

# Govt. to consider Minority Tag for Hindus in some states

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## **[GS Paper 2 - Indian Constitution - significant provisions and basic structure]**

**Context** - The Union government will initiate a wide consultation with states and other stakeholders to examine a plea as to whether Hindus can be granted minority status in states where their numbers are comparatively less.

### **Need for Such Move**

- Hindus are merely 1% in Ladakh, 2.75% in Mizoram, 2.77% in Lakshadweep, 4% in Jammu & Kashmir, 8.74% in Nagaland, 11.52% in Meghalaya, 29% in Arunachal Pradesh, 38.49% in Punjab, and 41.29% in Manipur.

### **Who are termed as Minorities?**

- Muslims, Sikhs, Christians, Buddhists, Jain and Zoroastrians (Parsis) have been notified as minority communities under Section 2 (c) of the National Commission for Minorities Act, 1992.
- As per the Census 2011, the percentage of minorities in the country is about 19.3% of

the total population of the country.

- The population of Muslims are 14.2%; Christians 2.3%; Sikhs 1.7%, Buddhists 0.7%, Jain 0.4% and Parsis 0.006%.
- Minority Concentration Districts (MCD), Minority Concentration Blocks and Minority Concentration Towns, have been identified on the basis of both population data and backwardness parameters of Census 2001 of these areas.

### **Linguistic Minorities**

- Linguistic Minorities are a group or collectivities of individuals residing in the territory of India or any part thereof having a distinct language or script of their own.
- The language of the minority group need not be one of the twenty-two languages mentioned in the Eighth Schedule of the Constitution.
- In other words, linguistic minorities at the State level mean any group or groups of people whose mother tongues are different from the principal language of the State, and at the district and taluka/tehsil levels, different from the principal language of the district or taluka/tehsil concerned.
- The linguistic minorities are therefore identified by the respective States/UTs.

### **Minorities in Indian Constitution**

- The Constitution recognizes Religious minorities in India and Linguistic minorities in India through Article 29 and Article 30. But Minority is not defined in the Constitution.
- Currently, the Linguistic minorities in India are identified on a state-wise basis thus determined by the state government whereas Religious minorities in India are determined by the Central Government.
- The Parliament has the legislative powers and the Centre has the executive competence to notify a community as a minority under Section 2(c) of the National Commission for Minorities Act of 1992.

### **Articles in the Constitution regarding Minorities**

**Article 29:** It provides that any section of the citizens residing in any part of India having a distinct language, script, or culture of its own, shall have the rights of minorities in India to conserve the same. Article 29 is applied to both minorities (religious minorities in India and Linguistic minorities in India) and also the majority. It also includes – rights of minorities in India to agitate for the protection of language.

**Article 30:** All minorities shall have the rights of minorities in India to establish and administer educational institutions of their choice. Article 30 recognises only Religious minorities in India and Linguistic minorities in India (not the majority). It includes the rights of minorities in India to impart education to their children in their own language.

**Article 350-B:** Originally, the Constitution of India did not make any provision with respect to the Special Officer for Linguistic minorities in India. However, the 7th Constitutional Amendment Act, 1956 inserted Article 350-B in the Constitution. It provides for a Special Officer for Linguistic Minorities appointed by the President of India. It would be the duty of the Special Officer to investigate all matters relating to the safeguards provided for linguistic minorities under the Constitution.

### **Other Laws Defining Minorities**

- There are two such laws:

1. 1992 National Commission for Minorities (NCM) Act and
2. 2004 National Commission for Minorities Educational Institutions (NCMEI) Act

- Under the NCM Act, the central government has notified only six communities, namely Christians, Sikhs, Muslims, Buddhists, Parsis and Jains, as minorities at the national level.
- The NCMEI Act entitles the six communities notified under the NCM Act to establish and administer educational institutions of their choice.