a lesser extent, West Bengal stand out as those States that are committed to minority welfare and development because of their flagship schemes and expenditure on developing important infrastructure. Of course, it is Karnataka's utilization percentage that lets it get away with the prize for the State most committed to minority welfare.

Nevertheless, budget allocations and prioritization can only be telling of so much. Even the utilization statistics do not give one the complete picture. Accessibility to state infrastructure and schemes may be independent of these things and the credentials of a State on these markers can only be established through field observations. The following chapters are aimed at validating some of the findings mentioned above and presenting new findings on the question of accessibility.

MONITORING THE IMPLEMENTATION OF THE PM's NEW 15-Point PROGRAMME ACROSS SEVEN STATES

The PM's New 15-Point Programme proved to be a turning point in the history of minorities in India as it focused national attention on some of the most vulnerable communities living in the country. The revitalized version of the 2006 programme aims at improving education, employment, skill development, living conditions and security among minorities by bringing them under certain select schemes and interventions. The rationale behind the revamped interventions is to bridge the gap between opportunities and the minority communities who have been unable to access them due to discrimination on varied grounds and on many levels. The emphasis has moved on from identification of problems faced by these communities to the solutions and interventions possible along with gauging the larger realities to assess vulnerability and discrimination even in the implementation of Government schemes brought particularly for these communities.

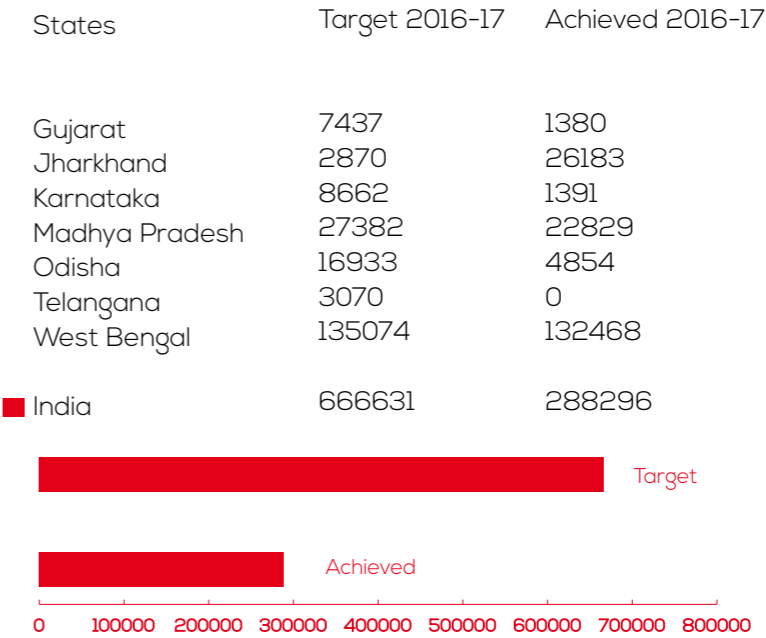
The work on this programme through the Rehnuma Entitlement Centers is primarily in the realm of the ICDS, Scholarships, Nai Roshni, SPQEM and Communal Violence which have been elaborated upon in subsequent chapters. The overall assessment of the programme's implementation at the field-level is provided as follows

QUANTITATIVE
MEASURE OF
PERFORMANCE

The MoMA website updates on the progress of the 15-Point Programme every year. Unfortunately, much of the data is incomplete. In the most recent round of updates, it added data pertaining to 2016-17 for some of the schemes that come under it. Data for some schemes or components of these schemes such as those related to urban housing and schooling, ICDS etc. have not been updated in a year. Data for the recruitment of minorities in government departments and for communal violence has not been updated since 2015 and this data is largely scarce. There is at least one point under the programme, the data regarding which has never been reported by MoMA. This is the final point of the Programme, which pertains to rehabilitation of victims of communal riots.

We will look more closely at the data available for ICDS, Scholarships, Nai Roshni, SPQEM and Communal Violence in later chapters. These thematic had been identified as our focus areas. It may however be worth catching a glimpse of the remaining data to give us a sense of the overall implementation of the programme. Priority-sector Lending, Pradhan Mantri Awaas Yojna (Gramin and Sheheri) and other schemes under the National Rural Livelihood Mission ('NRLM') have statistics related to them available for 2016-17 and these are assessed here. This data tells us that banks did decently well in lending to minorities in Priority Sectors. Rs. 3,02,526.18 Crore was reportedly lent under lending guidelines issued by the Reserve Bank of India ('RBI'), allowing banks to achieve 88.05% of the target for the year. The amount loaned out has been rising every year. All of the seven states did similarly well although banks in Telangana were the only ones to exceed their targets.

The performance is fairly poor in the case of housing schemes. The Pradhan Mantri Awaas Yojna (Gramin and Sheheri) are the schemes that are currently being implemented. The 15-Point Programme mandates 15% targeting of minority beneficiaries in this scheme. The table below shows the performance of each state, last year, in terms of sanctioned houses. It is possible that the poorer performance of states such as Telangana and Karnataka, which otherwise come across as committed to minority welfare, reflects focus on other state-specific housing schemes.



At one place, the Ministry of Rural Development ('MoRD') has reported that in 2016-17, the construction of 32.14 Lakh houses was completed. The number of houses constructed for minority beneficiaries stands at nearly 2.88 Lakh i.e. 8.96%, much less than the requirement of 15%. It is the financial achievement that is even poorer, overall. Rs. 407.46 Crore from a total of Rs. 8119.59 Crore sanctioned has been spent (5% utilization). This means that even fewer numbers of houses actually sanctioned have been built or have begun construction. However, it can be said that this is a reflection of the qualms in implementation of the Pradhan Mantri Awaas Yojna- Gramin rather than that of the 15-Point Programme.

The performance is appalling when it comes to rural livelihood programmes. Components of the NRLM include schemes to provide a Revolving Fund ('RF') and a Community Investment Support Fund ('CIF') to Self-Help Groups ('SHG's) and the following table shows how the 15% targeting of minorities was carried out, rather unsatisfactorily, in the last three years.

States	Target 2014-15	Achieved 2014-15	Target 2015-16	Achieved 2015-16	Target 2016-17	Achieved 2016-17	Target over Three Years	Achieved over Three Years
Gujarat	650	50	600	39	653	161	1903	250
Jharkhand	586	336	1815	300	3131	774	5532	1410
Karnataka	987	268	500	33	564	64	2051	365
Madhya Pradesh	1585	34	4500	236	1950	30	8035	300
Odisha	202	17	1068	22	1056	91	2325	130
Telangana	0	0	276	0	0	0	276	0
West Bengal	4012	744	3159	1682	1700	4143	8871	6569
India	19998	8048	23681	11981	35859	18712	79538	38741

States	Target 2014-15	Achieved 2014-15	Target 2015-16	Achieved 2015-16	Target 2016-17	Achieved 2016-17	Target over Three Years	Achieved over Three Years
Gujarat	570	18	458	6	218	29	1246	53
Jharkhand	434	176	1787	365	1575	561	3796	1102
Karnataka	561	41	0	129	770	113	1331	283
Madhya Pradesh	1333	128	2850	55	1950	29	6133	212
Odisha	615	0	8582	69	1030	45	10,227	114
Telangana	0	0	0	0	0	0	0	0
West Bengal	429	0	515	414	1577	4250	2521	4664
India	11373	2806	28248	9040	18876	12537	58,497	24,383

The MoRD reports that the overall number of SHGs provided RF in 2016-17 was 1.5 Lakh and SHGs provided CIF in 2016-17 was 1.1 Lakh. If such is the case, only 12.4% (18712) and 11.40% (12537) of the two benefits was received by SHGs run by the minority community. Thus, the MoRD again failed to reach its 15% target.

On the whole, the performances of the states and the various district departments have barely been adequate. The thesis we try to develop further is that the poor performance visible in the official statistics is an outcome of poor awareness among target groups and no clear instructions to the duty bearers, structural issues in the implementation mechanism of the scheme and the near-absent monitoring system.

AWARENESS OF THE STAKEHOLDERS

District, State	Awareness among the Community	Awareness among the Duty bearers
Bhopal, Madhya Pradesh	Low.	Low.
Gumla, Jharkhand	Low.	Medium.
Howrah, West Bengal	Medium.	Medium.
Kalaburagi, Karnataka	Low.	Low.
Kandhamal, Odisha	Low.	Low.
Modasa, Gujarat	Low.	Low.
Rangareddy, Telangana	Low.	Low.

i. Community

The parameters for arriving at the levels were whether, across the spectrum, the persons spoken to were aware of the 15-Point Programme and all the 15 points under it, overall.

It was obvious through our FGDs with the community that often, the community (especially minorities) were unaware of 'what' the 15-Point Programme was at the outset. Even where the community was aware, it was only because of the local Rehnuma team reaching out to them and speaking to them about the programme using the words '15-Point Programme'. Why it is important to note this is because across most of these states, the general public knew of certain schemes like the Pre-matric and Post-matric scholarships, Indira Awas Yojna, etc. by these names alone. The purpose of a programme like the 15-Point Programme may be defeated if, in its whole sense, it has not been advertised as such among the public, especially among the relevant target communities.

It was often noted, especially in Bhopal City (Madhya Pradesh) and Kandhamal District (Odisha) that people were not aware of what the term 'minority' itself meant. In Howrah District (West Bengal), the term 'minority' is equated with Muslims and only a fraction of the population knew that 'minorities' would also mean Christians, Sikhs, Jains and Buddhists. In Gumla District (Jharkhand), the public is under the assumption that 'minorities' only mean Muslims. This is calamitous since the welfare programme by itself springs from the need to protect and promote those whose very identity is that of a minority in the Indian context. Another issue was that of the public confusing schemes under this programme with those propagated by the ruling party such as the Swacch Bharat Abhiyaan and the Jan Dhan Yojna which, in comparison, were publicized more widely and at great cost to the exchequer. This is also a disadvantage to the implementation process because without basic awareness of the 'name' of the programme along with its intents and purposes and the relevant schemes under it among the public, especially the target communities, there is no way monitoring can be done when people do not access the schemes at the outset because of ignorance regarding the same.

ii. Duty bearers

This lack of awareness among the public may also be traced back to the lack of awareness of the duty bearers who are responsible at the first instance to ensure dissemination of correct information regarding the programme at the ground level

For instance, many of the AWCs approached across states were not aware of the 15-Point Programme, although the minority component in terms of targeting is essential to the implementation of the services provided by those centers. While in some places like Gumla District (Jharkhand), Howrah District (West Bengal) and Kalaburagi District (Karnataka) some of the key local officials (District Welfare Officer, District Collector, District Education Officer etc.), at least had some knowledge of what the 15-Point Programme was, if not to its full sense but at least to recognize its existence and some of the key schemes under it, some places like Kandhamal District (Odisha) have officials who were completely unaware of such a programme.

One of the reasons cited for the same, across many of the states, has been that the officials often get transferred and/or shuffled around, because of which they do not get adequate time to acquaint themselves with the programme. Yet, this can hardly be a legitimate excuse because functionally speaking a Government department must ensure that its employees are fully equipped to do their jobs. Officials at all levels must then make sure that they are well-versed in all aspects of the job at hand so that they can work responsibly towards the last leg of a policy implementation cycle – the actual implementation at the ground level.

Gaps between different levels of bureaucracy, apathy, an elitist sense of what their job and position entails (bullying the public that approaches them for assistance instead of responding in a decent manner) etc. are just a few of the reasons why awareness of a major programme like the 15-Point programme is dismal among the duty bearers. This, in turn, paints a disappointing picture as we delve further into the reality of the implementation of this programme at the ground level.

IMPLEMENTATION OF THE PROGRAMME

i. Formation & functioning of District-level, State-level Monitoring Committees & the Committee of Secretaries

In order for the Ministries/Departments at the State/Union Territory and District levels to implement the relevant schemes under the 15-Point Programme and to monitor these schemes (with reference to the physical targets and financial outlays), it was expected that Monitoring Committees would be set up at the Central, State and District levels.

These Committees are supposed to review the monthly and quarterly progress of implementation and send their assessment to the Ministry of Minority Affairs. These Committees are also expected to have responsible representatives from the relevant levels of governance along with members of civil society as its members to steer it in the envisioned direction.

S. No.	District, State	District-level Monitoring Committee (DLMC)	Meetings	State-level Monitoring Committee (SLMC)	Meetings	Observations
1.	Bhopal, Madhya Pradesh	Not operational. Currently being reconstituted	Not happening.	No information received.	No information received.	On accessing the list of members in the DLMC in December, 2016, it was found that there were members representative of all religious minorities except Muslims.
2.	Gumla, Jharkhand	Operational.	Irregular but now the District Magistrate has ensured regularity.	No information received.	No information received.	The District Magistrate has proposed monthly meetings for the DLMC for better functioning.
3.	Howrah, West Bengal	Operational.	Regular.	Operational.	Regular.	Meetings take place every three month.
4.	Kalaburagi, Karnataka	Not constituted.	Not happening.	Constituted but no information regarding its operation.	No information received.	The District authorities have been sitting on a list of possible members for the DLMC for over two years without any initiative taken to complete the process.
5.	Kandhamal, Odisha	Constituted.	Last operational in 2014.	Not constituted.	No information received.	The monitoring of the implementation of the 15-Point Programme is not happening.

6. Modasa, Gujarat	Constituted.	Regular.	Constituted but no information regarding its operation.	No information received.	There are no NGO representatives in the DLMC. There is also no recorded attendance of the local MPs and the District Education Officer at the DLC meetings. These meetings are held roughly to discuss duties and obligations and have little to do with planning actions and following up on them. The District Social Welfare Officer has been providing regular updates regarding scholarships at the meetings during the scholarship season.
7. Rangareddy, Telangana	Not constituted.	No information received.	Constituted but no information regarding its operation.	No information received.	The District authorities have been sitting on a list of possible members for the DLMC for over a year citing formation of a new State and consequent shuffle as the prime reason for delay.

Responses to RTI Applications filed with the MoMA earlier this year also confirmed that the mechanism set up at the Central-level i.e. the Committee of Secretaries and the Review Committee have also not met since the new Government took over in 2014.

Barring a few places, there is a complete failure of monitoring mechanisms at all three levels. The failure to comply with the 15-Point Programme Guidelines invites no sanction.

ii. **Separate minority welfare departments**

Whereas Odisha and Gujarat are both states which have seen widespread violence fueled by hate towards religious minorities (Christians and Muslims respectively) and these communities require special attention, both states do not have a separate State department for Minority Welfare and this has a drastically negative effect all the way down to the ground level where minorities are going without because of lack of implementation of programmes like the 15-Point Programme. The same can be said of the state of Jharkhand. This is ironic since this programme was brought in primarily to improve their socio-economic status.

The lack of a sense of responsibility towards the implementation and more importantly in monitoring and reporting is visible in most of the other states with West Bengal and Telangana being the exception. However, even these exceptions are tainted by bureaucratic delay and ineffective reach to the target communities.

iii. **Targeting**

The 15-Point Programme has been around since 2006. Yet, ten years later, the fact that not just the officials but also the target communities are unaware of its existence is evidence of the nation’s stand on prioritizing the needs of its religious minorities that are reflected in not only the current regime but all governments that have been formed over the years.

The current government has made an already poorly implemented programme significantly worse off. Of the 15 points, hardly two or three (usually those on Scholarships and sometimes Madrasas) are known and implemented albeit not satisfactorily enough. While most of the other points demand a 15% targeting of minorities (Eg. PMAY-G, NULM, NRLM, etc.), the officials responsible for ensuring this targeting are clueless of such an aspect existing among their realm of duties themselves. Without their engagement, even expecting the actual targeting to happen is futile.

A massive blow to the monitoring of the implementation process comes in the form of failure to maintain data disaggregated on the basis of religion. Sometimes, for instance at the Bhopal Municipal Corporation Office, we were told unofficially that they do not maintain any record of beneficiaries of NULM, for which they are the nodal body. Yet, sometimes, lack of effort on their part may not be an official’s part alone because of delegation of extra-departmental work, as was the case in Modasa Town and adjacent areas (Gujarat) and Kalaburagi District (Karnataka). Lack of effective and functional commissions and/or committees dedicated completely for minority at the appropriate levels of governance (State and District) is a major drawback that has led to poor implementation of this programme especially in Gumla District (Jharkhand), Kandhamal District) Odisha and Modasa Town and adjacent areas (Gujarat).

iv. **Utilization of MsDP funds**

Whereas in Howrah District (West Bengal) and Rangareddy District (Telangana) there has been a comparatively decent level of utilization of the MsDP funds in accordance with all intents and purposes of the programme, in Kandhamal District (Odisha), non-release of MsDP funds has resulted in the least infrastructural development of any kind in that area according to local officials.

BEST PRACTICES

Karnataka, Madhya Pradesh, Telangana and West Bengal are states that have separate state-level departments exclusively dedicated to minority welfare. Jharkhand has a separate Minority Welfare Division within the Welfare Department. It must be said that a separate department itself does not ensure better allocation and prioritization of the interests of minorities as visible from the analysis of Madhya Pradesh and Jharkhand Budgets in the previous chapter.

West Bengal has emerged as the definitive leader in targeting and utilization practices for most schemes under the Programme. Refer to tables indicating achievements under PMAY-G and NRLM in Section 6.1, where you will find the state to be either achieving its targets or exceeding them unlike the other states. Officials in Howrah, West Bengal have claimed that more than 50% of the MsDP funds have been utilized in the district. We saw earlier that West Bengal's overall utilization of MsDP funds was not very high. The specific data for Howrah District could not be verified through other sources.

In Daringbadi (one of the Minority-concentrated Blocks of Kandhamal District (Odisha), a 100-bed girls' hostel that was sanctioned in 2014-15 and completed in 2015-16 was opened for the academic session in 2016-17. 68 students from a nearby school were enrolled there. However, the shutting down of the same has resulted in many students from distant places being forced to live elsewhere, at great cost. The local Rehnuma team was able to engage the parents of the students and the officials (Sub-Collector, District Welfare Officer, Welfare Extension Officer, Project Administrator etc.) in a dialogue. It was found that the reason for the hostel being shut down was lack of funds. When the parents, with the local leaders went on strike, the administration took note and the hostel was re-opened from January, 2017, after which 54 students are currently living in it.

INTEGRATED
CHILD DEVELOPMENT
SERVICES
(ICDS)

The ICDS is a flagship programme of the Government of India, operational since 1975, with the objective to improve the nutritional and health status of children who are 0-6 years old, intending to lay down the foundation for a holistic development of children in psychological, physical and social terms. The scheme offers health, nutrition and hygiene education to pregnant women and nursing mothers, non-formal pre-school education to children (between 3 to 6 years of age), supplementary feeding for all children, pregnant women and nursing mothers, growth monitoring and promotion, immunization and other miscellaneous health care services. Under the 15-Point Programme, a certain percentage of ICDS projects are to be located within the villages/blocks with substantial minority population (25% of the total population) and the overall services provided must target 15% of minority women and children in any given area.

The MoMA website provides the data for the number of AWCs operationalized in Minority-concentrated Blocks (‘MCB’s) since the implementation of the 15-Point Programme was begun. The datasheet indicates that the overall target was to have 2.41 Lakh AWCs operationalized in 1228 identified MCBs. It also indicates that in 2015-16, it reached this target by operationalizing 71,221 new AWCs in the period between 2006 and 2016. This is consistent with the data submitted to the Standing Committee on Social Justice and Empowerment before March 2015 that there were 13.39 Lakh AWCs operational in the country out of which 2.40 Lakh AWCs were already in MCBs.

