

National Commission for Minorities Annual Lecture

by

Sh. Arun Jaitley,

Union Minister of Finance, Corporate Affairs & Information &
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Shri Naseem Ahmad, the Chairperson of the National Commission for Minorities, Dr. Najma Heptullah, the Hon'ble Minister for Minority Affairs, Shri Mukhtar Abbas Naqvi, the Minister of State for Minority Affairs and Parliamentary Affairs, Shri Amrendra Sinha, the Secretary, Your Excellencies, Ladies and Gentlemen.

Let me at the very outset express my gratitude to the Minorities Commission, and particularly the Chairperson for having invited me to deliver this year's Annual Lecture of the National Commission for Minorities. I have seen the list of very

distinguished people who have delivered the earlier seven lectures and I must confess at the very outset, that I am significantly unequal to the task that you have assigned to me but nonetheless, I must express my gratitude because the subject that you have chosen as "The Economic Empowerment of the Minorities in India", is indeed extremely important. It is important because economic development of the country really involves a development of each and every section of Indian society, and therefore, for a group which constitutes a very large part of India's population, its economic growth really has to match-up to the national goals and aspirations.

The 2011 census has indicated that the total population of the Minorities in India is about 24.45 Crores, which is approximately 20.2 per cent of India's population. Almost 38 per cent of our 640 odd districts in the country have a significant amount of minority population, and therefore, the essence of the approach that I wish to follow, in this lecture, is that if India is to

grow significantly, the growth itself would be incomplete, unless every section of the population grows. High growth rate ordinarily impacts all sections of society. It benefits some more than it benefits others, but then the impact of high growth rates is positive on most sections of Indian society. An analysis of India's socio-economic and educational growth would indicate that even amongst the minority communities, the situation is not identical. It varies from community to community. What then are the special measures, which are required to bring about uniformity to the extent possible, and accelerate these growths itself?

I would deal with the subject in several parts and I am sure these are essentially my personal views which would find favour and acceptability with a large number present in this august audience. First, on the character of and the situation as it exists today, India is unusual in having and especially large number of axis of difference or cleavages. Most countries have differences based on caste, religion and gender but in India, the differences

are along caste, religious and linguistic lines also. Even Europe which has many languages has one script common to all; India has so many different scripts in addition to languages. While these differences create challenges, India's unique diversity also adds to the richness of its social, cultural and economic life. Think of our music, literature, films, sports, public life – all communities have contributed to these walks of life. The history of economic development shows that countries that managed these differences will also manage to grow rapidly and inclusively. Social peace and inclusiveness are pre-conditions for successful economic development. Identity should not become the focus of conflict or targeting or should not be exploited as a vote itself.

In India, while progress has been made with regard to poverty rates, educational rates of some minority groups need to grow faster. For example, according to the 2011 census, amongst the major communities in India, in terms of population, the total literacy rate was – Hindus 63.60 per cent, Muslims

57.27 per cent, Christians 74.34 per cent and Sikhs 67.50 per cent. Now the same data for a similar period, if it is translated into poverty rates i.e. for the year 2011-12 the rural and urban areas combined, the rate amongst the Hindus is 21.9 per cent, Muslims, a little higher 25.4 per cent, Christians 16.4 per cent, Sikhs 5.9 per cent. Even amongst the Muslims, progress has been made on reducing poverty. This community saw the biggest percentage decline in poverty rates between 1993-94 and 2011-12 from 51.2 per cent to 25.4 per cent or a 25.8 per cent point decline. The comparable decline for the Hindus was 23.7 per cent. Education remains a key to the social and economic advancement. In 2009-10, amongst the Muslim, the poverty rate was 31.9 per cent amongst the non-literates, but only 7.1 per cent amongst them had a graduation degree. Government is committed to advancing the cause of the minorities and other disadvantaged groups. Philosophy of the Government is to increase targeted assistance by special programmes but also to provide generalized opportunities so that all communities can

benefit. Economic growth will be the key to providing opportunities. The rising tide will lift boats and with targeted assistance, we can ensure that it lifts all boats. Education for everyone – male as well female is the key.