Surprisingly, the 15% target of minority women and children was achieved despite the fact that most states did not achieve the targets that were set for them. Interestingly enough, the Ministry of Women and Child Development (‘MoWCD’) Annual Report shows that between March, 2006 and March, 2017, 6,01,334 new AWCs were operationalized. If, of these, 15% were to be operationalized in MCBs, at least 90,200 would have been the number. However, as the MoMA data shows only 72,221 AWCs were operationalized in MCBs this period. This tells us that in 2006, the percentage of AWCs present in MCBs was higher than it is now, even though the percentage continues to be over 15%. It is either this, or that there is some inconsistency with the number 2.41 Lakh.

State	Target	Achievement	Target	Achievement
Gujarat	394	338	0	0
Jharkhand	1,946	1,652	0	0
Karnataka	903	900	0	0
Madhya Pradesh	0	0	0	0
Odisha	2916	2156	0	0
Telangana	N/A	N/A	N/A	N/A
West Bengal	24,301	14,738	0	0
India	1,04,964	62,785	16,566	8,436

Taking the number to be true prima facie, the fact that Madhya Pradesh and Telangana never took upon a target can be explained away, as both their capital cities – Bhopal and Hyderabad qualify as minority-concentrated and all AWCs operational in these cities may be considered as an AWC operational in minority-concentrated areas. High amount of resources tend to be concentrated in capital cities and hence these states would already have fulfilled their mandate.

As mentioned, it seems for the data available that the targeting of minority concentrated areas is in compliance with on paper. This does not itself translate to improved access of minority communities to ICDS services. To cite Bhopal’s example again, an AWC operationalized anywhere in Bhopal will satisfy the targeting norm but it will not have ensured access to minority groups if has been operationalized in a majority dominated area.

Ministry of Minority Affairs was to carry out identification of Minority Concentrated Cluster of Villages, to solve this exact problem of last mile connectivity. However, it has confirmed in an RTI response that this clustering has been carried out only in North East States.

Besides this, there may be other issues that hinder last mile connectivity or the quality of services or even discrimination. Following sections seek to answer these questions.

AWARENESS OF THE STAKEHOLDERS

S. No.	District, State	Awareness among the Community	Awareness among the Duty bearers
1.	Bhopal, Madhya Pradesh	Medium.	Medium.
2.	Gumla, Jharkhand	Low.	Low.
3.	Howrah, West Bengal	Low.	Low.
4.	Kalaburagi, Karnataka	Low.	Medium.
5.	Kandhamal, Odisha	Low.	Medium.
6.	Modasa, Gujarat	Low.	Low.
7.	Rangareddy, Telangana	Low.	Low.

i. **Community**

The parameters for arriving at the levels were whether across the spectrum, the persons spoken to were aware of the Integrated Child Development Services including all the services to be provided therein for pregnant and lactating women, adolescent girls and children along with the religious minority-specific 15% targeting in service delivery.

It was obvious through the FGDs conducted with beneficiaries in over 200 AWCs across the seven states that the level of awareness of the ICDS among the community, especially among beneficiaries like pregnant women and parents of children who avail services for their children is very poor. Considering the fact that the AWCs where we conducted our FGDs spanned over minority, non-minority and mixed bastis, the public’s awareness also varied based on the area where a particular AWC existed. It can be safely said that across the spectrum, the public were mostly unaware of the ICDS by its name and instead identified the services provided through it as AWC instead. However, overall, the public was unaware of all the services that must be ideally provided at a given AWC at any given time, as per the design of the ICDS.

For instance, in Bhopal City (Madhya Pradesh), the community’s knowledge of the services was limited to provision of food and immunization and they were completely unaware of the pre-primary education that is to be provided to their children, simply because no such service is provided in AWCs there. This lack of awareness of their entitlements under the ICDS leads to the public not demanding the benefits due to them. Additionally, if they even knew about all the entitlements and were not receiving the same, the community seemed to be unfamiliar with the mandated Grievance Redressal Mechanism under the scheme, which they could approach to resolve issues. This was the case in Gumla District (Jharkhand) and several places in Kandhamal District (Odisha). More importantly the community was completely unaware of the mandate for the 15% targeting of minorities through AWCs for equitable provision of services under the ICDS.

ii. **Duty bearers**

Compared to the community, the official duty bearers involved in the service delivery and grievance redressal system had a better awareness of all the services to be provided under the ICDS.

However, this again raises the question as to whether they performed their basic duty of advertising the purpose of the scheme so that more people could avail of its benefits, especially children and women belonging to minority communities. Apart from this, most of these officials, especially the Child Development Project Officers (‘CDPO’s) and AWWs were completely unaware of the 15% targeting of the ICDS service delivery to be done as per the 15-Point Programme especially in Kalaburagi District (Karnataka), Kandhamal District (Odisha), Modasa Town and adjacent areas (Gujarat) and Rangareddy District (Telangana). What was surprising was the response of such officials to being told about such targeting being mandated for improving nutrition and health among religious minorities. An official in the Women & Child Department in Rangareddy District (Telangana) went to the extent of subscribing to the narrative

that the minorities actually receive too much attention and that it was others who required support. Needless to say, this is an obvious indicator of the failure of this targeting mechanism to ensure better nutrition levels among minority children and women.

In Kandhamal District (Odisha), it was surprising that only one out of three blocks (G. Udaygiri) was maintaining religious disaggregated data although the CDPO of the same block categorically stated that no such data was being maintained, thus highlighting the confusion that is prevalent regarding this. It was only in Bhopal City (Madhya Pradesh)’s AWCs that disaggregated data was consistently maintained, though this too was not available in the District Office. The prevalent attitude is that the ICDS is for all and in general, the officials’ views regarding the implementation of the programme is that ‘no one is left behind’, although the ground reality suggests otherwise. RTI applications seeking disaggregated data in this regard were oftentimes answered in the negative citing this supposed practice of no one being excluded as a reason.

IMPLEMENTATION OF THE PROGRAMME

i. **Service delivery**

Under the ICDS, AWCs are service delivery stations that must provide the following services for children (0-6 years), adolescent girls and pregnant and lactating women under the scheme:

- Supplementary nutrition,
- Immunization,
- Health check-up,
- Referral services,
- Non-formal pre-school education, and
- Nutrition and health education.

These AWCs must be open on all six days in a week for four hours in the day in the morning, where the time may differ from state to state. Each AWC must be equipped with rations, medical and educative supplies, 1 Anganwadi Worker and 1 Anganwadi Helper.

However, the truth of the matter is that the service delivery is deplorable across states. In many AWCs, all the relevant services are not provided for a variety of reasons. In order to ensure a nutritious diet for both children and pregnant women, a menu has been set according to which pulses, rice and other such rations along with a supply of eggs is to be provided. However, often, the menu is non-existent and that particular AWC provides food arbitrarily, as was witnessed in Gumla District (Jharkhand), where all AWCs serve only khichdi. There were also instances where children were fed biscuits alone. Many AWCs in Howrah District (West Bengal) were in fact referred to as the ‘khichdi school’ because of this and no AWC here had any semblance of a menu with which to be guided as to what the beneficiaries ought to be fed. Often the reason for not providing the requisite food items was also that money was not disbursed timely, as was the case in the AWCs at Badenjau and Khambanjau in Kandhamal District (Odisha).

However, in the case of the AWC at N.T.R. Nagar in Rangareddy District (Telangana), even if the money was not disbursed, the AWW would spend her own money to feed the children and pregnant and lactating mothers, come what may. While such dedication is admirable and has indeed helped in many benefiting from the services from that particular AWC, overall it is unacceptable that something like mismanagement in distribution of funds is resulting in the supposed beneficiaries going without their required daily nutrition and health support. This ultimately defeats the purpose of bringing in such a programme especially in the light of India's SDG commitments to end hunger and reduce inequalities in terms of access to basic necessities like food and health care for its most vulnerable communities – women and children. Among them, women and children belonging to minority communities are worse off which necessitated the 15% targeting under the 15-Point Programme in the first place. However, this has not been followed up on across states since no disaggregated data was available to monitor the same.

ii. **Quality of food**

It has been observed across states that service delivery is poor. The food provided for the children and pregnant and lactating women has often been found to be poor in terms of quality as well as quantity.

The whole point of providing this food is to ensure the maintenance of nutrition levels among the beneficiaries but sadly, in many AWCs this is not strictly adhered to as it should be. In Bhopal City (Madhya Pradesh), AWCs had no control over food quality because the food was being cooked in bulk and distributed across AWCs. In Gumla District (Jharkhand), many pregnant and lactating women were not receiving ready-to-eat food over several months. In Howrah District (West Bengal), food menus were a non-starter in AWCs since all children were only served khichdi and eggs and on some days only rice and eggs. In Kalaburagi District (Karnataka), ever since AWWs were burdened with procuring eggs and were not reimbursed promptly, they stopped serving eggs altogether. Many AWCs suffered due to shortage of gas cylinder supply as well which in turn affected the cooking of food on the premises. This is also the case in Rangareddy District (Telangana).

iii. **Pre-primary education**

Another area of concern is regarding the pre-primary education that is provided to children at the AWCs.

In Bhopal City (Madhya Pradesh), this service was not properly provided in AWCs, the reason being that the public sent their children to proper schools instead since the quality of teaching at AWCs was not satisfactory. For this too, the reasons cited were that the AWW was not trained to teach young children and also that they were often kept busy with other duties such as data collection by survey, clerical work such as maintaining registers etc. because of which they couldn't dedicate time for the children. It is interesting to note that the supplies kept for teaching the children, including slates and play kits were often an issue as was the case at AWCs in Modasa Town and adjacent areas (Gujarat) and Rangareddy District (Telangana). In Modasa Town and

adjacent areas (Gujarat) the situation was such that such materials were stocked quite well in AWCs in non-minority areas while the same cannot be said of those in AWCs in minority and mixed community areas. It was also observed that often, in the AWCs in minority areas, play kits were kept unpacked and unused and the children were made to play with older and broken toys, the reason being that the children might break the new toys too. The same was the case in both minority and non-minority areas in Rangareddy District (Telangana), Gumla District (Jharkhand) and Howrah District (West Bengal) because of which the quality of the little informal education that the children might receive is paltry to say the least.

iv. **Lack of infrastructural support**

A major drawback in the implementation process has been the lack of infrastructural support to AWCs in this country. Often, AWCs run in rented spaces and run the risk of eviction, while also being inconvenient for usage in terms of space for the children to run around and play in or even for the pregnant women to be accommodated long enough for them to consume their ready-to-eat meals.

In Bhopal City (Madhya Pradesh), it was found that several AWCs had been removed from their survey areas and wherever they were re-opened, the service delivery was useless since the actual beneficiaries couldn't physically access it; and where AWCs were constructed by the government itself, these centers lacked water and/or electricity facilities. In Gumla District (Jharkhand), the situation is worse because the MsDP funds have not been appropriately allocated and utilized because of which AWCs do not even exist in places requiring them. An AWC was planned to be set up in Toto village, in Gumla, but this commitment remains only on paper. While MsDP funds have been used up for constructing ITIs and polytechnic colleges, AWCs in Gumla District (Jharkhand) remain grossly in need of infrastructural upholstering. Raghunathpur (a minority-dominated area in Gumla) has an AWC housed in a damaged building which poses health and safety hazards to beneficiaries. Also, lack of water facilities in AWCs affected the cooking of food for the beneficiaries quite adversely. As evident from the statistics cited in a previous section, Jharkhand fell short of its target of constructing 1946 AWCs under the 15-Point Programme by nearly 300.

In Howrah District (West Bengal), lack of land was cited as a key reason why a majority of the AWCs are running in rented places like clubs. Here too, MsDP fund allocation and utilization for improving AWCs is poor. An AWC in Khajuri village (a minority-dominated area in Howrah) lacks a roof while catering to 100-plus children. Similarly, an AWC in Khaskhamar village, also in Howrah, caters to a population much beyond its capacity (around 4000 people). This is evidence of the fact that where more AWCs should ideally exist, steps have not been taken for establishing the same, grossly affecting the accessibility of the scheme's benefits to the target community in particular. Similarly, in Kalaburagi District (Karnataka), it was found that AWCs especially in minority-inhabited urban areas were remarkably small and shabby since the rent for bigger spaces could not be afforded with the Rs. 3000 that is allocated for renting spaces for AWCs. Thus, the AWCs in such minority areas were mostly worse off than those in non-minority areas. AWCs in Kandhamal District (Odisha) too lack water and electricity facilities while some are in dire need of pucca roofs. Here too, while new AWCs have been sanctioned on paper, nothing has materialized as the years progressed.

A stark difference can be seen between AWCs run in minority-concentrated areas and those in non-minority areas of Modasa Town and adjacent areas (Gujarat). Whereas those in the former areas are run in rented spaces with limited facilities, those in the latter areas are constructed by the Municipal Corporation itself, ensuring larger spaces with no fear of eviction and hence smooth service delivery. Water supply issues are prevalent here as well. Many AWCs in Rangareddy District (Telangana) had safety hazards for children availing benefits there because of the small spaces they were to play and also eat in. Apart from this, absence of chairs at these centers made it difficult for pregnant women to access the ready-to-eat meals since it was often difficult for them to sit comfortably on the floor and rise thereafter. This has often led to many of them giving up on coming to the AWCs to consume these meals altogether.

In Nai Basti area of Bhopal City (Madhya Pradesh), an ICDS Center (Center No. 41) has been shifted away from its survey area. The AWW here stated that the Center is now useless as hardly anyone comes there to avail of the services provided. The people from the survey area noted that they now visit the center only for immunization and not for any other services. Sending young girls and women to the center has now becoming a safety concern since they would have to travel across three adjacent areas to reach the center itself, making them easy targets for harassment.

In Sayed Chincholi village of Kalaburagi District (Karnataka), there are 3 AWCs of which 2 run in Government-owned buildings. The parts of the village where Muslims dwell do not have an AWC. Despite repeated engagement with the CDPO by the AWW, nothing materialized. When the AWW raised these issues at an awareness programme held by the local Rehnuma team, the issue was brought to the Gramin CDPO's attention. The Panchayat Development Officer who had been tasked with identifying and allotting the land for the AWC had been repeatedly denying that the Government had any land to spare for the same while the elders in the village stated that this was untrue. This was brought to light in an awareness programme where the DLSA Secretary (a senior district judge), the CDPO, the Panchayat President and Vice-President were present and immediate action was taken regarding the same where the President immediately identified and allocated land that could be utilized to open another AWC in that village.

v. Inadequate human resources

Inadequate human resource to manage AWCs is a recurring issue across the states.

In an AWC in Luto village (a minority area in Gumla), with no AWW appointed, the AWH runs the Centre, in her own home because there is no separate space available for the same. Another AWC at Luto village has been running in a community hall and remains shut during any functions since 2007. Similarly, in Luto Harijan Toli (another minority area in Gumla), the AWW position has been vacant for over two years. The recorded experiences reek of an urgent need for responsible recruitment of CDPOs, Supervisors and Sevikas in this state. Less number of officials on hand is a major reason for non-monitoring of service delivery, as was expressly stated by higher officials in Howrah District (West Bengal). Lack of proper training and support for existing AWWs was a cause for concern across states because the system of payment of salaries and reimbursement for procuring food stuff etc. is very irregular and promoting apathy among the workers, also directly impacting the quality of service delivery in the process.v

vi. Aadhaar requirement

The Aadhaar system has nationally been a bone of contention for some time now and issues related to its usage for availing services under ICDS caused severe problems in AWCs across states.

However, AWCs in Bhopal City (Madhya Pradesh) and Modasa Town and adjacent areas (Gujarat) had the most negative experiences recorded where, in AWCs in the latter place, had been given the additional responsibility of ensuring that the public would get their Aadhaar cards made. This goes entirely against the discourse surrounding the Aadhaar issue as to the voluntariness of opting to get an Aadhaar card, a matter still being debated by the judiciary. With a decision pending at the level of the Supreme Court of India, it was entirely wrong that services were denied for the lack of an Aadhaar card indirectly coercing citizens to get into a system they, by right, need not get into if they wished not to do so. This was purely exclusion by design and the worst victims of it ended up being the children, whose meals were denied for lack of a square piece of paper.

vii. Minority targeting

Service delivery concerns aside, the chief cause for alarm was the non-implementation of the targeting aspect of the 15-Point Programme as part of its flagship initiative to ensure equitable distribution of the services provided under ICDS among children, young girls, pregnant and lactating women belonging to religious minority communities.

It was found that religious disaggregated data of all beneficiaries accessing services at AWCs was being maintained only in Bhopal City (Madhya Pradesh) and Modasa Town and adjacent areas (Gujarat). This clearly points toward a systemic failure on the part of policy-makers to ensure that the targeting of service delivery actually happens and that the religious minority and other marginalized communities' health and wellness status improves.

The systems established to ensure the same, such as AWC Monitoring Committees being non-existent is evidence of the fact that the targeting has not been prioritized and hence a section of society is left without in terms of basic necessities. This in turn hampers India's chances to meet its SDG commitment to bridging the gap in health and nutrition levels of children and women.

The discrimination angle turned out to be apparent in Kalaburagi (Madhya Pradesh) and Modasa (Gujarat). In other places, the non-minority AWCs selected for our research catered largely to Adivasis (Gumla and Kandhamal), Dalits (Bhopal and Howrah) and both Adivasis and Dalits (Rangareddy). Both these groups are of course as marginalized as minorities and the experience of poor implementation was common to most AWCs in the district.

BEST PRACTICES

Religious disaggregated data is maintained in an orderly manner in AWCs across Bhopal City (Madhya Pradesh) and Modasa Town and adjacent areas (Gujarat). The population survey in the former is often even displayed outside AWC premises for the public to see.

In Howrah District (West Bengal), the Block Development Officer in Panchla block has come up with a new proposal to construct another floor above Community Clubs for AWC usage in order to combat land scarcity and high rent-related problems. The constant efforts of the Rehnuma team there to engage with officials, has paid off since now they are much more responsive to the public's concerns.

A menu change in AWCs in Kalaburagi District (Karnataka) has resulted in adding the appropriate nutritious value to the meals provided, which were earlier absent. And although there were functional issues in implementing these changes, the Rehnuma team's engagement with AWCs ensured the same was being implemented thereafter. The practice of freely distributing sanitary pads to adolescent girls is a notable effort made by AWCS in this place to ensure menstrual hygiene is given priority. AWCs in Rangareddy District (Telangana) have taken the initiative to provide beneficiaries with 7 eggs over the course of a week which will go a long way in reducing malnutrition levels among the target groups.

Many AWCs are the implementing centers for several state-level schemes which they have been able to do effectively especially in Kandhamal District (Odisha). The practice of some AWWs collecting money from parents of beneficiaries to improve the quality of facilities provided was one practice that has been observed to be positive in the sense that it not only keeps parents invested in the running of the AWC but also ensures the upgradation and improvement of resources provided; which is not possible with the limited funds provided by the government that have conclusively proven to be inadequate on many occasions across states.



Under the 15-Point Programme, children from minority communities are eligible for Pre-matric, Post-matric and Merit-cum-means scholarships. For Pre-matric scholarships, students of class I to X in any government or private school who have scored 50% and more in the previous year annual examination and whose parents' annual income is less than Rs. 1 Lakh are eligible. While here, priority is given to poverty rather than marks, the distribution of scholarships should be based on the proportion of population of minorities as per 2001 Census of which 30% is ear marked for girl students. Implementation of the scholarship schemes for minority students is done through State/Union Territory administration through the Department of Social Welfare and where it exists, the Department of Minority Welfare.

For Post-matric scholarships, students of class XI to XII in any government or private school along with those taking technical and vocational courses in Industrial Training Institutes/Centers ('ITI's/'ITC's) affiliated with the National Council for Vocational Training ('NCVT') who have scored 50% and more in the previous year annual examination and whose parents' annual income is less than Rs. 2 laths are eligible.

Merit-cum-means scholarship is awarded to pursue higher education (graduate or post graduate-level technical and professional courses) from a recognized institution and maintenance allowance is credited directly into the student's account. Students who are entering professional colleges through competitive examinations or who have more than 50% marks are eligible for these scholarships and the continuation of the scholarship depends on their subsequent consistent performance. 30% of the scholarships are reserved for girl students from each religious minority which can be transferred to male students only in case of non-availability of female candidates.

The application process for the same is announced and facilitated through the National Scholarship Portal at <https://scholarships.gov.in/>.

OVERALL TARGETS & ACHIEVEMENTS

i. Central achievements

The Scholarship period typically begins in June-July every year, when Government of India's National Scholarship Portal begins accepting applications online.

Pre-Matric, Post-Matric and Merit cum Means Scholarships for Students belonging to Minority Communities are only three among various scholarships offered by different ministries of the Central Government. Yet, these scholarships are some of the biggest offered on the portal in terms of their coverage.

This year, the MoMA did something worth appreciating. It published data for scholarships availed of within one month of the date of opening the scholarship portal and instructed States where scholarships had not been picked up this year to take steps to make people aware. It is too early to say whether interventions made by MoMA during the current year would bear its fruits but closer monitoring is a way to achieve better coverage. However, low achievement versus target is not the only problem with the implementation of the schemes. There are deeper issues with things like determination of targets for example.

This year, like the two previous years the overall target to provide fresh Pre-matric, Post-Matric and Merit-cum-Means Scholarships was kept at 30 Lakh, 5 Lakh and 60,000 beneficiaries respectively. There continues to be no target for scholarship renewals.

Year	Target for Fresh Pre-Matric Scholarships	Achievement
2012-13	40,00,000	64,36,984
2013-14	40,00,000	77,94,190
2014-15	30,00,000	74,96,593
2015-16	30,00,000	51,78,779
2016-17	30,00,000	31,14,015
2017-18	30,00,000	-

The target of 30 Lakh for Pre-matric Scholarships is supposedly based on data from the 2001 census. MoMA claims that the more recent 2011 census data is not available with them. Naturally, if MoMA is relying on data that is 16 years old, it must be under-targeting the beneficiaries. Back in 2013-14, MoMA did not seem to have relied on the same data as the target was 33.3% higher in the two years 2012-13 and 2013-14. In fact, the physical allocation order issued by MoMA in 2013-14 makes no mention of the data it is relying on. The targets had been rising in the years before 2012-13.

There were two major changes that took place in 2014-15. One was that some of the schemes became Central Sector for which the Centre decided to bear 100% of the expenditure. Before this, the States were expected to bear 25% of the expenditure. The second change was of course that the Government at the Centre changed and it came with its own set of priorities.

Pegging targets to old census data is certainly a problem. Relying on newer data would be one way to reform the process. A better way to ensure scholarships for all those who need it is to make it demand driven.

MoMA has not gotten back to us on an RTI application asking the number of applications actually received by them and the rate of acceptance. Both statistics have never been disclosed by them.

An examination of sanction orders and the 2014-15 achievement data indicates that the achievements reported every year includes not just fresh applications but also the renewal applications. Reading achievements against the targets then is misleading. This gives the impression that the ministry has been over-achieving its targets. 2015-16 is the only year for which the reported data has made a distinction between fresh scholarships and renewal scholarships and this data will help us understand how the government is actually going against its targets of fresh scholarships.

Against the target of 30 Lakh fresh scholarships, it only achieved about 18.40 Lakh Scholarships. Approximately another 33.38 Lakh were Scholarship Renewals for which there was no target at all and everyone who applies for it was supposed to get it. This brings it to close to a total of 51.79 Lakh. This is much lower than those achieved in the previous years.

Table 6.B.1 also tells us that the achievements have been on a decline in the last five years. Last year's achieved number is less than half of its 2012-13, 2013-14 and 2014-15 figures. Though there probably remain a large number of scholarships that are yet to be sanctioned, it is predicted that this number will be much closer to that of last year than the years before that. It also helps to look at the state of financial achievements. In 2015-16, this year's Budget documents report that Rs. 1015.73 Crore was utilised for the Pre-matric Scholarships. On the MoMA website, it is claimed that Rs. 906.22 Crore has been released for that year. Both figures appear to be from the same period (February-March, 2017). There seems to be some discrepancy between the two figures but let us assume that a part of the utilised amount is that which will soon be released.

Year	Budget Allocation	Financial Target	Achievement
2014-15	990	1130	1128.81
2015-16	990	1040	1015.73
2016-17	931	931	584.90*
2017-18	950	950	-

This table confirms that along with the physical achievements, financial achievements have also been faring poorly over the years. From the analysis of the data it is clear that there has been no attempt to make sure that the physical targets and achievements are kept up with the increase in population. On the contrary, much lesser applications have been approved in 2015-16 than in two years before that and this seems to be the trend that will carry over to 2016-17. This claim is also supported by the fact that the budgetary allocation for the present year and the last one has been lesser than the years prior to them.

A positive observation of the situation is that the number of scholarships given to girl students exceeds 50% for the last two years, for which the gender disaggregated data is available for 2014-15 and 2015-16.

ii. State-wise achievements

A casual look at the document indicating targets versus achievements in every State would tell us that there is a wide discrepancy in the implementation of the scholarship schemes.

States	Targets	2013-14*	2014-15	2015-16	2016-17**
Gujarat	84764	355756	353933	208176	100580
Jharkhand	76312	26694	28465	25797	18673
Karnataka	128489	404511	435369	467890	233250
Madhya Pradesh	76139	109504	104819	77054	47555
Odisha	26292	38611	39610	2976	0
Telangana	66788	-	176178	214661	103562
West Bengal	327088	1869161	1690039	1285719	516525

Overall, the number of scholarships given in each of these states has been on a steady decline since 2013-14. It had been rising in the years prior to it. We noted this trend for the overall achievement as well. Going over the states, it can be seen that some of them have lost out much more than others. For instance, the number of scholarships given out in 2015-16 in West Bengal is substantially lower than the previous years. This is also the case in Gujarat and Karnataka. Jharkhand, Madhya Pradesh and Odisha appear to have suffered the most. Jharkhand's achievements have been consistently low but this year, its achievement was almost 25% of the target for fresh application. Madhya Pradesh only achieved 62.46% of its targets and Odisha, which had performed quite well till the year prior to 2015-16, achieved only 11.32%. In 2016-17, the number for Odisha is Zero and although the process is yet to be complete, this is inexplicable. The provisional data for 2017-18 also reports that no applications had been received from Odisha and Jharkhand in the first month of the call for applications for scholarships. It is important to note that while the achievement data includes both fresh applications and renewal applications, the target only includes fresh applications. As a result, all the data presented in the table looks worse than it actually is.

The above data should not suggest that most students who needed the scholarship and were eligible for it, received the amount in states like Gujarat, Karnataka, Telangana and West Bengal but one might be able to guess that the implementation appears to be better here than in the other three states. Not surprisingly, these findings have been corroborated by our observations on the field. Note the findings in Jharkhand, Madhya Pradesh and Odisha when they appear in the following sections of this chapter. In Chapter 4, where we have analysed the State Budgets, incidentally, the expenditure on scholarships in these three states was abysmal (< 2%). In the other four states the allocation was much higher.

We noted above that a majority of the students receiving scholarships were girls for the last two years that this data is available for. In these two years, the seven states have also seen more scholarship approvals for girls than boys except when Gujarat fell slightly behind in 2015-16 and Madhya Pradesh did not catch up with others in 2014-2015. A more serious shortfall was with respect of Jharkhand in 2015-16, when only 7% of those receiving scholarships were girls. This has turned out to be hard to explain. No other state saw a similar shock in this or any other year.

AWARENESS OF THE STAKEHOLDERS

S. No.	District, State	Awareness among the Community	Awareness among the Duty bearers
1.	Bhopal, Madhya Pradesh	Low.	Medium.
2.	Gumla, Jharkhand	Medium.	Medium.
3.	Howrah, West Bengal	Low.	Medium.
4.	Kalaburagi, Karnataka	Low.	Low.
5.	Kandhamal, Odisha	Low.	Low.
6.	Modasa, Gujarat	Low.	Medium.
7.	Rangareddy, Telangana	Medium.	Medium.

i. Community

Of the three kinds of scholarships, Pre-matric scholarships are the most well-known in most states and attempts to access the same are on par with the awareness levels.

The same cannot be said of the Post-matric and Merit-cum-means scholarships, which is tricky since these scholarships are for levels of education that are essential to pursue higher education, a domain that has for long seen discrimination against religious minorities, especially Muslims. In Howrah District (West Bengal), awareness levels of Post-matric and Merit-cum-Means scholarships were dismal while awareness of Pre-matric scholarships was high among the community. In Gumla District (Jharkhand), the Pre-matric scholarships are known as ‘Muslim baccha wala scholarship or Muslim chaatravriti’ and not by its official name. In Kalaburagi District (Karnataka), while awareness of the scheme itself may not be an issue, not knowing when the call for applications is opened ensures that many miss out on that year’s cycle of scholarship applications.

Abysmal levels of awareness of any of the scholarships among parents and students were observed in Kandhamal District (Odisha) in particular, where people often had vaguely heard or never heard of these schemes whatsoever. The same could be said of the public in Modasa Town and adjacent areas (Gujarat). Rangareddy District (Telangana) was the only district that saw high levels of awareness of Post-matric scholarships as opposed to low awareness of Pre-matric scholarships. The community across states was completely unaware of the 30% targeting under the scheme specifically for minority girl students.

ii. Duty bearers

Duty bearers in the context of scholarships would be school principals, education department officials, minority welfare officials, madrasa administration etc.

The awareness levels among duty bearers can be divided into three narratives – firstly, the ones who have a sound knowledge of the scheme and were duly asking students to apply for the scholarships and also facilitating them to apply for the same; secondly, the administrative officials who help in the application process but are themselves unaware of the scheme and/or the grievance redressal mechanism in case the application gets rejected and thirdly, those who had no knowledge of the schemes whatsoever and were not facilitating student applications for the same.

In the context of madrasas (where maximum students are Muslims except in Howrah District (West Bengal) where students of many other communities also study in madrasas), the administration of most madrasas approached in Bhopal City (Madhya Pradesh) were unaware of the scholarship scheme and the same was the case in Gumla District (Jharkhand), though in the latter case, the administration was also not interested in facilitating the scheme on knowing about it. Here, even where the District Education Officer offered to support the application process, Headmasters often were disinterested in performing their part to facilitate the same. Duty bearers in Howrah District (West Bengal) were well aware of all the three main scholarship schemes but not about the Maulana Azad Scholarship for girl students. In Kalaburagi District (Karnataka), while officials such as the District Minority Welfare Officer and the District Education Officer were aware of the schemes and also maintained a record of approved and rejected applications they could not explain or do anything about the reason for the high rate of rejection for the past two years. Headmasters in Kandhamal District (Odisha) were of the opinion that they could not make the effort to spread awareness among parents and students when their own knowledge of the schemes was nil. Here, the District Welfare Officer who is responsible for the minority scholarships is himself unaware of the scheme and refused to provide any information regarding the same at the block levels citing non-disbursement of funds for the past two years as the main reason.

While the situation may not be as worse in Modasa Town and adjacent areas (Gujarat), since school principals are actively assisting students in the application process, duty bearers here have a tendency of associating with schemes endorsed by the current ruling party and the Prime Minister and are unaware of the relevance of the scholarship schemes under the 15-Point Programme. In Rangareddy District (Telangana), where once the schools facilitated applications without any problem, there has been a shift in their attitude ever since parents have demanded reasons for non-receipt of scholarship amounts and blamed the schools regarding the same. While the District Minority Welfare Officer here is aware of the same, he too has stated that there has been a high application rejection rate for the past 2 to 3 years and he does not know what to do about the same except to direct the public towards availing the state-level scholarship program for minorities instead.

IMPLEMENTATION OF THE PROGRAMME

I. ADVERTISEMENT & CALL FOR APPLICATIONS

Every year, the scholarship cycle has to be advertised in newspapers and this information has to be disseminated by local officials and school principals among students and their parents.

However, since awareness of the scholarship schemes itself has been problematic across states, even if call for applications were opened on the National Scholarship Portal, the actual target communities stayed oblivious to the same. There was absolutely no advertisement sent out at the district level in Gumla District (Jharkhand) and since the responsibility falls on the District Welfare Officer (since there is no separate Minority Department), lack of staff and awareness of the schemes were cited as reasons for the same. Additionally, since the officials are completely untrained and unaware of eligibility norms, deadlines for form submission etc. there is no official support for the community whatsoever.

The lack of clear instructions to the government officials in Kandhamal District (Odisha) has been highlighted as the chief reason for lack of awareness among them and consequent non-action on the implementation front regarding any of the scholarship schemes.

II. APPLICATION PROCESS

The application process was changed from completely offline to completely online since the 2016-cycle of scholarship applications. This shift to the digi-verse was where some of the major problems in implementation of this programme were seen. Although the website is self-informative and quite accessible to a computer-savvy person with access to high-speed internet, it's accessibility to the target community is questionable to say the least.

In Kandhamal District (Odisha), school headmasters had stopped performing their part in facilitating applications ever since the online shift since they assumed that they had nothing to do anymore and it was the student and/or his/her parents' job to get the applications filed. Being geographically and digitally remote from the rest of the country, this was one district that suffered the most from the mandated online process due to network connectivity issues. The same could be said to a certain extent about Gumla District (Jharkhand) and several villages in Howrah District (West Bengal) and Kalaburagi District (Karnataka). Students heavily depend on their schools and madrasas in Bhopal City (Madhya Pradesh) for filing their applications and this works effectively in the case of government schools and larger madrasas but many of the smaller private schools and madrasas did not take any action since they were unaware of the exact procedure for applying for scholarships.

The difficulties faced prior to and while accessing the website require special mention here because often, these difficulties were what prompted even those who were earlier applying for scholarships to stop doing so later. Students and parents are often confused by the process if they are left to do it on their own. In cases where they find support through cyber cafes and other online data entry centers, they have to bear additional costs. For instance, in Bhopal City (Madhya Pradesh), applicants spend anywhere between Rs. 50 to Rs. 200 for getting the application filed online. In Gumla District (Jharkhand), schools facilitate this application filing but charge Rs. 400 to Rs. 500 for the same. Cyber cafes in Howrah District (West Bengal) too charged a lot to fill applications.

In Kandhamal District (Odisha), cyber cafes not only charge exorbitant fees but even force students to get extra affidavits made, which is not a requirement for the scholarship scheme itself. Schools in Modasa Town and adjacent areas (Gujarat) have a contract with third party agencies for technical support to upload applications for all students. However, since in this situation, the schools become the key point of contact, in case of any technical failure in the process, the schools have to bear the brunt of complaints from parents and students, about which they can often do nothing of their own accord. The OTP generation system for verifying applicants too is problematic because often, applicants are unaware of what an OTP is in itself. Phone network connectivity issues add to the confusion. What is evident is that the shift to the online medium of accepting applications has missed out on ensuring one specific aspect – ensuring accountability in the case of technical failures which regularly happen and result in a lot of confusion and frustration for applicants and the human resources who are only a medium between the applicants and the mechanical mode of application. Though deadline extensions helped this situation, extensions cannot be considered a tenable and reliable system.

III. AADHAAR & OTHER DOCUMENTARY & TECHNICAL REQUIREMENTS

Once the applicants even manage to look beyond the costs incurred and technical difficulties in applying, they are met with another hurdle that involves human error in data entry, a problem plaguing official document filing in this country since the dawn of time. From birth certificates to the currently popular Aadhaar cards, maintaining consistency of one's personal information is a serious hassle. First of all, the number of documents required for the application process has been constantly changing, for whatever reason, which has resulted in confusion among applicants and officials alike. Because of this, even those who began with the application process end up being sent around to procure the new documents that are now required. This was clearly the case with the Aadhaar requirement, which shook the government scheme implementation across the country in all senses with these minority scholarships schemes being none the exception.

Many possible beneficiaries in Gumla District (Jharkhand) could not apply because they lacked an Awasiya Praman Patra (Residential certificate). In Raikia block of Kandhamal District (Odisha), schools charge Rs.100 to Rs. 200 for providing necessary affidavits essential for applying for scholarships and many possible beneficiaries aren't able to afford this added cost. Inconsistency among documents and details provided in the application has often resulted in non-acceptance

of applications by the portal, in turn creating confusion as to what or how to get the corrections done. For instance, the part that asks for the name of the applicant specifically 'as on Aadhaar' is problematic since those without an Aadhaar and those with names inconsistent in their Aadhaar (if they have one), due to clerical errors, face problems. Rectification of those documents itself then takes a long time due to bureaucratic hassles and the applicant gives up on even trying to get the application moving since the costs borne end up much more than the actual amount received as scholarship.

Abbas Nagar basti of Bhopal City (Madhya Pradesh), during one of the FGDs, we came across the case of a woman who was taking care of two orphan girls. The girls were of school-going age, yet the nearest Government school and other private schools had denied them admissions due to the lack of an Aadhaar card. She stated that since there had been no free Aadhaar camps conducted, it would cost her at least Rs. 200 to Rs. 400 to get the card made in an M.P. Online Centre, an amount which would buy her rations for a whole month.

A bank account is one of the other chief requisites for eligibility to apply for these scholarships. However, the truth of the matter is that there are still members of the public especially minorities who have never opened a bank account in their life. In such a situation, getting a bank account opened for them has been the first level support that any Rehnuma team has given. However, during the 2016 scholarship cycle, even though the last dates for submission of applications were postponed because of the portal's server failure to accept applications, the demonetization move of the current ruling government dealt a heavy blow to those requiring bank accounts. Many people were refused at bank counters citing overload of work due to the demonetization happening overnight. Because of this, those who didn't have bank accounts could not create new ones and hence lost out on that cycle of scholarships. Contingencies like this may not happen often but when they do, the sufferers almost always are the poor and the middle class among society who are the special targets of this scholarship schemes.

Another situation arose in Modasa Town and adjacent areas (Gujarat) where banks consistently refused to open zero balance accounts for beneficiaries in which scholarship funds could be deposited. Several banks including the Bank of Baroda and the State Bank of India have demanded that beneficiaries deposit up to Rs. 5000 as an AOB requirement to open an account. Parents have complained that banks refuse to open accounts for them unless they visit the premises with the school principal in tow. This refusal on the part of bank officials to open zero balance accounts for applicants was also observed in Howrah District (West Bengal).

IV. REJECTION &/OR NON-APPROVAL OF APPLICATIONS

A scholarship application can be not approved or rejected for several reasons such as inconsistent information uploaded due to data entry error and at times due to technical failure of the portal's server.