Now I pause here for a moment in order to elaborate this point. Post-1991, since the advent of economic liberalization our growth rates picked-up. Pre-1991 in the age of controlled economy we were satisfied with a 2 per cent, 3 per cent, or 4 per cent growth rates and these growth rates where the world broadly ridiculed us and occasionally used a phrase for India's growth rate calling it 'The Hindu Rate of Growth'. It was economic liberalization which significantly moved these rates up and over the last 25 years these growth rates have increased, at times even touched 8 and 9 per cent. It has led to reduction in poverty levels. It has improved education and literacy levels and this increase has significantly impacted upon on all, and therefore, the first key point to be noted is that even though the

high economic growth leads to the welfare of all –one has to consider targeted assistance in areas where it creates inequality so that the groups which get left behind in that race for development itself can be pushed up on the strength of the targeted assistance itself.

The other factor which comes up as a key in this statistical analysis is – amongst some of the minority communities – the Muslims, for instance, the level of higher education considering 7.1 per cent graduates as per the 2011 data, is increasingly inadequate, and therefore, it is this one area where education really holds the key. When I speak, in terms of education holding the key, I will divert a little from the principal subject and go to the position of the rights as envisaged in our Constitutional system. There are some fundamental rights which are absolutely common to all, and therefore, every person – majority or minority, any citizen, any person in India would certainly be entitled to his or her right to equality; fundamental freedoms;

entitled to his life and liberty. But when we framed these laws, there was certain amount of freedom and a particular protection in relation to minority rights, which particularly the framers and the draftspersons of the Constitution themselves put. So before I proceed with the main subject I would just reflect on this subject in a little detail. The Constitutional imperative to protect minorities flows from recognition of India's diversity and to prevent ghettos of backwardness. The key method for recognising and preserving such diversity is by vesting every citizen with a freedom to profess, practice and propagate his religion, i.e. Article 25. Further, every section of citizens including minorities, have a right to conserve their script, culture and language under Article 29(1). They have right to establish and administer educational institutions of their choice and to manage their own religious affairs.

However, the makers of the constitution were careful to not create islands of diversity but instead sought assimilation.

Education was the primary focus for such assimilation. As a result, no citizen would be denied admission in a minority school that was funded by the State, and the State could not be discriminatory in the grant of any such aid. In pre-1947 discussions, that is before independence, the term 'Minority' included not only religious and linguistic minorities but also backward caste and tribal communities. This was not only due to their numerical weakness but also because of their cultural distinctiveness and historical disadvantages. It was decided that in terms of political representation, backwardness was more appropriate basis for group differentiated rights. With Partition, political representation for minorities was felt to be potentially divisive.

Two changes occurred as a result – first the emphasis shifted to cultural and educational rights and second minority protection Articles were amended to focus on linguistic and religious minorities. This change was manifested in the draft Constitution prepared by the Drafting Committee. Explaining the

stance taken in the draft Constitution towards minority protection, Dr. Ambedkar, on the 04th November 1948 outlined the philosophy in the following words and I quote – “In this country both minorities and majorities have followed a wrong path. It is wrong for majority to deny the existence of minorities; it is equally wrong for minorities to perpetuate themselves. A solution must be found which will serve a double purpose. It must recognize the existence of minorities to start with. It must also be such that it will enable majorities and minorities to merge someday into one. The solution posed by the Constituent Assembly is to be welcomed because it is a solution which serves this two-fold purpose”. As a result, there was a distinct difference between minority protections, in recommendations of minorities sub-committee and draft constitution, prepared by the Constitutional Advisor, prior to the Constitution. The draft Constitution itself discussed in the Constituent Assembly after it.

In material part, draft Article 23 read earlier as under:

"Minorities in every unit shall be protected in respect of their language, script and culture and no laws or regulations may be enacted that may operate oppressively or prejudicially in this respect".

This was replaced with the following:

"Any section of citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same".

Amendment to restore the previous clause was forwarded by Shri Zahir-ul-Hassan Lari, a Member. According to him, the former provided stronger protection against discriminatory laws and had minorities as the key focus. On 7th December, 1948, he argued "The reasons which have led me to move this amendment in order to restore it to its original condition can be briefly stated. Sir, I believe it is accepted on all hands that cultural and educational rights have to be protected and this is the intention

of Article 23. There can be no gain-saying on this point. The clause as it originally stood and as it is approved by the House intended to lay down that no laws, no regulations shall be passed which would adversely affect a minority in maintaining and fostering their own culture and language, that is to say no such law shall be passed which would nullify the right which being conceded by a linguistic minority. If a clause were to stand as I have put it and as the House originally approved the result would be that they would be an adequate remedy at the disposal of the minority to see the intention of this House were carried to this effect but if you look to the language used in the draft Constitution it comes to this only that minority or section of citizens shall be entitled to conserve its own language. What does it mean? What is the effect? It simply means that a body of citizens shall be entitled to use their own language and in the private intercourse".