However, the communication of the same along with the reason for it has been seen as uniformly inconsistent to applications across states. This in turn makes it difficult for applicants to understand the process and avail of benefits since the procedure itself is not clear from the beginning till the end. Not knowing the fact and/or reason for non-approval or rejection of applications leads them to type-casting the scheme as a 'typical Government scheme that is inaccessible and tedious to even try and access' and hence not attempting to apply the next time around or even to venture out in asking any relevant authority as to the status of their current application. At times, it was only the renewal forms that were getting accepted and the fresh applications were getting rejected, as was seen in Gumla District (Jharkhand). A spike in the rejection rates has been noted in Bhopal City (Madhya Pradesh), Kalaburagi District (Karnataka) and Rangareddy District (Telangana) because of which people get de-motivated and do not go for applying again. This high rejection rate later translates to lower demand for the scheme, thereby leading to a reduction in subsequent lower budgetary allocations for the scholarship schemes which seems counter-productive. Bhopal's case is supported by the fact that last two years for which complete data is available (2014-15 and 2015-16) have seen significantly lesser number of approvals than the year before. While this is not the case for the other two, this may simply be because of the fact that these schemes are inadequately targeted and allocated budget for.

The situations seems to be worst where, as noted earlier in this report, zero scholarships have been granted so far for 2016-2017 and no applications had been made within the first month of the beginning of the process this year. This supports what most school administrators and parents reported to us. Considering that the chances of getting the state-level scholarship is certain when compared with the low chances of getting the minority scholarship, minority students are encouraged to apply under these even though the amount is low.

IV. REJECTION &/OR NON-APPROVAL OF APPLICATIONS

A major cause for concern is that many applicants of Pre-matric scholarships have not received the requisite scholarship amounts in their bank accounts and the reasons for the same have not been communicated to the applicants themselves. Because of this pattern, parents often opt out of going through the tedious scholarship application process only to be left with nothing to show for their effort.

For instance, in the 2016 cycle of scholarship applications, of the 67,000 applications that were filed from Howrah District (West Bengal) (most of which were renewal and not fresh applications), only 21,786 were accepted and those applicants actually ended up receiving the scholarship amounts in their relevant bank accounts. This was confirmed to us by District Minority Affairs Officer for Howrah. The miserably low numbers of applicants from Kandhamal District (Odisha) have not received their scholarships from the past two years due to delay in disbursement of funds according to local headmasters. Many successful applicants in Modasa Town and adjacent areas (Gujarat) have not received the scholarship funds in their bank accounts for lack of a passbook, which considering the digital wave has become an obsolete and unnecessary requirement for any banking transaction. In 2016, in Kalaburagi District (Karnataka), it was also found that the disbursement of all of that area's scholarship funds was directed to one bank account from where the funds were not redistributed among successful applicants.

Through the Rehnuma team's intervention, this was officially called out and the amounts were successfully redistributed. But such practices go to show how severely mismanaged the entire scheme itself is which is why many states including Jharkhand, West Bengal and Telangana have their own state-level scholarships for minorities which see far more success from the application process right up till the receipt of funds by applicants. In Gumla District (Jharkhand), this is problematic since the Christian minorities in the area avail SC/ST scholarships and Muslim minorities avail OBC scholarships instead of the Central scheme.

VI. MISCELLANEOUS OBSERVATIONS

The aforementioned issues aside, it was found that social perception of minorities and the scheme as a whole played an important role in creating serious problems in the implementation process itself.

Popular perception of minorities has been quite unhealthy, especially given the current intolerant climate that is indulged by the ruling party and anti-social elements. For instance, in both Kandhamal District (Odisha) and Gumla District (Jharkhand), parents and guardians of Christian minorities were afraid of getting scholarships with the minority tag fearing that they would miss out on the SC/ST scholarship. However, in the latter district, many members of other communities often showed disdain towards Christian minorities because they were under a grossly mistaken impression that they availed of scholarships both as Christians and as SCs/STs.

Such supposed ideas of what was actually happening is a cause for concern since small mistaken perceptions such as this is what fuels larger communal issues later, no matter how or where from such issues are triggered. In Shanti Nagar, Tikabali, a minority area and rehabilitated colony set up by the government after the 2008 communal riots in Kandhamal District (Odisha), the residents mentioned that they have experienced discrimination from the residents of adjacent villages and have been treated as 'outsiders' by them. Other villagers have the opinion that "these Christians" get all scholarships and other benefits. Another Hindu-dominated area had villagers who found it 'unfair' that the minorities get benefits while there are none for Hindus.

BEST PRACTICES

With scope for a lot of improvement, there have been some positive practices witnessed across states. For example, Government institutions have a better record of implementing these scholarship schemes as compared to private institutions. Government schools in Bhopal City (Madhya Pradesh) have maintained proper data as to how many students have filed scholarship application forms in a particular application cycle and the process is constantly monitored as was seen in all government schools in the Abbas Nagar and Nai Basti/Gandhinagar areas of the district.

In Gumla District (Jharkhand), due to the active assistance provided by the Rehnuma team, beneficiaries are able to file application forms free of cost and error. Because of this initiative, awareness has marginally increased and the District Welfare Officer has acknowledged this by supporting the process throughout, to the best of his professional ability and capacity. The same can be said of Howrah District (West Bengal) as well.

Schools in Kalaburagi District (Karnataka) have taken active steps to fill scholarship applications in hard copies, after which they contract out the data entry into the online portal to reduce all possibilities for rejection of application due to inconsistency of information and errors. This is done at a very low cost to the applicants.

A local NGO (Janavikas) and the Rehnuma team in Kandhamal District (Odisha) has taken the initiative to improve application filing numbers in Raikia and Udaygiri blocks by collaboratively taking the responsibility to ensure the filing of Pre-matric and Post-matric scholarship applications and submitting the same to the Block Education Officer or Welfare Extension Officer for a nominal fee of Rs. 40 to Rs. 50 per application. Through this initiative, they have ensured that more applications are submitted, properly tracked and followed up during the course of the scholarship season.

Schools taking charge of the online application submission process in Modasa Town and adjacent areas (Gujarat) is a very good example which can be replicated elsewhere as this significantly reduces accessibility issues among the target communities. When schools take charge of the application process, they not only ensure that all children are covered but also provide a reliable and responsible environment for facilitating the implementation of the scheme at little to no extra cost for the beneficiaries.

The State Government of Telangana provides scholarships for minorities (funded by the State itself) especially for those who did not receive scholarships through the Central government schemes. While this may seem counter-productive in the implementation of the Pre-matric, Post-matric and Merit-cum-means scholarships under the 15-Point Programme, it is also an example of how appropriate mechanisms can be put in place to ensure that no one is left without the welfare benefits due to them. Another very positive initiative it has undertaken is to contract the running of internet service centers called Me-Seva cyber cafes where any person can go to apply for schemes online and the cost for the same is determined based on that person's income certificate, which significantly reduces the financial burden for those not well off.



Undertaking the responsibility of providing skill-building training for those in need of the same, the government has come up with the National Skill Development Mission which aims to create a convergence across sectors and States in terms of skill development activities. In the given population in India, it is found that a majority of people, both in the rural and urban areas, are bereft of employment due to a lack of basic employable skills. If they are skilled in their ancestral business, it is often found that that skill is not utilized for economic or social reasons or both. Therefore, it is important that such issues are addressed through action-oriented capacity-building by identifying and collaborating with NGOs and specific training centers to make possible interventions to change the present situation and harness the valuable human resources who have so far suffered due to a lack of direction and opportunities. Among those in need of such skill building, women belonging to religious minorities require the most attention considering their double disadvantage of gender and religious identity that has kept them away from being leaders in their communities for ages. Keeping this in mind, the Ministry of Minority Affairs came up with the “Scheme for Leadership Development of Minority Women”, popularly known as “Nai Roshni” and this has been implemented since 2012-13.

The objective of the scheme is to empower and instill confidence among minority women by providing them the knowledge, skills and tools to interact with Government systems and to stand as community leaders in a way that the negative perception around their role in society changes. This scheme is implemented through non-governmental organizations registered under the Societies Registration Act, 1860, public trust, non-profit companies, recognized universities, Government training institutes, registered Cooperative Societies/ Self-Help Groups etc. that go through an application process to become Project Implementing Agencies (‘PIA’s). The funds are allocated and disbursed directly by the Central Government with the MoMA as the key point of contact. Training modules with a basic framework on various issues such as leadership, health and hygiene, financial literacy, life skills, legal rights of women, digital literacy etc. are created to support trainings and are available on the Ministry’s website at www.minorityaffairs.gov.in.

The target community can benefit from both non-residential and residential development training with stipend and hand-holding throughout.

OVERALL TARGETS AND ACHIEVEMENTS

Upon a plain reading of the data as updated on the MoMA website, for the scheme of Nai Roshni, state-wise and NGO-wise, the number of women trained and funds allocated under the scheme is mentioned up till the year of 2016-17. Below is a table of the Budget (Revised and Estimate) along with the targets and achievements in the past 4 years.

Year	B.E (Rs. in Crore)	RE (Rs.in Crore)	Expenditure (Rs. In Crore)	Physical Target (No. of Women to be Trained)	Achievement (Trainees/Sanctioned women)
2013-14	15.00	14.74	11.96	40,000	60875
2014-15	14.00	14.00	14.00	40,000	71075
2015-16	15.00	15.00	14.99	40,000	58725
2016-17	15.00	15.00	14.75	40,000	69150

It can be well deduced from the figures aforementioned that, the Ministry has achieved the targets as envisaged in the last four years. However, the implementation of the scheme remains questionable. It is pertinent to note that, the sanction orders of installments for the years 2012-13 and 2013-14 have been released as late as 2016-17. This only goes on to say how irregularly the grant-in-aids have been released. Relying upon our field survey in 7 different states, which is also mentioned in detail in the following sections, it is seen that untimely release of funds has hampered the smooth functioning of the scheme and further in some places like Odisha, the PIAs have also mentioned that the trainees are lacking in motivation to continue with such training due to the low stipend given to them.

In a report by the NITI Aayog entitled ‘Quick Evaluation Study on Nai Roshni’ , on the release of funds by the implementing ministry, it is mentioned that almost 100% NGOs have informed that the funds sanctioned under residential programmes were inadequate. Whereas 56% of the NGOs have said that the amount of funds sanctioned to each non-residential training programme was adequate, 44% of them told that the amount sanctioned was inadequate. Below is a table showcasing the percentage of non minorities trained by 6 states for 2016-17.

Place	Trained trainees	Non minorities	Percentage of non-minority targeting
Telangana	250	24	9.6%
Madhya Pradesh	6599	181	2.74%
Jharkhand	150	8	5.33%
Karnataka	1525	74	4.8%
Odisha	300	57	19%
West Bengal	250	0	0
India	65274	1709	2.6%

For 2015-16:

Place	Trained trainees	Non minorities	Percentage of non-minority targeting
Gujarat	575	75	13.04%
Madhya Pradesh	5450	60	11%
Jharkhand	1575	0	0%
Karnataka	1852	213	11.5%
Odisha	1650	291	17.63%
West Bengal	950	286	30.10%
India	57889	2587	4.4%

Analyzing the percentages as derived for the past 2 years, one can see that none of the states in the year 2016-17 complied with the 25% non-minority targeting. In the year 2015-16, only West Bengal reached a target of 30% non-minority targeting, which ironically did not train a single non-minority in the year 2016-17. In the year 2015-16, Jharkhand did not train any non-minority as compared to the next year where it reached a meager 5.33%. Lastly, as per the data updated on the MoMA website, there are 90 Minority-concentrated Districts ('MCD's), 338 Class I Minority-concentrated Towns ('MCT's) and 1228 Minority-concentrated Blocks ('MCB's) in the country. It is worthwhile to note that while the Nai Roshni grant-in-aids have been granted to organizations which are situated in MCDs/MCTs/MCBs, there are also some MCDs in certain districts that are excluded. For example, in the state of Odisha, Gajapati being an MCD, no organization has received any grant for the scheme in that area, as also, Kandhamal, which consists of 4 MCBs. It is not the case that the organizations in these areas have been rejected, but no organization has applied at all from these areas. It is certainly telling on the application procedure/guidelines of the scheme, whereby minority-concentrated pockets are being completely excluded from receiving any kind of benefits under the scheme. In Dhenkanal, Odisha, there are about 3 organizations which have received the grants for the scheme. It should be noted that Dhenkanal is neither an MCD/MCT nor falls under the category of an MCB. Similarly, in Madhya Pradesh, Bhopal (MCT) has a handful of organizations which have received the grant-in-aid for the scheme. Of the 9 MCTs, organizations in only 2 MCTs have received the grant. The rest of the organizations are situated in areas which are neither MCTs/MCBs nor MCDs. Many of the rejected PIAs operate in areas that have been left out. While, it is understood that MoMA wants to ensure organizations meet certain eligibility criteria before granting them the contract, the current system does not quite facilitate access to the trainings for women in most minority-concentrated areas and if that is so, the point of such schemes is quite limited.

AWARENESS OF THE STAKEHOLDERS

S. No.	District, State	Awareness among the Community	Awareness among the Duty bearers
1.	Bhopal, Madhya Pradesh	-	-
2.	Gumla, Jharkhand	Low.	Low.
3.	Howrah, West Bengal	Medium.	Medium.
4.	Kalaburagi, Karnataka	Low.	Medium.
5.	Kandhamal, Odisha	Medium.	Medium.
6.	Modasa, Gujarat	Not applicable.	Not applicable.
7.	Rangareddy, Telangana	Low.	Low.

i. Community

Like most of the sound policy initiatives of the Government of India, especially for the women of this country, this scheme too sees serious flaws which begin with awareness itself.

The target community itself sees very low levels of awareness regarding Nai Roshni except for the trainees in the few states that PIAs have been empanelled and a few trainings have taken place. In Howrah District (West Bengal), the trainees in one of the empanelled PIAs (Khorda Public Culture & Welfare Association) were aware of the Nai Roshni scheme and the fact that it was exclusively for minority women. However, they were completely unaware of the 15-Point Programme. None of the respondents in Kalaburagi District (Karnataka) had the vaguest idea of what Nai Roshni was. The trainees from Arun Institute of Rural Affairs at Dhenkanal district, Nikhila Utkal Harijan Adivasi Sewa Sangh at Bhadrak district and Sewak at Sundergarh district in Odisha were approached by us (since there were no PIAs in Kandhamal). They were also aware of Nai Roshni but not about the whole list of benefits the targeted community was entitled to under it. Although it is said that Nai Roshni is being implemented in Shamshabad district of Telangana, no information regarding the same could be accessed and so assessing community awareness was not even possible there at the outset.

ii. Duty bearers

The administration of the empanelled PIA in Howrah District (West Bengal) was well aware of the 15-Point Programme. They were also aware of the inclusion clause of targeting 25% of non-minority women for the implementation of this scheme although they were taking in only minority students. They had come to know of the scheme through an advertisement in the newspaper.

Both organizations that have implemented the Nai Roshni scheme in Bidar district of Karnataka (there are no empanelled PIAs in Kalaburagi) had a good level of understanding of the scheme and what it entails. All the officials of the empanelled PIAs – AIRA, Sewak and Nikhila Utkal Harijan Adivasi Seva Sangh in Odisha had a good understanding of the 15-Point Programme and regarding the purpose of the Nai Roshni scheme, the 25% non-minority targeting aspect along with the technicalities involved and all the benefits due to the trainees therein. However, only 1 out of 3 organizations in Kandhamal is aware of the Nai Roshni scheme and the benefits therein.

IMPLEMENTATION OF THE PROGRAMME

I. ADVERTISEMENT

The call for applications for possible PIAs have been inconsistent over the years and even though Nai Roshni is a relatively recently launched scheme, this aspect has contributed to the low outreach of the scheme among organizations and institutions that could have played an instrumental role in shaping the impact of this scheme on the ground level.

II. TRAINING IMPARTED

In the empanelled PIA in Howrah District (West Bengal), the trainees were selected via an application process. They are being trained in leadership, computer, advocacy and other life skills.

A follow up is being done post-training completion and a daily stipend of Rs. 50 is given to each trainee. The trainees are satisfied with the trainings they have received and their confidence levels have increased significantly since completing the trainings. However, they would now like more programmes for vocational training such as nursing, tailoring etc. The scheme has had a strong impact on the ground-level in Odisha too. There, while the stipend for attending a 6-day long training was Rs. 200 to Rs. 600, there was sometimes little to no hand-holding for the trainees because of which they are left directionless. For instance, the trainees of Sewak (the empanelled PIA in Sundergarh, district) stated that all they had learnt was 'how to wash their hands' in lieu of hygiene training. However, the other PIAs provided hand-holding because of which their trainees had successfully started their own self-help groups, started small businesses like making and selling incense sticks etc.

Unfortunately, the scheme is not operational in Kalaburagi District (Karnataka) and where there are empanelled PIAs in the nearby district of Bidar, the mandate of taking in 25% non-minority trainees is not as such being followed. However, the impact of the trainings at these two PIAs was so great that there were times when people just wanted to sit in on training sessions even if no stipend or other support would be provided. They regularly followed up on the status of their trainees post-training.

III. RESOURCES ALLOCATED FOR TRAININGS

A common observation across the few states that were running the Nai Roshni scheme somewhat successfully was that although the impact on the ground-level was good enough for starters, it could be made better with more resource allocation to provide better support to the trainees during and after the training period.

Sometimes, the stipend seemed too low because of which possible beneficiaries opted out; while other times, because there was no hand-holding of any kind done by the PIA, the trainees did not know what to do after the training was completed. Also, where 25% targeting is to be done for non-minority women, many PIAs restrict their trainees

BEST PRACTICES

The trainees in the empanelled PIA in Howrah District (West Bengal) have later gone on to become ward or panchayat members, improving women's participation in local governance. Some have stayed on with the PIA to work as volunteers and in other capacities which is a sure sign of positive impact that the scheme has had on its intended target community. The same is seen in trainees of PIAs in Bidar district in Karnataka and Dhenkanal and Bhadrak districts in Odisha.

SCHEME FOR PROVIDING QUALITY EDUCATION IN MADRASAS (SPQEM)

In 2004, a National Monitoring Committee for Minorities Education ('NMCME') was constituted to look into minority education and to suggest ways to empower minorities through provision of quality education. The Expert Committee of the NMCME suggested that madrasas required upgradation through linkages with the National Institute of Open Schooling ('NIOS') to provide for certification of academic levels, vocational education, improving quality of modern education provided, teacher training, enhancement of teacher salaries, strengthening of State Madrasa Boards for monitoring and raising awareness about education programmes for the Muslim community etc. With this in mind, the Scheme for Providing Quality Education in Madrasas (SPQEM), colloquially often also known as 'Madrasa Modernization Programme', came into the picture.

The objective of the scheme is to encourage traditional institutions like madrasas and maktabas by giving financial assistance to introduce science, mathematics, social studies, Hindi and English in their curriculum so that academic proficiency for classes I-XII is attainable for children studying in these institutions. However, the process of modernization of these institutions has been envisioned to be voluntary in nature. The aim is to ensure that children whose education in these institutions were earlier not legitimized would be treated on par with those completing their education in other education board schools so that these children too would be equipped to pursue higher education and opportunities in the job market without worries regarding the legitimacy of their years of study in these institutions.

Under this scheme, voluntary applicant madrasas, maktabas or dar-ul-ulooms would receive grants and human resource support for appointment of teachers, infrastructure development and legitimate certification for the grades awarded to students studying therein. The condition is that the applicant madrasa ought to have stayed functional for a minimum of three years and should be registered under Central or State Government Acts or Madrasa Board or with Waqf Boards or the NIOS. While this is a 100% Central Government-funded scheme, it is to be implemented by the State Governments.

OVERALL TARGETS & ACHIEVEMENTS

The SPQEM target and achievement data is available for 2016-17 on the MoMA website albeit not state-wise. The state-wise data is available for the years preceding this. Last year, a total of Rs. 106.94 Crore was sanctioned to 8705 madrasa and their 21,035 Teachers.

	2014-15			2015-16			2016-17		
	Amount Sanctioned	Madrasas	Teachers	Amount Sanctioned	Madrasas	Teachers	Amount Sanctioned	Madrasas	Teachers
Gujarat	N/A	N/A	N/A	N/A	N/A	N/A	-	-	-
Jharkhand	N/A	N/A	N/A	N/A	N/A	N/A	-	-	-
Karnataka	0.81	45	123	N/A	N/A	N/A	-	-	-
Madhya Pradesh	13.23	1817	3082	25.33	3288	6093	-	-	-
Odisha	N/A	N/A	N/A	N/A	N/A	N/A	-	-	-
Telangana	N/A	N/A	N/A	N/A	N/A	N/A	-	-	-
West Bengal	3.04	172	516	4.61	221	663	-	-	-
Uttar Pradesh	85.86	9217	22004	231.01	14974	37824	-	-	-
India	107.83	11654	26673	294.51	20727	50957	106.94	8706	21035

The data clearly tells us that the SPQEM grant is availed of by madrasas in a few States. Madrasas in states like Gujarat, Odisha and Telangana do not seem to have ever received this grant. Madrasas in Jharkhand once received the grant in 2009-10. This is mainly due to the difference in proliferation of madrasa education and the model of madrasas active in that state. In West Bengal and Madhya Pradesh in particular, madrasas are seen as alternatives to schools. In Gujarat, they exist in addition to them. This thesis is developed further in the sections below.

From the existing data, it can only be said that madrasas in Uttar Pradesh are the recipients of the biggest chunk of the SPQEM grants. Madhya Pradesh is a distant second. There is a significant variation in the overall sum allocated every year. Before 2014-15, the allocation had strengthened steadily to Rs. 182.73 Crore before falling to Rs. 107. 83 Crore. This rose exponentially the following year. In 2016-17, again, it seems to have shrunk. This no doubt disturbs the administration of madrasas and the expectation of a stable salary held by the teachers.

There is one more finding that is relevant to one of our states. Nationally, for the last three years, the average teachers per madrasa that the Government bears salary for is between 2.41 to 2.45. It is 2.38 to 2.52 for Uttar Pradesh and 3 for West Bengal. The average teacher per madrasa rate is much lower for Madhya Pradesh at 1.7 to 1.85. This is corroborated by responses given by the madrasa administration and points to the problem of under-coverage. We will discuss this at a greater length in the following sections.

AWARENESS OF THE STAKEHOLDERS

S. No.	District, State	Awareness among the Community	Awareness among the Duty bearers
1.	Bhopal, Madhya Pradesh	Low.	Low.
2.	Gumla, Jharkhand	Low.	Medium.
3.	Howrah, West Bengal	Low.	Medium.
4.	Kalaburagi, Karnataka	Low.	Medium.
5.	Kandhamal, Odisha	Not applicable.	Not applicable.
6.	Modasa, Gujarat	-	-
7.	Rangareddy, Telangana	Low.	Low.

i. Community

The public and sadly especially the Muslim community has very low awareness regarding the SPQEM across states.

Students of Islamia Madrasah in Gumla District (Jharkhand) were aware of the SPQEM and of the fact that their own madrasa was receiving grants from the government under this scheme. In Howrah District (West Bengal), considering that the madrasas are maintained properly by the State Government, it was surprising that there was such a low level of awareness of SPQEM among the community. In Rangareddy District (Telangana), although the community was unaware of the scheme, they were very welcoming of the same because they really wanted their children to study modern subjects in madrasas instead of primarily religious subjects, since they wished for their children to have bright futures with lots of opportunities; which they miss out on if restricted to only Urdu-medium religious schooling in madrasas. They stressed on striking the balance between ‘deen’ and ‘duniya’ so that neither would they be shifting from their traditional boundaries and religious practices, nor would their children be ill-equipped to go out into the world after completing their education to survive and thrive. This interest among the community was also visible in Bhopal City (Madhya Pradesh).

ii. Duty bearers

Considering the fact that the State Governments are directly responsible for implementing the scheme, it was disappointing to see that state officials were mostly vaguely aware of the scheme or not at all.

Early interactions with the District Education Department in Bhopal City (Madhya Pradesh) led us to believe that the officials were somewhat aware of the scheme. The administration in Islamia Madrasah in Gumla District (Jharkhand) knew about the scheme since this is the only registered madrasa that receives Government grants under this scheme there. Apart from this institution, only one other madrasa (an unregistered one) called Jamia-Arabia-Rasidia had any idea about the scheme but not in detail. The headmaster at this madrasa expressed interest in becoming a future recipient of grants under this scheme. On the opposite side of this spectrum is the Maulana of the Faiz-ur-Rasid in Sisai area of Gumla, who was aware of the 15-Point Programme but completely against receiving any kind of assistance from the government although the building of this institution has been constructed and maintained in a good condition using MsDP funds. The state officials in Gumla District (Jharkhand), particularly the District Education Officer and the Assistant District Programme Officer (Sarva Shiksha Abhiyaan), while well aware of the scheme and wishing to facilitate the registration of more madrasas under the same, were also vocal about the fact that the state was not taking any steps to make local madrasas aware about the scheme, because of which the madrasas who would possibly be interested in availing the benefits are also going without.

In Howrah District (West Bengal), as mentioned earlier, it was shocking to see the lack of awareness among madrasa administration staff regarding SPOEM. Some heads of such institutions were under the mistaken impression that the SPOEM had something to do with minority scholarships. However, since the West Bengal State Government has a separate Minority Welfare and Madrasah Education Department, its top officials including the Secretary, Deputy Secretary and the District Officer for Minority Rights and Madrasah Education were all well aware of the scheme. The problem regarding awareness, as per the Commissioner of the Minority Affairs and Madrasah Education Department, was that the SPOEM applies only to registered madrasas while there were still over 200 madrasas in West Bengal which lacked official recognition of any kind. According to him, as much as the state had tried to raise awareness regarding the same, madrasas just seemed uninterested. This disinterest stems from the popular perception amongst madrasa administration that if they get Government recognition and aid, the Government would start controlling and monitoring their internal functioning, which they are vehemently against. This perception goes much beyond madrasas in Howrah District (West Bengal) and has been observed in Kalaburagi District (Karnataka) as well as in Rangareddy District (Telangana). While in the former, madrasa officials become defensive and insecure (since they believe the scheme is some sort of a nefarious plot of the government to interfere in their religion) when the topic of government schemes for madrasas is broached; in the latter, maulanas have cited instances as in Uttar Pradesh where madrasa students were forced to study the Bhagvad Gita and recite the Vande Mataram as one of the many ways the Government would interfere in their religious education system if these madrasas availed benefits of this scheme. On the other hand, the District Education Officer in charge of the programme in Rangareddy District (Telangana) had no inkling as to what the SPOEM was.

IMPLEMENTATION OF THE PROGRAMME

I. ADVERTISEMENT

In order for a madrasa to access the benefits of this scheme for itself and its students, the first order of business would be registration under the State Madrasa Board where such a body exists or under the Education Department, as applicable.

However, across the states there were several madrasas that had never even heard of the SPOEM even though they were themselves receiving grants under it, as was seen with some madrasas in Bhopal City (Madhya Pradesh), Gumla District (Jharkhand) and Howrah District (West Bengal). There were also situations where the State Government has taken no active steps to make madrasas aware and get them registered while facilitating their grant applications. Lack of know-how and subsequent handholding has dealt a blow to the implementation of the SPOEM at the outset.

II. POPULAR PERCEPTION

Several madrasa administrators in the states of Gujarat and Telangana were vehemently against the SPOEM, stating they did not want to take the 'Government's money' and then be subjected to its scrutiny and critique of how things are done within its premises. Their main cause for concern was changes in the curriculum which might promote practices alien to Islam as was cited as already happening in madrasas across Uttar Pradesh.

Another reason for this negative perception stems from the alternative name by which the scheme is known. SPOEM by itself does not receive negative feedback. However, 'Madrasa Modernization Programme' is problematic since the word 'modernization' carries several connotations which are viewed with suspicion by the Muslim religious leaders and maulanas at large. Maulanas in a madrasa at Hayath Nagar in Rangareddy District (Telangana) clearly stated that if the Government really wanted to help students who passed out of madrasas, then they should take the initiative to provide reservations for Muslims to access higher education and employment opportunities instead of trying to interfere in their schooling system. They even had a very informed opinion of how the budget allocation for the SPOEM could not possibly accommodate all the madrasas that run across the country and raised the very valid question that if the allocation of money was inadequate prima facie, wasn't the scheme by this parameter itself, a failure. The intolerance towards children who study in madrasas does not help either as was seen in Kalaburagi District (Karnataka), where, when Urdu-speaking children approached

Kannada medium schools, they were sent away saying there were special Urdu schools just for them and they did not deserve to be part of other schooling systems. Such societal attitudes directed towards children (of an impressionable age often) plays out very negatively, singling out a group merely because of their religious identity and this serves to deepen the already widening gashes in the socio-economic situation of minorities in this country.

The public perception is not that bad in Bhopal City (Madhya Pradesh). Students studying in madrasas here reported that they were sometimes preferred for their schooling in these institutions over government school students and thus the most promising children in a Muslim family are often sent to these institutions.

iii. Lack of vision in implementation

The implementation process of the SPQEM across states faces wide-ranging problems.

In Bhopal City (Madhya Pradesh), not all madrasas had a Minority Educational Institution (MEI) certificate, because of which they lost out on the benefits due them under the Infrastructural Development of Minority Institutions ('IDMI') scheme. Many of the madrasas who received grants noted that these were enough only for paying out the teachers' salaries and not much else. Since very few of the madrasas provided labs, mid-day meals etc. the community was of the opinion that schools were better options as compared to madrasas. In Gumla District (Jharkhand), things were not much different just because of receipt of funds under the SPQEM and possession of a minority certificate because the building is kept in a dilapidated condition nonetheless. No vocational training is provided, very few computers are functional and the curriculum does not cover important technical subjects. Although the students in the Islamia Madrasah in Gumla wanted scholarships, their headmaster simply refused to facilitate their applications. Sometimes madrasas have not gotten themselves registered because of political reasons, of which the students and parents are completely unaware, because of which they miss out on possible benefits under the scheme.

In Howrah District (West Bengal), several parents complained that their children were taught only Arabic in the madrasas and wanted Urdu to be taught as well. On the other hand there are also parents who think their children should be taught in English medium because there are very few opportunities out there for Urdu medium students in their future. Only arts subjects are taught not to mention that the teaching posts have been vacant for a very long time. There were issues regarding appointment of Hindu teachers in these madrasas, after which they were promptly removed. Less than 30% of the students who applied for scholarships from the Panchpada, Khaskamar, Rehmania and Abdul Mutalib Madrasas in Howrah District (West Bengal) have received the scholarship amounts.

In Kalaburagi District (Karnataka), the interesting dynamic of exclusion came up when advertisements of the SPQEM were available only in Kannada and English, both languages mostly inaccessible to the Urdu-versed Muslim community. Only so much can be said for implementation then, when the base-level information regarding the same does not reach the target community in a form that they can access and understand it fully. Many madrasas here have also come under pressure due to demands such as having a minimum of 2 acres of land and depositing Rs. 5 Lakh in advance for converting their madrasas into schools to obtain registration. Because of this, many have not registered and there have been instances where those who were earlier recognized have lost their accreditation due to these demands.

Where on one side, there are some madrasas which are well-funded and strong on their stand regarding denying any Government benefits that might come their way, there are also small madrasas that jump at the chance to receive grants in order to support their institutions. Mixed interests were observed and it was always the case that everything came down to whether a particular madrasa had access to resources for infrastructural and student support or not. The public while wishing that their children not be distanced from knowing their mother tongue of Urdu, also want inclusive education that would benefit their child's future. Caught between popular opinions, narrow mindsets and extraneous concerns of an entire community are those children who seem to have no say in the matter whatsoever. Programmatically speaking, nothing has been done thus far to strike a balance between all concerned and this is what proves a lack of vision for this scheme.

BEST PRACTICES

Madrasas in Howrah District (West Bengal) have been witnessing a drop in attendance among girl students, especially when they go through their menstrual period. The Rehnuma team has made a collaborative effort with local government officials to create sexual and reproductive health awareness among these girl students. With Rehnuma as part of the drive, sanitary napkin vending machines have been installed on some madrasa premises, through a State Government and civil society initiative. Girl students of madrasas are also being made aware of their sexual and reproductive rights through various mediums such as skits, street plays etc. as part of a State Government and UNICEF initiative called Meena Manch.

Madrasas in Rangareddy District (Telangana) and Bhopal (Madhya Pradesh) which have applied for the SPQEM benefits have formed an association and the members keep each other informed of any developments regarding their applications and other pertinent matters.

Overall, the hybrid madrasa-school model that you can find in Madhya Pradesh and West Bengal is interesting. In a certain sense, many of these run better than Government Schools and thus preferred by the Muslim community. While, these madrasa-schools give an access to good inexpensive schooling to children from the minority communities, there are concerns about their lack of interaction with students from outside their communities. Surprisingly, you do find non-Muslims students attending some madrasas in West Bengal.

E //

COMMUNAL VIOLENCE

Points 13, 14 and 15 of the 15-Point Programme are pertaining to the prevention and control of communal riots, an aspect which form the core in ensuring a peaceful society where the religious minorities in the country can lead safe and secure lives.

Point 13 deals with prevention of communal incidents. According to this, areas have to be identified as communally-sensitive and riot-prone, after which district and police officials of the highest known efficiency, impartiality and secular record must be posted in those places. Prevention of communal tension has also been envisioned as one of the primary duties of the District Magistrate and the Superintendent of Police, as per this point.

Point 14 deals with prosecution of communal offences. According to this, severe action should be taken against all those who incite communal tension or take part in violence. Special courts ought to be set up or specifically earmarked to try communal offences and speedy justice must be served in these matters.

Point 15 deals with rehabilitation of victims of communal riots. According to this, victims of communal riots should be given immediate relief and provided prompt and adequate financial assistance for their rehabilitation.

There exists besides the 15-Point Programme, the Ministry of Home Affairs ('MHA') Guidelines on Communal Harmony dealing with prevention and response, defining certain powers of the district administration. These have been made an integral part of the programme.

Statistics

The only time data related to communal violence was reported by MoMA was regarding 2013-2015. The following table represents that data.

Year	Number of Communal Incidents	Deaths	Injuries
2013	823	133	2,269
2014	644	95	1,921
2015	751	97	2,264

Subsequently, data was released before the Parliament by the MHA for the first five months of 2016 but no data is available since after May 2016.

AWARENESS OF THE STAKEHOLDERS

S. No.	District, State	Awareness among the Community	Awareness among the Duty bearers
1.	Bhopal, Madhya Pradesh	Low.	Low.
2.	Gumla, Jharkhand	Low.	Low.
3.	Howrah, West Bengal	Low.	Low.
4.	Kalaburagi, Karnataka	Low.	Low.
5.	Kandhamal, Odisha	Low.	Medium.
6.	Modasa, Gujarat	Low.	Low.
7.	Rangareddy, Telangana	Low.	Low.

i. Community

Considering the current wave of intolerance spreading across the country, it was disappointing to see that the public was unaware of the guidelines of the Central Government for preventing communal violence and ensuring peace and harmony among people belonging to any religious group.

It was interesting to note that this lack of awareness existed even in Kandhamal District (Odisha) and Modasa Town and adjacent areas (Gujarat), both places that have seen major communal riots in the past twenty years. Sahara Colony is one of the rehabilitation settlements in Modasa Town and adjacent areas (Gujarat). The community living there had no awareness of the 15-Point Programme or the benefits they were entitled to under Points 13, 14 and especially 15. Many victims in Vadagam are yet to be even be rehabilitated.

ii. Duty bearers

Many officials, across the states, who are responsible for implementing these points of the 15-Point Programme were often unaware of the programme itself along with their supposed duties according to the same.

The Additional Superintendent of Police in Howrah (Rural), West Bengal was unaware of the guidelines and gave very negative answers as to whether areas were identified as communal sensitive or not and mentioned that even if such identification had been done, such information would not be revealed to us. This shows a rather callous attitude towards the implementation of the guidelines considering communal incidents have been on a rise in West Bengal for some time now, with one major incident taking place in Dhulagarh (which is part of Howrah district itself) in December, 2016. He also mentioned that no special training was given to the police to address and respond to communal violence, a factor that goes to show how lightly the responsibility of the state remains towards preventing such incidents and taking strong action if and when such incidents do actually occur.

In Kalaburagi District (Karnataka), although a group called the 'Peace Committee' exists, the members usually meet right before major religious festivals to discuss electricity and water supply issues and the 'touchy' topic of communal violence is skirted to the extent that the speeches given during the meetings keep stressing on the need to stay united but does not go much beyond that. Interestingly enough, many members of this committee have questionable credentials since respondents identified them as local 'goondas'. The local police also happen to be very touchy about any discussion that involves the words 'communal violence'.

It is only in Kandhamal District (Odisha) that the police personnel have some semblance of these points of the 15-Point Programme and Raikia, K. Nuagaon, Tumudibandha and G. Udaygiri are some of the areas that have been identified as communally sensitive by them. As part of a strategy devised to prevent violence in these areas, extra police personnel are posted here and in rehabilitation camps and areas at all times. These personnel are regularly trained and are part of the local Peace Committee meetings. Details regarding these areas are shared with relevant police stations in order for preparing them to respond in case of untoward incidents that might occur. Awareness is spread regarding communal harmony at the school-level through debates, essay competitions etc. This is done in view of the fact that the police has gauged that the Christian community is targeted in these areas.

The Superintendent of Police in Modasa Town and adjacent areas (Gujarat) refused to answer questions regarding the steps taken by the administration to combat communal violence, identify riot-prone areas etc. The Collector, here, too was hostile to such questions. This was evidence of the fact that while awareness of the communal violence prevention points of the 15-Point Programme was good enough, the willingness to discuss what was done according to the guidelines is non-existent. This unwillingness was seen in the Commissioner of Police at Rachakonda Commissionerate in Telangana but he was also completely unaware of the guidelines and suspicious of the interviewer instead.

The Collector in Bhopal City (Madhya Pradesh) seemed to be unaware of these aspects though he was aware of the 15-Point Programme itself. He also did not appear to be aware of his functions under the Central Government's Guidelines on Communal Harmony though he said that some of these functions such as creation of crisis management plans had been performed. The Superintendent of Police (Bhopal South) said he was aware of the 15-Point Programme as well as the Guidelines.

IMPLEMENTATION OF THE PROGRAMME

I. IDENTIFICATION OF AREAS AS RIOT-PRONE

Based on past experiences, identifying an area as riot-prone is the first step towards strategic interventions to ensure such incidents do not repeat themselves.