This amendment was not accepted.

The basis of the current Articles 29 and 30 can be traced *inter alia* to a certain amendments suggested by Thakur Das Bhargav, a Member of Constituent Assembly. Bhargav's key thrust was to make Article 29 not a minority protection article but a nation make building article. He wanted (a) making the right to non-discriminatory admission to educational institutions available to all citizens and not minorities alone and (b) deletion of the word 'community' from the Article and making the right available to any section of citizens without discrimination on the basis of race, caste or language and (c) extended the ambit of institutions where no discrimination to be made by the State, not only to the Government institutions but also to State institutions.

Explaining his logic on 08th December, 1948 he said, "Now Sir, it happens to that the word 'no minority' seek to differentiate the minority from the majority whereas you would be pleased to see that in the chapter the words of the heading are "cultural and educational rights" so that minority rights as such should not find

a place in this section. Now, if we read Clause (2) it would appear that the minorities has been given a certain definite rights in this clause, whereas national interest requires no majority also should be discriminated in this matter. Unfortunately, there is in some matters a tendency that minority as such possess and are given certain special rights which are denied to others. It was the habit of the English Masters that they wanted to create discrimination of this sort between a minority and a majority. Sometimes the minority said that they were discriminated against and on the other occasions the majority felt the same. This amendment brings the majority and minority on equal status”.

Specific amendments to contrary were suggested by members making minorities the sole focus of this Article was rejected - one by Begum Aizaz Rasul is illustrative. She argued that any minority residing in the territory of India or any part thereof having a distinct language and script shall be entitled to have primary education imparted to its children through the

medium of that language and script in case of substantial number of such students being available.

Sir, my amendment speaks for itself, and after hearing Mr. Lari, I do not think it is very necessary for me to go into details about this. The word "minority" has been defined in the Draft Constitution. I think that it is necessary that minorities who have a distinct language and script should have this right guaranteed to them by the State that the children of these minorities will have all facilities provided to them to have primary education imparted to them in their mother tongue.

Equally an amendment that made it appear that minorities were per se antithetical to the unity of the country was also rejected. Loknath Mishra sought to preface the Article with the word without detriment to the spiritual heritage and the cultural unity of India. This was rejected and it was understood that the cultural and educational rights in the interest of promoting diversity would itself be desirable for Indian democracy and not for any particular cultural unity.

On Assimilation and Integration – a key aspect of the Constituent Assembly debates on the subject especially post-partition was – the need of minority protection to be coupled with assimilation, in the same way as Dr. Ambedkar statement, K. Santhanam argued and I quote “And then in Clause 3 of this Article it provided that the State gives aid to education it shall not discriminate against any educational institution on the ground but it is under the management of the minority whether based on community or language and this will be particularly applicable to a linguistic minority. In every province, there are islands of these linguistic minorities. First of all, we have to give largely linguistic minorities their right to be educated especially in the primary stages in their own language and at the same time we should not interfere with the historical process of assimilation”.

These provisions were then, consistently debated in court and subsequent to the entire development of the jurisprudence, in my view, the key inferences have been the following:

- 1) There was a strong minority protection in the Constitution particularly in the cultural and the educational rights,
- 2) These rights available to all, were deemed particularly instrumental for minorities, the preservation of which was crucial for India's diversity,
- 3) The right to conserve script, language or culture is necessary but not in a manner that it acts against the creation of a nation,
- 4) Similarly the right to establish and administer educational institutions would be concomitant with the responsibility to both provide quality education as well as inclusive education in character.

The Supreme Court has placed great emphasis on the former aspect while it also touched upon the latter. Given the history of strong minority protection both in Constitution as well as in the pronouncements of the court, it is imperative that minority institutions also became centres of nation building in a

manner that is entirely autonomous and not directed by the State in any manner. As, Dr. Ambedkar said in the Constituent Assembly, that they must serve the dual purpose i.e. maintenance of the distinctiveness of the community as well as integration with the nation as a whole which further the prospect of assimilation itself. Having, discussed this because this really provides the framework for the education as the base. This right got expanded to the extent that all institutions established for these purposes by minority communities provided for a large representation for children of minority communities to be educated there since education in this process really held the key.