However, this identification has only happened in Kandhamal District (Odisha), post the 2008 communal riots. Raikia, K. Nuagaon, Tumudibandha and G. Udaygiri have identified as communally sensitive in nature. The same, unfortunately, cannot be said of Howrah District (West Bengal), where the Dhulagarh communal incident happened during December, 2016. The state of West Bengal has seen a rise in such incidents with violence taking place in Beltola (2016 and 2017), Dhulagarh (2016) and Basirhat (2017). Although each of these events were clearly Hindu-Muslim clashes (for various reasons), the state itself has always been in denial of whether a 'communal' incident has taken place or not. The Chief Minister's response to the press post-Dhulagarh was harsh in that she stated that reportage was taking things out of context and blowing it out of proportion and denying completely that communal violence had in fact taken place. Reportage was poor considering the prevalent practice among the Bengali press to not report such incidents for 'fear of spreading more hatred'. Such outdated ideologies surrounding violence between religious communities has a dangerous effect since there is no scope for preventing such incidents from happening again if the nature of such incidents itself remains unacknowledged.

The police personnel in Howrah District (West Bengal) have taken active steps to form peace committees but this seems more so to hide their incompetence to manage such violence than to actually map out a strategy for ensuring such instances never happen again. These areas have also been identified in Bhopal City (Madhya Pradesh) and peace committees have been activated according to the Superintendent of Police (Bhopal South). It has been difficult to trace the activities of these peace committees in the city.

III. APPOINTMENT OF OFFICERS WITH GOOD RECORDS

Nowhere is a public record of such appointments kept.

When this is questioned, the response is always suspicion on behalf of higher officials and denying answers in the name of maintaining confidentiality. If a given police official and district magistrate is given the all important mantle of ensuring that communal incidents don't happen within their jurisdiction, then when incidents do occur, the mettle of the official is proven and

hence not complying with the guidelines for maintaining communal harmony in that area. After an incident happens, the official is simply transferred and no further action is taken, as was the case at Dhulagarh in Howrah District (West Bengal). This negates the importance of maintaining accountability among officials specifically responsible for maintaining law and order in a given area. In places like Kalaburagi District (Karnataka) where peace committees exist, the officials are unaware of the appointment aspect of the guidelines for communal harmony and so, implementing these to prevent any communal incident in the future becomes problematic.

III. REHABILITATION & COMPENSATION PROVISION TO VICTIMS

In the past twenty years, Gujarat and Odisha saw major communal riots flare up in 2002 and 2008 respectively. The victims in both states are till today, in 2017, awaiting justice in terms of their entitlements under these guidelines.

The manner in which meager entitlements were provided was also taken note of since that contributed in some way to the victims not availing of their entitlements. For instance, even though medical aid was provided for all in Kandhamal District (Odisha), widespread fear of going to hospitals stopped many victims from accessing the same. Over 56,000 people were displaced during these riots and they were very unhappy about the police response to the incident since many police personnel were heard saying "You deserve it." to the Christian victims of the violence. Such sadistic apathy also creates further problems instead of solving the existing ones. Providing speedy justice being the purpose of this point of the guideline, the victims in Kandhamal District (Odisha) are still awaiting the said justice since conviction rates are as low as 5% and the Court's response to their pleas is disappointing to say the least. However, monetary compensation has been provided from both the State and the Center but the same has not reached all the victims of the incident. The monetary compensation provided as of now is also insufficient and even though additional compensation has been ordered by the Supreme Court in August, 2016, the same is yet to reach the victims.

Victims of communal riots who were rehabilitated to Sahara Colony in Modasa Town and adjacent areas (Gujarat) are still on the receiving end of apathy from the state administration. There is a dire need for quality drainage, piped water supply, garbage disposal, paved roads, schools, hospitals etc., here. And while the victims have been rehabilitated, these important facilities have been overlooked and the ownership of the land and buildings has still not been transferred to the victims. Victims living in Vadagam have gone unheard by the police and not a single FIR has been registered. These are just some of the domains where the state has failed its people. The lack of response to the victims is promoting further alienation of religious minorities, a factor that defeats the core objectives of the 15-Point Programme itself.

In Vadagam village (Dhansura block) of Aravalli district (Gujarat), a communal incident took place on the night of 24th March, 2017 which shook the village (home to a mixed population of Hindus and Muslims). On the fateful night, between 20:00 and 21:30, around 250 Hindu persons entered the Muslim Mohalla in Vadagam. Wielding iron rods, swords, hockey sticks and other improvised weapons, the mob began to engage in wanton destruction of property. Communally charged slogans and ‘war cries’ were let out, telling the Muslim residents that they had “grown too big for their boots” and that they would be “taught a lesson” by exiling them from the village, thus making them homeless. Fuelled by this vitriol, the Hindu mob began to assault the residents of this Mohalla. Complaints from some of the victims also point out that the leader of the mob made statements to his cadre such as “finish the Muslims” and that he would take care of any fallout of such actions, implying immunity from the law.

Caught unawares and fearing for their lives, the Muslim residents of the Mohalla ran from their houses with nothing but what they had on their person. Some of them took refuge in the houses of friends and relatives outside the Mohalla, whilst most made for the jungle and took refuge therein. Meanwhile, the mob continued to cause injury to life and property. Scared and vulnerable, around 300 victims spent the night of the 24th of March hiding in the forests outside Vadagam and in homes of their friends and families.

On the 5th of April, the local Rehnuma team visited the camps in Kursonpura and Bor in Harsol village, where the victims had taken shelter. A meeting was conducted with the victims among a larger presence of the local expert NGOs on the 7th of April at Himmatnagar. The Rehnuma Law Centre in Modasa took up the mantle of providing legal aid to the victims. This responsibility entailed a complete start-to-finish engagement which began with filing applications and representations before relevant authorities (the police, Collector, Social Welfare Officer etc.) and extended to ensuring adequate measures for providing rehabilitation and basic necessities for the victims.

19 FIRS were filed in the local police station on 8th of April and a representation was made to the District Education Officer the very next day, to allow for the students among the victims to write their exams from wherever they were currently residing. In light of this representation, four students wrote their exams from Modasa. On the 13th, an application was also sent to the Collector seeking housing, cash handouts and other damage compensation for the victims. As of October, 2017, the victims had signed their vakalatnamas to begin the process of filing petitions before the High Court of Gujarat.

BEST PRACTICES

During the movement for a separate Telangana, a few incidents of violence took place in different parts of yesteryear Andhra Pradesh. After the formation of Telangana in 2014, the police have taken extraordinary measures to prevent the breakout of communal violence through constant patrolling, installation of CCTV cameras in public spaces, career counseling and other activities to engage the youth (who otherwise may be attracted to social deviancy). This initiative must be lauded and taken as a good example of following the guidelines for ensuring communal harmony even though the officials here are unaware of the same and doing this as part of their duty towards the different communities living together within the state. A similar initiative was taken at Beltola in Howrah District (West Bengal) during Muharram and Durga Puja in 2017.

STUDYING THE OPERATION OF COW SLAUGHTER LAWS

ACROSS SEVEN STATES

The discourse around cow slaughter prohibition is a highly volatile, political subject, with the 'cow' being revered as sacred by the dominant caste Hindus in the country. 24 states in the country have some sort of law either prohibiting or limiting the slaughter of cows, bullocks and even buffaloes. Some state laws criminalize cattle slaughter as a non-bailable offence. Several aspects of such laws invade the fundamental rights of religious minorities as well as some Hindu communities who depend on the trade economically and for food; however, their constitutionality has been upheld by the judiciary before.

In recent years, the focus has been on adopting newer and more stringent tools for deterring cattle slaughter. These include intense maximum punishments, mandatory minimum sentences, criminalization of the possession of beef and reversing the burden of proof in certain situations. There are questions over reasonability of the usage of these tools.

While the question of constitutionality of such laws has been answered by courts before, some aspects of these laws such as its penal provisions are things still open to challenge in the Apex Court. The end of this research would be to reform law so as to have agricultural interests of regulating slaughter balanced together with the economic interests of traders and the freedom of choice regarding food. Such a reform is also towards adoption of punitive and other measures that have lower costs on civil liberties of persons.

AWARENESS OF THE STAKEHOLDERS

AWARENESS AMONG THE COMMUNITY

S. No.	District, State	Law	License	License Conditions
1.	Bhopal, Madhya Pradesh	Medium.	Medium.	Medium.
2.	Gumla, Jharkhand	Low.	High.	High.
3.	Howrah, West Bengal	Medium.	High.	High.
4.	Kalaburagi, Karnataka	Low.	Low.	Low.
5.	Kandhamal, Odisha	Not applicable.	Not applicable.	Not applicable.
6.	Modasa, Gujarat	High.	High.	High.
7.	Rangareddy, Telangana	Medium.	Medium.	Medium.

AWARENESS AMONG THE DUTY BEARERS

S. No.	District, State	Law	License	License Conditions
1.	Bhopal, Madhya Pradesh	Medium.	Medium.	Medium.
2.	Gumla, Jharkhand	Low.	Medium.	Medium.
3.	Howrah, West Bengal	Medium.	Medium.	Medium.
4.	Kalaburagi, Karnataka	Low.	Medium.	Low.
5.	Kandhamal, Odisha	Not applicable.	Not applicable.	Not applicable.
6.	Modasa, Gujarat	Medium.	Medium.	Medium.
7.	Rangareddy, Telangana			

i. Community

The members of the community that were approached for assessing awareness were primarily meat sellers and traders and slaughter house owners and workers.

LAW

Of around 8000 meat sellers in Gumla District (Jharkhand), selling buffalo and ox primarily, 90% of them were Muslims, 8% were Christian STs and 2% were Dalits. They have a very low understanding of the laws in operation that ban cow slaughter within the state. Meat sellers in Howrah District (West Bengal) were least concerned with the law since cow slaughter is not banned in West Bengal. They were also economically more well off than their counterparts in other states with some even exporting beef to China and Myanmar. While the Union leader in

Kalaburagi District (Karnataka) was unaware of the law, his counterpart in Rangareddy District (Telangana) had a good understanding of the laws in force in the state. Awareness among meat traders and slaughterhouse owners regarding the ban on cow slaughter was widely prevalent in Modasa Town and adjacent areas (Gujarat). Meat traders in Bhopal City (Madhya Pradesh) were also aware of the contours of the law and swore by the fact that they operate within it.

LICENSE

Meat sellers in Gumla District (Jharkhand), Bhopal City (Madhya Pradesh), Howrah District (West Bengal) and Modasa Town and adjacent areas (Gujarat) had a very sound understanding of the requirement of licenses to operate meat shops. The same cannot be said of meat sellers in Kalaburagi District (Karnataka).

LICENSE CONDITIONS

Meat sellers in Gumla District (Jharkhand), Howrah District (West Bengal), Modasa Town and adjacent areas (Gujarat) and Rangareddy District (Telangana) were thorough in their knowledge of what conditions have to be met in order to procure a fresh license and renew an old one. The fact that most meat sellers spoken to had valid licenses was a testament to this. Those who did not have their licenses were only those who were undergoing the renewal process. Unfortunately, the Union leader in Kalaburagi District (Karnataka) was unaware of license procurement conditions. Many of the meat traders in Bhopal City (Madhya Pradesh) said that they were following the conditions provided up until then but that the Municipal Corporation was asking them to fulfill newer conditions that were fundamentally unfair, included among them the installation of a glass separation.

ii. Duty bearers

Officials belonging to the Municipal Corporations across states were approached along with police personnel. However, accessing the latter for gauging their understanding of cow slaughter laws and guidelines was fruitless.

While the Vice-Chairperson of Gumla Municipality was aware of the license procurement procedure and conditions for the same, she had a very vague idea of what the laws and by-laws regarding the same were, pertaining to the state of Jharkhand. The Block Development Officer as well as the Sabhapati of the Panchla Gram Panchayat in Howrah District (West Bengal) was fully aware of the laws involved and the conditions for granting licenses. The Chief Officer of Modasa Town was also sound on the current ban on cow slaughter and all the licensing procedures. However, officials in Kalaburagi District (Karnataka) were not clear on this.

IMPLEMENTATION OF THE LAWS

I. FRESH LICENSE PROCUREMENT

License application and procurement guidelines are quite accessible in most states except in Kalaburagi District (Karnataka). However, functionally speaking, the experiences differ from place to place.

For instance, in Gumla District (Jharkhand), there are some meat sellers (Quereshis) who have been trying to get a license since 2005, but none of them have been able to successfully obtain one. On the other hand, officials here stated that the meat sellers have not made the effort to and also refuse to apply for licenses and that the Government was trying to convince them to apply for the same, through awareness drives. One meat seller at Mallickpara in Howrah District (West Bengal) alleged that the G.P. Sabhapati of Sankrail block was denying him a license because he subscribed to the ruling party's discriminatory tendencies. However, most meat sellers there had no issues since they had been doing the business for ages and were perfectly aware of licensing conditions and followed the same diligently. In Kalaburagi District (Karnataka), the officials whose duty it was to receive and approve applications stated that there were no problems in issuing licenses for meat shops, but an official moratorium on the issuance of slaughter house licenses has caused some trouble. There are only 58 valid licenses for meat shops issued within city corporation limits. Officials on being asked about the slaughter house license situation responded saying that such licenses weren't being approved in light of the beef ban scandal across the country. Meat traders in Modasa Town and adjacent areas (Gujarat) were of the opinion that the process to obtain licenses was very easy and straightforward and that they faced no problems during the process.

II. RENEWAL OF OLD LICENSES

—While most meat sellers approached had valid licenses and those who didn't were in the process of renewing their existing licenses, it was found that they face some problems during the latter process. More than 90% of the meat sellers in Panchla block in Howrah District (West Bengal) had licenses which required renewal and because of lack of awareness of the procedures, this was not happening. The officials here agreed that there was a dire need for the same because they saw this to be a reason for possible lynchings in the future, even though nothing like that has happened till now. They even enlisted the help of the Rehnuma team there to support them in awareness camps regarding the same issue.

In the case of Bhopal, the local authorities wanted them to install a glass separation between the area where meat is cut and the areas where people purchase it. Most shops that these meat traders operate from are tiny and a glass separation is not a feasible fixture.

III. UNDERSTANDING OF THE COW SLAUGHTER BAN

Cow slaughter has been banned on and off over the years by various parties when they formed the Government at the Center. The current emphasis on the ban and the resultant changes in laws may not have caused too much of a stir among the entire community of religious minorities had it not been for violent anti-social elements taking the law into their own hands and the lack of state response against them.

In Gumla District (Jharkhand), since the last 50 years, the Quereshi community have been selling and trading in beef. What once used to be a source of livelihood has now become a risky and dangerous affair for them. After the enactment of the Jharkhand Bovine Animal Slaughter Prohibition Act in 2005, the situation has been dicey to say the least. Many worst-hit meat sellers are now instead selling chai (tea) or pulling rickshaws for a living. Children have been stopped from going to school because their parents are unable to fund their education any more. There have been several cases where few meat sellers were picked up from their homes and beaten up by the police. Those approaching authorities for getting licenses issued have been denied the same. Even though the meat sellers are selling buffalo meat in compliance with law, they have been subjected to atrocities through various channels from the community to the police and other government authorities. In Kalaburagi District (Karnataka), the Union president said that in the past two to three years, the meat traders therein have faced a lot of issues in even transporting livestock. Groups of goons under the assumed identity called 'Gau-rakshaks' intercept cattle while in transit and threaten and/or assault the driver and the transport support crew. The police are not supportive of the community and many-a-times they are hand-in-glove with these goons. The minority community's incomes and hence standard of living has taken a severe hit because of this. The same has been happening in Rangareddy District (Telangana) where it has also been identified that the animals that are seized often appear again on the market and the excuse of the cow slaughter ban is being used by certain elements to make a quick buck. The police is not supportive of the affected community in that any complaints regarding this have been met with apathy at best and victim blaming and harassment at worst. The Union president here also mentioned how the ban had not affected major industries such as those of meat export and leather. It is interesting to note that most of these large businesses are owned and operated by Hindus while the relatively smaller businesses of meat shops and slaughter houses are operated by Muslims. It is also alleged that these big business owners keep goons on their payroll to harass the less significant players in the market like these meat shop owners and this too has affected the meat traders negatively.

The ban and the consequent instances of lynchings in various parts of the country has resulted in seriously damaging the lives and livelihoods of Muslim, Christian and Dalit meat sellers and traders and it has not mattered whether they actually sell contraband beef or not, as is explicit in the aforementioned recorded experiences of the victimized communities.

Chand Tekri is a settlement of Multani Muslims around 4 kms from Modasa city. It is situated on what were traditionally communal grazing lands (“gauchar zameen”) but have since become home to two villages with a population of at least 1200 people. Historically, the Multani community has been a nomadic community, but at Chand Tekri and elsewhere, in recent years, they have taken up permanent residence and occupation.

The community at Chand Tekri is extremely cohesive, and is dominated by rigid and traditional power/governance structures outside of the official state governance machinery. The stranglehold on the community by the local Panchayat, has allowed Panchayat members to act with impunity and corruption is rampant, according to community members. Government benefits rarely if ever reach the intended recipients and the community is held in a trap of impoverishment by an apathetic local administration. Observations during our survey at Chand Tekri corroborate the experience of community members who we spoke to. We noticed that there were few pucca houses, no drainage systems, piped water supply, or roads. The AWCs were run out of rental buildings that were in a state of complete disrepair. There were several toilets that had been built under the Swachh Bharat Abhiyan, but no drainage infrastructure. Some of the toilets did not even have pits built into them (being dry pit latrines, without pits, the toilets are little more than a patch of ground surrounded by four walls).

A majority of the members of the community at Chand Tekri are employed as agricultural labourers, with a few also engaged in non-agricultural, wage labour in Modasa. The chief occupation of the community, however, is the meat trade. Chand Tekri itself a minor centre for livestock slaughter, is a large trading centre. In light of the recent advent of Hindu nationalist political forces, fundamentalist vigilantes and laws banning cow slaughter, Chand Tekri has a palpable air of tension and uncertainty. During the course of our survey, we spoke to various community members, most involved in the meat trade, regarding the impact of the recent law banning cow slaughter on their livelihoods and trade. What follows is a paraphrased and condensed recollection of their experience.

The meat trading community at Chand Tekri is principally involved in trade in mutton. Community members repeatedly pointed out to us that even before the ban on cow slaughter was made effective, there was next to no trade in beef or even buffalo meat in the villages. As such, the ban has had little impact on their livelihoods as trade in mutton is still going on. At the same time, community members did highlight the fact that regardless of the

meat trade being carried out, they were being harassed by the police in connection with alleged sale/trade of beef.

One such incident of police abuse occurred two weeks before we visited the villages. According to members of the community, the Police arrived at Chand Tekri unannounced and with a force carried in 45 police jeeps. This itself was a cause for serious alarm amongst the community, since usually the police do not visit Chand Tekri unless asked to by the community Panch (even when crimes have been committed, it is rare to find the police to come and investigate/make arrests. Most crimes are dealt with internally, within the community). However, the Police then began to systematically visit every single meat shop. They ransacked the shops, destroying valuable furniture, tools and infrastructure. Livestock was confiscated and taken away. The Police then began to force entry into people's homes turning them inside out and, according to a few individuals, also engaging in petty theft. In the ensuing chaos several homes and meat shops were pillaged and almost everyone we spoke to had had livestock confiscated. On enquiring about the cause for such brutal action by the Police, they were told that the Police believed there was trade in beef being carried out in the villages. Despite assurances from community members, police officials were unrelenting.

This 'crackdown' by the police was essentially based on false allegations since they did not find any beef after their 'search', yet this incident has spread immense fear in the community at Chand Tekri. Aside from the massive loss to livelihoods suffered due to the destruction of property by police officials, community members have not yet even approached the police to free their confiscated livestock out of fear of further reprisal. Our discussion with the community revealed that around 300 animals are yet to be returned by the police after confiscation.

This incident points towards a dangerous development. More so, since community members at Chand Tekri reported never being harassed by Hindu fundamentalist vigilantes ('Gau rakshaks'). In this instance, it is the police, a vital arm of the State, which has engaged in what is essentially a criminal act.

MAPPING ILLEGAL ARRESTS & DETENTION OF MEMBERS OF VULNERABLE GROUPS ACROSS SEVEN STATES



Vulnerable communities such as Dalits, Muslims and Adivasis are over-represented in the prisons. Together they form 54% of the prison population, according to the National Crime Records Bureau (‘NCRB’) data from 2014 while making up only around 38.6% of the overall population of the country. These groups have a turbulent relationship with the criminal justice system, and in particular the police, facing indiscriminate arrests and extra-judicial harassment. It is suspected that their socio-economic vulnerabilities would also affect their ability to access bail even when this is a right such as under Section 436-A of the Criminal Procedure Code (‘CrPC’). While there has been less of a focus on the empirics of this, sexual minorities and sex workers (people in prostitution), due to the operation of specific provisions and laws, are also similarly vulnerable to such harassment. This was a research on the victimization of these vulnerable communities due to police practices.

The objective of this action-research was to making sure that the under-trial review mechanisms that have been put in place by the intervention of the Supreme Court as well as amendments in law that improve under-trials’ access to bail (Section 436-A of the CrPC) are implemented. It was also to help persons from vulnerable groups targeted under police action by virtue of their identities to get bail and further understand the basis of the under-trial problem from a vulnerability lens. A larger objective that is a little further along the way is achieving the long pending police reforms.



AWARENESS OF THE STAKEHOLDERS

S. No.	District, State	Awareness among the Community	Awareness among the Duty bearers
1.	Bhopal, Madhya Pradesh	Low.	Low.
2.	Gumla, Jharkhand	Low.	Medium.
3.	Howrah, West Bengal	Low.	Medium.
4.	Kalaburagi, Karnataka	Low.	Medium.
5.	Kandhamal, Odisha		Medium.
6.	Modasa, Gujarat	Low.	Medium.
7.	Rangareddy, Telangana	Low.	Low.

COMMUNITY

THE AWARENESS OF RIGHTS OF ARRESTED PERSONS, BEFORE AND AFTER ARREST AND THE LIMITS OF POLICE POWERS, IS DISAPPOINTINGLY LOW ACROSS STATES AMONG THE PUBLIC, ESPECIALLY AMONG THE TARGET COMMUNITIES, WHO HAVE OFTEN BEEN KNOWN TO BE VICTIMS OF ILLEGAL ARREST AND DETENTION.

This lack of awareness ensures that the community remains in a delicate position where the police can wield an enormous amount of power in the name of ‘doing their duty’. A few years back, in Azad Basti at Gumla District (Jharkhand), residents were targeted by the police and falsely implicated. There were also times when a Rashtriya Swayam Sevak worker would come with the police and harass meat traders by dragging them out of their homes and beating them up. Pardhis, an Adivasi community and Iranis, who are Muslims, are two of the communities who suffer from being stereotyped by the police and the resultant unjust arrests. The awareness about their legal safeguards is very low in these communities.

In Howrah District (West Bengal), there is an urgent need for creating awareness among prisoners, trans persons, sex workers and the religious minority communities at large about their legal rights. However, many of them somehow knew that a woman can be arrested only by a woman police official, even though they didn’t know about the timing conditions for the same. Several community leaders in Modasa (Gujarat) indicated that the police get away with arbitrary and illegal arrests because of lack of awareness of police powers and rights of arrested persons. Harassment and police misconduct have been reported as regular occurrences especially when communal incidents flare up.

POLICE PERSONNEL ACROSS STATES ARE WELL AWARE OF ONLY SOME ASPECTS OF THE RIGHTS OF ARRESTED PERSONS, PARTICULARLY THE D.K. BASU CASE GUIDELINES LATER INCLUDED IN LAW AND FURTHER ORDERS OF THE SUPREME COURT ON THIS MATTER.

For instance, the District Legal Services Authority (‘DLSA’) Secretary in Gumla District (Jharkhand) did not know anything regarding the formation of an Under-trial Review Committee to ensure speedy trials and legal assistance is given to prisoners who have been awaiting trial for a very long time. The Jail Superintendent here did not know about the guidelines that came from the Bhim Singh case and the In Re. Inhuman Conditions in 1382 Prisons case since he was newly appointed. However, he showed great interest and cooperation in knowing and understanding these guidelines in order to ensure their implementation.

The Jailor and DLSA Secretary in Kalaburagi District (Karnataka) knew about the Under-trial Review Committee and the guidelines for maintaining jails in an acceptable condition. The Jail Superintendent of Phulbani village in Kandhamal District (Odisha) was unaware of any of the guidelines that ensue from the various landmark judgments of the Supreme Court and hence, the same were not being implemented since he was under the impression that they were obliged to provide only food, shelter, clothing and legal awareness to the prisoners. The District and Sessions Judge would coordinate with the Collector and the Superintendent for conducting the Under-trial Review Committee meetings here. The Superintendent of Police in Modasa Town and adjacent areas (Gujarat) also maintained that the guidelines were known and religiously followed here, although the community’s stand on this was contradictory. This was also what the Superintendent of Police (Bhopal South) had to say, though according to his version, the overwhelmingly confirmed narrative of police harassment of Pardhis, Iranis and other communities is not true. The legal officer at the DLSA in Bhopal City (Madhya Pradesh) seemed to be aware of the bail provisions under Sections 436 and 436-A of the CrPC as well as the mechanism of the Under-trial Review Committees set up by the Supreme Court. However, he did not know of the reports that are to be maintained and submitted by the DLSA and the Undertrial Review Committee, though he maintained that all records were kept up-to-date.

IMPLEMENTATION OF THE LAWS

I. REGARDING RIGHTS OF ARRESTED PERSON PRE- AND POST-ARREST

THE TREATMENT OF PERSONS BEFORE, WHILE AND AFTER BEING ARRESTED WERE ENVISAGED IN THE D.K. BASU GUIDELINES WHICH LED TO SUBSEQUENT AMENDMENTS IN THE CRPC ITSELF. HOWEVER, THESE CHANGES HAVE NOT IMPACTED THE COMMUNITY IN THAT THEY REMAIN UNAWARE OF THE SAME.

Sex workers (people in prostitution) in Howrah District (West Bengal) shared their experiences of how the police respond to them when they complain about their customers not paying them or violently harassing them etc. These complaints are often taken lightly in that sometimes, the customers are arrested just for the sake of it and released after procuring bribes or the complainant sex worker is harassed instead. According to the community here, no illegal arrest has been made in the past 4 years and although there was a known case of a woman in prostitution being arrested post-sunset (against what is mandated by the guidelines), she was subsequently released. While among these sex workers, knowledge of the fact that women can only be arrested by women police officials was quite prevalent, they weren’t aware of the timing factor, which may be why such deviation from what is supposed to happen may have remained unquestioned for so long. The Additional Superintendent of Police here spoke about the regular training camps that are undertaken to spread awareness regarding arrest guidelines. However, whether these camps achieved their objectives is questionable considering the deep lack of awareness among the public regarding the same.

In Kalaburagi District (Karnataka), people belonging to the Pardhi community seem to be the victims of lax implementation of arrest guidelines since the Tehsildar repeatedly sent these people to jail under Sections 107, 109 and 110 of the CrPC. There were also several instances where almost immediately after release, these individuals were picked up again and brought back to jail from any random place like bus stops and such. No awareness is conducted by officials in Modasa Town and adjacent areas (Gujarat) regarding the arrest guidelines among the community, because of which, the latter remain susceptible to abuse at the hands of the police. In Bhopal City (Madhya Pradesh), local police officials show a blatant disregard for the law on arrest and bail when it comes to some groups like Pardhis and Iranis. Women are arrested after sun down. Those arrested are not presented before a magistrate within 24 hours. They are often tortured too. While there are some persons from these communities that engage in illegal activities, many others are falsely implicated.

II. REGARDING RIGHTS OF PRISONERS & UNDER-TRIALS

AFTER BEING ARRESTED AND PRIOR TO SENTENCING, A NUMBER OF PERSONS ARE AFFECTED BY THE JUDICIAL AND OTHER PROCEDURAL DELAYS WHICH CAUSE THEM TO STAY IN PRISON FOR LONGER THAN IS NECESSARY. IT IS TRUE THAT IN INDIA, THIS INTERIM PERIOD SOMETIMES STRETCHES, UNFORTUNATELY, AT TIMES TO A LENGTH EQUIVALENT OF A LIFE IMPRISONMENT SENTENCE. AS UNAVOIDABLE AS THE DELAYS MIGHT BE, ENSURING THAT THE RIGHTS OF SUCH DETAINED PERSONS IS PROTECTED FORMS THE CORE OF THE DISCOURSE ON PRISONERS’ RIGHTS, ESPECIALLY WITH REGARD TO THOSE ILLEGALLY DETAINED. FOR THIS PURPOSE, IT WAS ENVISIONED THAT UNDER-TRIAL REVIEW COMMITTEES WOULD BE SET UP SO THAT NO PERSON IN DETENTION NEED STAY BEHIND BARS FOR A TIME PERIOD THAT WAS LONGER THAN ABSOLUTELY NECESSARY.

This mechanism seems to be functional in Howrah District (West Bengal), Kandhamal District (Odisha) and Kalaburagi District (Karnataka). In Kandhamal District (Odisha), the prisoner’s manual is rigorously followed according to the Jail Superintendent to protect the rights of prisoners. The Superintendent of Police here also noted that bail procedures were accessible but the only issue was regarding the prisoners’ inability to pay the security deposit to obtain the same. In Modasa Town and adjacent areas (Gujarat), the Chief Secretary of the DLSA was of the opinion that no illegal arrests had taken place here in the recent past and stated that even if such situations arose, the DLSA only took action when the plea was brought before it. However, this is not very easy in the context of illegal arrest by virtue of the power dynamics between all the parties involved (police, accused and others). It was found that in Howrah District (West Bengal), a couple of under-trials who were eligible for bail under Section 436 and 436-A of the CrPC have not been released on bail as of yet. Those arrested (most of them being Muslims) in the communal violence that took place in Dhulagarh in December, 2016 too are still in custody with no scope for bail. As regards, legal aid within the prison, the same is provided in Howrah District (West Bengal) and Kandhamal District (Odisha). This needs improvement across states considering the importance of ensuring that awareness of the rights of prisoners and under-trials is done through legal aid camps within prisons and incarceration centers.

Overcrowding of prisons is another issue that needs to be tackled so that arrested persons are not kept in small spaces like livestock until their trial. This is a major issue in Howrah (Rural) and the Assistant Superintendent of Police here blames the judiciary for this since numerous under-trial cases are still pending in Uluberia Court. He was also unhappy about the recent Supreme Court judgment that states that those accused of offences punishable with less than 7 years’ imprisonment shall be given bail if no significant ground is proven for his or her incarceration. He also declared that bail procedures were easy for all and could be obtained easily by members of any community although several Muslims arrested during the Dhulagarh communal riots in December, 2016 are still unable to procure bail for themselves.

The DLSA Secretary in Kalaburagi District (Karnataka) stated that while the Under-trial Review Committee was active there, there are several reasons for the existence of a high number of under-trials in prisons. This is because firstly, the Committee can only take measures to release under-trials on bail for those who are charged with offences tri-able by a Magistrate. Those arrested often have committed offences that can be tried only in a Sessions Court and hence go beyond the purview of the Committee. Secondly, many of the under-trials are repeat offenders with more than one charge against them, where at least one of those charges is punishable with 7 or more years of imprisonment. In such a scenario, courts will be reluctant to grant bail considering the good case public prosecutors can make therein for the same. According to the Secretary of the DLSA in Modasa Town and adjacent areas (Gujarat) regular legal aid clinics are conducted within the jail premises for the under-trials. Access to prisons for NGOs is almost impossible to obtain in Bhopal City (Madhya Pradesh). However, the DLSA here reports that they carried out visits to check the status of implementation of bail provisions every 15 days and the under-trial review process was active. According to them, no prisoner who is eligible to be out on bail is still in the Bhopal Jail; however this could not be verified.

III. POPULAR PERCEPTION OF POLICE & POLICE POWERS

CONSIDERING THE GROSS NEGLIGENCE IN MAKING THE COMMUNITY AWARE ABOUT THEIR LEGAL RIGHTS NOT TO MENTION THE LIMITATIONS SURROUNDING POLICE POWERS, IT IS CLEAR THAT POPULAR PERCEPTION OF POLICE REMAINS NEGATIVE ACROSS STATES WITH THE COMMON MAN AFRAID OF CONFRONTING POLICE OFFICERS AND CALLING THEM OUT WHEN THEY SEE INSTANCES OF ABUSE OF POWER.

This is detrimental to the protection and maintenance of law and order in any given scenario and the victims of such abuse most often end up being persons belonging to religious minority communities, which further fuels the intolerance directed towards them by the general public, while creating an insecure life for them. This goes against the very notion of the police being the guardians of the law for all.

BEST PRACTICES

The Rehnuma team in Howrah District (West Bengal) has been organizing awareness programmes on illegal arrest and detention among the community.

The periodic legal aid clinics held by the DLSA inside jail premises in Modasa Town and adjacent areas (Gujarat) is a model worth replicating elsewhere. While its efficacy largely depends on a dynamic paralegal cadre and an exceptional coordination between the jail authorities and the DLSA, the system followed is highly satisfactory and commendable.

1
WAY FORWARD

In light of the findings of this action-research that has spanned two years; the way forward is very clear and is presented as follows:

CONCLUSION

Central Budget :

As noted, the Central Government’s expenditure on minorities comes through three different ministries: MoMA, MHRD and MoCA. The MoMA has seen its allocation grow in recent years and this is an admirable trend because it had been feared that the present government will slash the spending on minorities. In the most recent budget of 2017-18, the allocation made by the Ministry was Rs. 4195.48 Crore. Also quite admirable is the overall utilization percentage which has been on the rise and was at 97.77% for 2015-16.

There remain, however, important concerns regarding the adequacy of the budget. We have talked repeatedly in this report about the under-targeting of the Scholarship Schemes. Considering the number of students who apply and do not get the scholarships, the overall budget needs to be much higher. Certainly, the MoMA, MHRD and MoCA Budgets together don’t account for all the allocations towards minorities. The 15-Point Programme is intended to channel benefits under a number of schemes to minorities and ideally this data should also be presented during the budget.

In contrast to this, the Central Government as well as State Government Departments is required to specifically plan for women, Scheduled Castes and Scheduled Tribes and a statement of their performance on these is made in the Budget every year. These components are called Gender Budget or Gender Responsive Budget, Scheduled Caste Sub-plan and Scheduled Tribes Sub-plan, respectively. While there are problems with both allocations and implementations of these, at least adequate information is present at the time of the budget announcement to critique them. There is inconsistency and irregularity in the way statistics related to allocation and utilization under 15-Point Programme are made available in the public domain and the response to this is predictably unenthusiastic.

State Budgets:

Our seven states had aligned themselves into two categories when we looked at their minority welfare budgets. These categories were of Low Budget Allocation States and High Budget Allocation states. The difference in the average budget of the two categories was massive. The largest budget (that of West Bengal) was about 70 times the smallest (that of Gujarat). It may be useful to remember that West Bengal’s budget just ten years ago was in the same range as that of Gujarat’s present budget.

It may be possible to say that in the last ten years, after minority welfare was prioritized by the previous government through the 15-Point Programme and MsDP, there were some State Governments that also prioritized this and began utilizing the Centre’s grants for the same. This is the period in which at least West Bengal’s budget picked up. States such as Madhya Pradesh and Gujarat seem to have not done so.

Another explanation that applies to most of the States is, of course, that the prevailing ideologies of the governments in power have dictated the prioritization. Madhya Pradesh, Gujarat, Telangana and West Bengal fit this thesis the best. The former two states have had Bharatiya Janta Party (‘BJP’) Governments in power for a number of years. It is not just that their economic development model is generally presented as universal and not vulnerability specific (“sabka saath, sabka vikaas”), but also that majoritarian compulsion drives much of their agenda and this compulsion does not allow them to be seen as too accommodative of the needs of the minorities. On the other hand, the Trinamool Congress has relied on minority voters and is seen to be accommodative of their interests. Even so, the utilization percentage of West Bengal’s minority budget leaves a lot to be desired. This is also the case with Telangana’s Telangana Rashtra Samithi Government. Karnataka’s Congress Government has similar priorities. This is evidenced by the fact that the minority budget jumped by 75% when the current Government took over from the previous BJP Government and it is under them that it is now five times that of the last budget passed by the BJP in 2012-13.

The situation in other States is more complex. Odisha has a non-BJP ruling party that is seen as secular but had partnered with BJP in the past. Jharkhand does have a BJP government in power but the allocations under the previous non-BJP Governments were even lower than the present. It is true however, that due to the high percentage of Scheduled Tribes in these states, many of whom are also minorities, focus is greater on planning for STs.

A look at the HBA States’ Budgets shows both effective utilization of the Centre’s fund for its own projects as well as the substantial expenditure of its own, often in the form of special programmes for minorities. Whereas, in the LBA States’ Budgets, there is either complete reliance on the Centre’s funds (and that number itself is small) or on sub-allocation for minorities in their own flagship schemes (such as the cycle distribution scheme in Jharkhand and the CM’s financial aid scheme in Madhya Pradesh).

- **15-Point Programme**

The failure of the 15-Point Programme stems from the dismal levels of awareness of the same among duty bearers and a serious lack of monitoring mechanisms. Monitoring mechanisms from bottom to top, in the form of DLMCs, SLMCs, CoS and Review Committees are largely not operational. It was after all barely in two of the seven Districts we surveyed that DLMCs had been formed (in one of these, Modasa, some key members were missing and meetings were not being conducted properly) and were holding meetings somewhat regularly. There were three Districts in which they were not presently in constitution. Another two Districts did not see meetings being held regularly. Even where these meetings are supposedly held, the minutes of the meetings were not shared with us.

Any pieces of information about the SLMCs remains uncovered since it has turned out to be impossible to get access to the Chief Secretary of the State for an interview. The Central mechanisms of CoS and Review Committee have also not assembled in three years. None of the information about these is in the public domain and hence these mechanisms are not accountable to anyone.

Every year, while planning for schemes under the 15-Point programme, the respective government departments mechanically set targets for SCs, STs and Minorities according to demands of the SC and ST Sub-plan and the 15-Point Programme. These targets are set for each state so they are adequately conveyed to them. It appears that either no further instruction is provided to District departments which are usually the implementation bodies for these schemes or instruction is not regular or adequate. This would explain their lack of knowledge about the targeting requirements. Needless to say, their sensitization on issues faced by minorities needs work so that they are at one with the objectives of the programme.