How do we now emanating from this debate, ensure economic empowerment? I deal with this in two approaches which supplement each other. The first which is essential is that there is a need for India to grow and grow uniformly. How does India grow faster? The faster we grow, the faster the benefits percolate to every community. There is a lot of discussion as to

what India's growth model is and over the past two and a half decades, the growth model significantly has changed. The emphasis on the present growth model is not merely on distribution of existing resources, but is in addition, on increased productivity. Increased productivity leads to a further generation of wealth in a society and it is that generation of wealth which is distributed on the strength of high growth rate and an inclusive purpose that it percolates and benefits different sections which have otherwise been kept out of the growth process.

I think the earlier growth model that we followed post-1947 and pre-1991, the growth of productivity was relatively lesser and our emphasis was really on distribution rather than on wealth generation. I think the post-1991 model has brought relative prosperity and that is why data seems to indicate that the improvement in the economic condition of those who were deprived earlier whether on social or religious considerations. The growth process of those segment post-1991 has been

significantly faster. How do I see the situation today? I see the situation today on the economic front that this is a great opportunity that India in particular has, because as we look around the world, the rest of the world has slowed down. The rest of the world is adversely impacted at some places by a slowdown almost bordering on recession. The commodity prices, oil prices, which was source of strength to those countries, have been adversely affected. The low oil price, the low mineral price, the low commodity price regime has actually resulted in a transfer of wealth from producing nations to the consuming nations and to some extent it is acting to our own advantage. Under these circumstances, even in the midst of a global slowdown if we manage to grow by, let us say, seven and a half per cent , it will be good.

There is an increasing need that India added another per cent or two to this growth rate if the global tail winds were to substantially become more supportive; If the rain gods were little

kinder to India. And if, we were to continue to move on the economic programme of Governments over the last 25 years - and a roadmap that the Governments in those 25 years themselves have taken- will this in itself be enough? The answer is unequivocally 'No' because growth itself will help to put up a lot of people who are either below the poverty line or fully not received the benefits but that pulling up process itself is not sufficient, and therefore, the Indian economic model goes a little further.

The model proceeds on the basis that are high growth rate which leads to a higher economic activity also provides economic resources to the State and the State must use these resources significantly for poverty alleviation and other developmental schemes so that it can pump up and add to those communities, those groups, those geographical regions where this progress itself has not reached. For instance, if we were to compare the eastern states of India with the western states of India, economic

activity in East is a little weaker than that of the West. Similarly we can trace out certain historically and socially disadvantaged groups, where the need to help them to get out of adverse economic situation needs to be much faster, and therefore, it is equally important that the benefit of this increased resource of the State is addressed to those segments where it can benefit and from the data that I have initially relied upon certainly there is a need amongst certain minorities, the Muslims in particular, that this advantage of the resource of the State benefits them in more than one ways.

Now I will broadly deal with some of the suggestions which I have in my mind. For example, last year we realized that the capacity of the State both in the Government sector and also the private sector to provide employment to all in a largely populated country is increasingly difficult, and therefore, the institution of people generating self-employment with capital must come-up. We launched what is called the "Mudra Scheme" and I found that

this is absolutely spectacular because in the first year itself- the year is still not complete- over two-crores new entrepreneurs have got these loans to start their own businesses. So artisans, craftsmen, many others have a huge benefit and data has shown that most of these loans have been taken by either women or other disadvantaged sections of the society because they are the ones who were erstwhile being either denied capital or capital was available at very exploitative rates, and therefore, now being available at the banking rates is a great facility. The other facility, it provides to them is that there is no collateral or security is asked for. So you can get a reasonable amount of loan to start a business or any art, craft or trade that you are involved in and we have seen that a large number of people as the data would indicate.

I just take you through the data that would indicate that large numbers of women, members of minority communities, people belonging to backward communities, etc. are the real

beneficiaries of the scheme of this kind. So, this year, I have decided to roll it over with 50 per cent more funds being made available. Last year, the total amount of funds available was One Lakh Twenty Two Thousand Crores and this year it's going to be over One Lakh Eighty Thousand Crores which is essentially to be pumped into this sector so that people can take these at reasonable rates, and therefore, be allowed to grow by themselves.

Now these are the kind of schemes which could be of extreme importance itself. I am not dealing with the usual facts which most of us are aware of - some positive facts which was announced during the last Government itself in the Prime Minister's 15-point programme - but I would tell something on the question of availability of credit which is a general concept 'availability to all' but how did this work out in the context of the minorities itself. The Reserve Bank of India mandated all scheduled banks to lend forty per cent of their advances to the

priority sector. Government advised the public sector banks to extend 15 per cent of this total priority sector to minorities.