On the other hand, taking a look at how the RBI issues circulars to Public Banks from time to time, amongst clear instruction regarding targeting, it lays down a strict monitoring and reporting measure. Paragraph 5.1 of RBI's Master Circular dated July 01, 2017 states:

"With a view to monitoring the performance of banks in providing credit to the specified minority communities, data on credit assistance provided to members of minority communities should be furnished to Reserve Bank of India and to the Government of India, Ministry of Finance and Ministry of Minority Affairs, on half yearly basis as on the last working day of March and September every year..."

RBI's handling of Priority Sector Lending has ensured 88.05% completion of target, although field experiences record a number of obstacles in the process, which need to be eliminated. Besides clear instructions to carry out targeting, some sensitization on issues of minorities would help improve the attitude of duty bearers towards the welfare of these vulnerable communities.

- o **ICDS**

With disappointing realities being observed at the ground-level, the time seems to be right for a wake-up call for the Government of India regarding the implementation of one of the country's most popular flagship programmes. With the AWCs being unequipped to provide quality service delivery, it is the need of the hour that the implementation process should be reviewed, especially from the minority outreach angle, in line with the SDG indicators that would apply to this scheme.

- o **Scholarships**

While the country-wide shift to the digital sphere is a reality, the experiences from the ground-level suggest that it has shaken the implementation of prominent social welfare schemes, making the benefits inaccessible to the target communities. The scholarships schemes, while soundly conceptualized, seriously lack a vision in terms of ensuring that the students of the target communities avail of the same without any hindrance.

A number of hassles from the start to the end of the scholarship season have been noted in the previous chapters in much detail and the resolving of these will require the concerted effort of various departments of the Central and State Governments to come together for the same.

- o **Nai Roshni**

A scheme that changes the way women, especially minority women, have been looked upon in the public sphere is a welcome move in 2017. As was observed on the field, in the few places that this scheme is functional, the beneficiaries have related positive experiences and the feedback is overwhelmingly in support of the continuance of the scheme. However, there is scope for improvement based on lessons from the past and provided resource allocation and designing the curriculums to guide trainees from start to finish is ensured, this is one Government programme that can see major levels of success in the future and this gives us hope in terms of envisioning the development of the social, political and economic status of minority women in India.

- o **SPQEM**

As a scheme that has thrown up mixed responses from our field experiences, some core areas seem to need attention, excluding the religion-angle to the whole implementation process. Specific focus is needed to ensure that, at the end of the day, students of madrasas are not alienated from the mainstream because of their educational and religious identity-based background. Religious reasons aside, the public opinion must be taken into account in order to

truly improve the situation of minorities, especially Muslims in this country. The State Government mechanisms need to be strengthened in this regard so that madrasa students do not miss out on quality education. In this regard, the Telangana State Minorities Residential Educational Institutions Society needs special mention for its innovative utilization of Central as well as State Government funds to establish inclusive top-notch residential schools which, while not taking away religious instruction altogether, gives its students an opportunity to explore options outside of the same as well. What is remarkable and commendable is this attempt to bridge the gaps between different religious communities by starting early, through children, which is the only hope for holistic development of our future generations.

o **Communal Violence**

Considering the growing religious intolerance in the country, it is of the utmost importance that the Guidelines regarding Communal Harmony and Points 13, 14 and 15 of the 15-Point Programme are taken more seriously by the Government of India. Unfortunately, these points rate low on priority everywhere. It is one thing to alienate an entire religious community through direct discrimination, but to fuel the hatred with a passive and/or ignorant air has caused serious damage to the peace that is essential for the country to remain steady on its envisioned path towards economic progress. The public needs to be sensitized while civil society and the Government should come together to ensure that communal incidents are prevented. This is essential so that in the struggle between the right, the left, the liberals and others to gain higher ground, the lives of innocents are not lost. Engaging children and the youth in the community through creative mediums seems to show the way for a true unity in diversity to prevail in India; which would then surely positively impact the country’s position in a global context.

• **Cattle Slaughter**

Three interconnected issues become highlighted through interactions with meat traders. While we were initially focused on meat trader’s conflict with restrictions brought by overreaching laws prohibiting slaughter of cattle in these states, in the process of our field research it was their conflict with the licensing regime that took the centre-stage.

The situation was most dire in Gumla District (Jharkhand), where apparently no licenses have been renewed since 2005. The meat traders now operating without sanction of law, are now prey to frequent municipal actions of fining and being shut down, not to mention the added threat of fundamentalist vigilantism ridiculously justified by the lack of licenses. Meat shops began to be shut down across Jharkhand in March, 2017 following similar actions taken in Uttar Pradesh.

This rage flowed down to Bhopal City (Madhya Pradesh) as well and April, 2017 saw the Bhopal Municipal Corporation taking actions against meat shops across the city. Like Gumla, meat traders

in Bhopal too could not have their licenses renewed because of the unreasonable conditions that were imposed by the Municipal Corporation. In Kalaburagi District (Karnataka), the officials themselves claimed to have imposed a moratorium on slaughterhouse licenses considering the country-wide hullabaloo surrounding the ‘beef ban’.

Administrative actions and inactions amount to a violation of the meat traders’ right to livelihood. It should also be noted that any violation of this kind also disparately impacts people from certain communities: Muslims, Christians and Dalits, who have traditionally carried out this occupation.

A second central issue is that of increasing interference of self appointed cow-vigilantes called ‘Gau-rakshaks’. They have been known to threaten and assault meat traders whether or not they were carrying out the trade of meat that is prohibited. This was most apparent in Kalaburagi District (Karnataka), a State under an Indian National Congress Government. Oftentimes, the police offer them no protection at all and at other times, act to make things worse such as in parts of Modasa Town and adjacent areas (Gujarat).

Meat traders in Bhopal City (Madhya Pradesh) and Rangareddy District (Telangana) report that Gau-rakshaks run a racket. They are involved in extortion and the cattle, whenever seized by them, is sometimes re-sold. There is a petition pending in the Supreme Court seeking stricter police action against these vigilantes but so far they are being allowed to act with complete impunity and clearly this is not a phenomenon only in BJP-ruled States.

The final issue is of the prohibition law itself is that all meat traders we met claimed that they operated on the right side of law. Yet, there are concerns about the rightness of the law itself and this will come to be tested again in the Supreme Court appeal filed against the judgment passed by Bombay High Court in the Maharastra Beef Ban case. Any order tilting the balance back in the favor of the meat traders’ right to livelihood will benefit meat traders everywhere. Until then, meat traders will have to grapple with these numerous issues, everyday.

• **Illegal Arrest & Detention**

We have looked at the problem of illegal arrest in two ways. First, it is the manner of arrest that makes it illegal. Police are supposed to follow certain guidelines laid down by the Courts and CrPC and these tend to not be followed when the person supposed to be arrested is a member of certain vulnerable groups. These vulnerable groups vary across the seven states. The second problem is that the arrests themselves are made under false pretexts of cases and law and order problems that are made up by the Police. The second issue here also intersects with the communal violence issue above since it is largely the Muslim community in every city that is brought on the Police’s radar in the name of actions to prevent communal violence.

Illegal detention here has been looked at as a detention of an undertrial beyond the period when their right to bail has accrued. Our research was largely limited to implementation of bail provisions under Sections 436 and 436A of CrPC and the mechanism of Undertrial Review Committees created to implement these sections.

Our findings regarding these were limited but it has set us on track for further research. We managed to identify some of the communities that are the target of unjust Police action. These are the Pardhi, Irani and Kanjar communities in Bhopal, Pardhi and Muslim communities residing in certain areas in Kalaburagi, Muslims and Adivasis in Gumla, Muslims in Modasa and Rangareddy. This action is found to be against trans persons and sex workers in Howrah. However, there is reason to believe that trans persons and sex workers are discriminated against by the Police everywhere and communities commonly targeted in other six places are also targeted in Howrah.

It was also found, as previously mentioned, when it comes to arresting persons from these groups, Police show little inclination to follow arrest guidelines and the awareness about these is extremely low in the communities.

Undertrial review process seems to exist on at least paper in most of the places. We only have the word of either the Jail officials or the DLSA to trust on this. In Gumla, both the DLSA secretary and the Jail Superintendant seem to not be aware of the process and this gives us a ground to believe that the process is not active in these places. Certain lacunae have also been found in Howrah. The findings we have made so far implore us for further work on this, to test claims made by the DLSA and the Jail authorities as well as to explore indicators of vulnerability when it comes to Police actions that can be used across different areas.

RECOMMENDATIONS

BUDGETS

To the Ministry of Minority Affairs and the Ministry of Finance

- o Make the Minority Scholarship schemes demand driven.
- o Alternatively, adopt the census figures from 2011 for allocating funds for the Scholarship Schemes.
- o Create a Minority Sub-plan in the manner of SC and ST Sub-plans and provide statement of funding and utilization on minorities across schemes run by different ministries ever year.
- o Report on the progress of targeting under the 15-Point Programme in the budget every year.
- o Allocate funds that are more equitable to the minority population and tailored to their needs.

To the State Governments of Gujarat, Jharkhand, Madhya Pradesh and Odisha

- o Allocate budget that is more equitable to the minority population along the lines of the budgets for Karnataka, Telangana and West Bengal.
- o Create your own programme and schemes tailored for the needs of the minorities and allocate significant funds from your own state exchequer without solely relying on the Central Government.

To all the State Governments

- o Give the utilization of the budget as much importance as the budget allocation.
- o Create a Minority Sub-plan and move towards enacting legislation for this that is akin to legislations on SC and ST Sub-plan in Karnataka and Telangana to ensure that spending on minorities is not affected by change in Governments.

15 POINT PROGRAMME

To the Ministry of Minority Affairs

- o Update statistics on implementation of the 15-Point Programme more regularly along with uploading progress on each report, at least, quarterly.
- o Report total applications made along with those rejected along with data of benefits that have been sanctioned to make the process more transparent.
- o Ensure disaggregation of data and targeting at the State and the District levels.
- o Activate the Committee of Secretaries and the Review Committee on the Implementation of the 15-Point Programme for the Welfare of Minorities and regularly publish their minutes.
- o Help activate the State Level and District Level Monitoring Committees on the Implementation of the 15-Point Programme for the Welfare of Minorities and regularly publish minutes of all the committees in all the States and Districts on the MoMA website.
- o Immediately complete the process of identifying minority clusters and implement SSA and ICDS for minority clusters.
- o Identify minority concentrated wards in cities across the country and implement SSA and ICDS in these wards.

To the State Governments and State Level Monitoring Committees

- o Activate the State Level Monitoring Committees on the Implementation of the 15-Point Programme for the Welfare of Minorities and regularly publish their minutes.
- o Help activate the District Level Monitoring Committees on the Implementation of the 15-Point Programme for the Welfare of Minorities in all the Districts and regularly publish their minutes on the State Minority Welfare Department websites.
- o Provide instructions to Districts departments responsible for implementing schemes that come under the 15-Point Programme to carry out the minority targeting, store data disaggregated on the basis of religion and community, check their reports and take actions against officials failing to carry this out.
- o Sensitize State and District level Officials on issues related to the minorities and the purpose of minority welfare.
- o Carry out targeting similar to that under the 15-Point Programme for all State schemes that cater to the needs of minorities after gauging this.t

To District level Officials

- o Carry out targeting in accordance with the 15-Point Programme and keep disaggregated data for all the schemes implemented.

To the Collectors and the District Welfare Officer and District Level Monitoring Committees

- o Activate the District Level Monitoring Committees on the Implementation of the 15-Point Programme for the Welfare of Minorities in all the Districts and regularly publish their minutes on the District administration website.
- o Provide instructions to Districts departments responsible for implementing schemes that come under the 15-Point Programme to carry out the minority targeting, store data disaggregated on the basis of religion and community, check their reports, present these at the DLC meetings and take actions against officials failing to carry this out.
- o Sensitize District level Officials on issues related to the minorities and the purpose of minority welfare.

ICDS

To the Ministry of Minority Affairs

- o Immediately complete the processes of identifying minority clusters and implement ICDS for minority clusters.
- o Identify minority concentrated wards in cities across the country and implement SSA and ICDS in these wards.

To Ministry of Women and Child Development, State WCD Department and District WCD Officer

- o Strengthen uniform infrastructural support in terms of building in which the AWC would run, with proper identification markers like boards stating its name and purpose of existence, notice board with complete information regarding the scheme and the benefits therein for all targeted communities with data disaggregated on the basis of religion, gender and community of the beneficiaries presented in a medium that is accessible to the literate population in a given area.
- o Ensure full strength qualified staff in all AWCs with proper timely salary packages and constant support in terms of training and hand-holding for procurement of materials like food items, medical supplies, educational tools etc.
- o Remove the reimbursement mode of payment to AWWs for procuring materials required in a given AWC and directly ensuring supply of said materials or allocation of a consolidated amount of money (yearly or monthly) provided to the AWW for the same and link government agencies for ensuring service delivery (ration shops for food supply, contract suppliers of food not available in ration shops, government-run pharmacies for medical supply provision etc.)

- o Explore innovative teaching methods in order to ensure quality learning experiences among the children beneficiaries of pre-primary education by among other things engaging the youth in the community as part of paid or unpaid internship programmes.
- o Carry out comprehensive awareness drives done once a month by the AWW, ensured and monitored by the CDPO, in the area served by that particular AWC so that at least the people in the vicinity are aware of all the services provided by that AWC and can make the effective choice of availing the same.
- o Activate a system of maintaining the feedback of beneficiaries and a proper grievance redressal mechanism initiated and overseen by the CDPO to ensure quality service delivery.
- o Ensure maintenance of religious and community-based disaggregated data to be reviewed on a monthly basis by the CDPO.
- o Revise guidelines to ensure a monthly minority target outreach report should be submitted to the relevant DLMC.

SCHOLARSHIPS

To the Ministry of Minority Affairs

- o Redesign portal website in such a manner that it is accessible so that people who have access to the internet and are computer-literate can fill in the forms with ease and ensure maintenance of servers so that there is no overload and consequent issues.

- o Report total applications made for Scholarships along with those rejected along with data of benefits that have been sanctioned to make the process more transparent.
- o Provide District-wise data to the State Governments regularly in the current year so that they ensure that those who have not yet made these applications make them and instruct State Governments to pass on the data to the concerned Districts officials.
- o Revise the amount for scholarships and ensure regular enhancement of the amount.

To the State Governments

- o Contract cyber cafes like Me Sevas in Telangana and MP Online in MO to provide data entry and internet facility support to those who are not computer literate and/or internet savvy and ensure that such cyber cafes are aware of the scholarship schemes and its intents and purposes at least a week before the awareness drive before the application process is opened on the portal.

To the District Minority Welfare Officer and District Level Monitoring Committees

- o Working with District Education Officer, carry out comprehensive awareness drives in either a meeting of all school authorities and respective School Management Committees within the district or in all schools’ campuses individually, where the procedure for application and the duties of the school authorities like the Headmaster are explained.

- o Ensure that the school authorities and SMCs also take up awareness at the community level by advertising the scholarship schemes to the students and their parents in the form of compulsory parent-teacher meetings and handouts along with newspaper advertisements to boost application numbers. These awareness drives should begin two months before the last date of application filing.
 - o Ensure other stakeholders such as Banks are briefed about the scheme, its benefits and their instrumental role in implementing the same.
 - o Facilitate free service camps in collaboration with DLSAs to ensure that the possible beneficiaries face no issues in compiling the documents required for applying for scholarships.
- ## NAI ROSHNI
- To the Ministry of Minority Affairs
- o Be more proactive in call for applications for PIAs using all possible media to engage more eligible organizations.
 - o Instruct Government-run institutions to take up Nai Roshni trainings as PIAs in all minority concentrated districts and prepare these institutes in terms of trainings and infrastructural support for the same.
 - o Ensure all PIAs are linked with expert faculty members and institutes that specialise in curriculum taught during the trainings.
 - o a student and parent feedback maintenance.

- o Revise Nai Roshni norms to specify hand holding and placement procedure allowing linking each trainee with government offices, institutes, DLSAs, etc. according to their interests.
- o Formulate a feedback system through which the beneficiaries can share their experiences and this can be routed to the SLMC for quality-check and can also double up as a grievance redressal system.

SPQEM

To the Ministry of Minority Affairs

- o Ensure speedy disbursement of the funds under SPQEM and raise the cap of the number of teachers given funds for per school.

To the State Governments, the State Madrasa Boards and the District Education Officer

- o Conduct awareness drives with registered as well as unregistered madrasas regarding the scheme and the benefits therein.
- o Monitor the quality of education imparted in the madrasas through

COMMUNAL VIOLENCE

To the Ministry of Minority Affairs and Ministry of Home Affairs

- o Notify the already existing Scheme for Communal Violence victims as a scheme under the 15-Point Programme.

To the State Government (Home Departments)

- o Undertake strict briefing and training of police officials regarding the Guidelines on Communal Harmony and the criminal procedure laws regarding the same.
- o Ensure compliance of stricter compliance of the Guidelines including identification of the sensitive areas, creation of plans and activation of Peace Committees.
- o Ensure that all those seeking compensation are immediately assisted by the DLSA and the SLSA in mapping the damage caused and assessing the compensation to be given in terms of monetary as well as rehabilitation support.

CATTLE SLAUGHTER

To the State Governments

- o Overturn legislations which completely prohibit slaughter of cows, bulls and bullocks without exceptions.
- o Decriminalize possession and reduce punishment to a reasonable term of imprisonment for slaughter.
- o Curb cow slaughter vigilantes and order actions against these.
- o Frame/ revise rules to make licensing procedures easier and straight-forward so that these may not be abused and applied arbitrarily by local administration.

To the Local Administration, particularly in Bhopal and Gumla

- o Desist from applying licensing provisions arbitrarily, make the procedure straight-forward and wherever, these aren't being renewed, resume their renewals.
- o Desist from carrying out raid on meat traders without giving them a chance to renew licenses.

To the Police Administration

- o Crackdown on cow slaughter vigilantes involved in threatening, extortion and violence against meat traders.
- o Desist from carrying out arbitrary raids against meat traders carrying out trade of cattle not prohibited and in case of raids, return seized cattle and meat which is not illegally slaughtered without delay that may allow the meat to perish.

LEGAL ARREST & DETENTION

To the State Governments (Home Departments)

- o Take stock of all Under-trial Review Committees and their functioning, help activate them where they are non-functional and publish their reports and minutes on the Home Department Websites.
- o Enquire into police actions against certain identified communities, take actions against Police officers abusing law, and revise Police Acts and other laws and rules that allow for abuse.

- o Ensure compliance with arresting guidelines and frame checklist for the Police to follow while arresting and the Magistrates to check while an accused is produced before them.

To the Police Administration

- o Revise discriminatory police practices, enquire into police actions against certain identified communities and take actions against Police officers abusing law.
- o Ensure compliance with arresting guidelines and frame checklist for the Police to follow while arresting and seek reports on these.
- o Desist from carrying out indiscriminate arrests of all persons without probable cause.

To the Jail Administration

- o Identify under-trials eligible for bail and report to Under-trial Review Committees/DLSA and cooperate with them.
- o Maintain digital record of prisoners in the Jail and make the system transparent and accessible to everyone. To Under-trial Review Committees and District Legal Services Authority
- o Wherever not done, ensure compliance with Supreme Court directives by making and assessment of under-trial prisoners eligible for bail and facilitating their release immediately.
- o Make regular visits and hold regular meetings, and publish reports and minutes of the meetings to make them accessible to everyone for transparency.

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