The public sector banks achieved this target. And as on 31st December, 2015; 1.35 crore accounts were opened and more than 2.8 lakhs crore was lent to the minorities. Now that we are in March end, this figure would have increased. During 2014-15, the lending to the minorities was to the tune of about 2.69 lakh crores which was about 15.84 per cent of the total amount which was lent. In order to ensure improved financial services for the welfare of the minorities, the RBI then advised all scheduled commercial banking institutions to ensure that the minority secure fair and adequate measures of benefits flowing out of the Government's various sponsored credit programmes itself. The Pradhan Mantri Mudra Yojana was launched on the 08th April, 2015 with the objective to fund the unfunded- because these self-entrepreneurs were the unfunded section of India's society. In fact, figures indicated that structured large industry in India

gave employment to about 2 crore people and about 11 crore were those who were in the informal sector who had given themselves an employment, and therefore, this was an unfunded sector which required to be funded. As on 22nd March, 2016 which as of yesterday, under the Pradhan Mantri Mudra Yojana 38,63,861 accounts of minority community were opened and a total amount of 15,172 crore had been sanctioned to them.

Now this scheme as I indicated is going to be rolled over, and therefore, this is an area in which a large number of people belonging to the community itself have a potential to hugely benefit from the potential as far as the scheme is concerned. In terms of an educational empowerment, I think the schemes which have been run by the Government for some years like the pre-matric scholarship for minorities, the post-matric scholarship for minorities, the merit-cum-means scholarship for professional and technical courses, the free coaching and allied schemes etc., the interest subsidy on the loans which are taken, the Maulana

Azad National Fellowship for Minorities – these are all continued and I have the data, which I am glad to share with you, that this year, in the current budget, the amount sanctioned for all this is 25 per cent higher than it was in the 2014-15 budget. So the gradual increase which has taken place because of availability of higher taxation revenues with the Government has significantly improved.

I am, in addition, also conscious of the fact that schemes for skill development- because this is one area in which a large amount of aptitude has been displayed historically; and some of these skills which are in different regions which are of different kind, I think the preservation of these skills, the conversion of these skills into an economic opportunity and the further training of generation after generation- because some of these skills are for the larger benefit of the society itself- therefore, their preservation itself is extremely important.

I have finally two important thoughts to share in this regard. The first, which is really in the context of what happens that this is an idea that crossed my mind a few weeks ago, I came across a particular Report in the context of West Bengal which was released. I am only treating this as an illustrative example because this actually makes us aware of a lot of challenges. The Report is titled "Living Realities of the Muslims in West Bengal". Now when I cited all this, when I came across some of the data – the data itself appeared to give - in a State which has a very large minority population - a detailed analysis of the living conditions, which appeared to be extremely inadequate. Now, a State which has otherwise seen political stability; when I went through this entire data and it is a Report by Dr. Amartya Sen released in February, 2016. Why is it that in a State like West Bengal which had otherwise seen political stability since Independence except for a brief period between 1967 and 1971 and which had a sizeable minority population, the data should indicate a figure of living conditions which are far less than even

inadequate and one of the reasons that struck my mind was – Is it because in terms of growth of economy, the State followed a model where growth levels were not so fast enough?

And I think it is a question and as I will conclude this is a question which we must discuss to ourselves that even though you had a large population and political stability the growth rates were not adequate because the structural economic model which was followed was a structural model which did not ensure high growth rates and West Bengal even today continues to be a revenue-deficit State, despite being a major State, and therefore, that is really reflected in the fact that whereas post-1991 in most parts of the country, the economic condition of most communities improved – some faster than others, but why is it that the Report like this indicated something which was reasonably adverse?

And lastly, I cannot conclude without referring to one obvious fact. Today, we are passing through a phase where I

indicated that our own growth levels are significantly increasing. We have a potential to add to this. We have a potential to have additional resources to add to our disposal so that in terms of education, in terms of skill development, in terms of special assistances wherever there are holes and gaps, the same can be filled-up in relation to any particular minority if you are to add to its improvement of its growth level. We also have a fair share of our policy diversions and when I speak in terms of policy diversions it is true we are a functional and a live functional democracy, we are also a reasonably noisy democracy, and therefore, whereas the principal agenda really has to be to ensure the welfare of all, diversions do come up and some of them are extremely unpleasant diversions and I think the maturity of Indian society would be its ability to ignore these diversions, which come up from, which take us into a path, where we can ensure a harmonious relationship in the society and a growth process which benefits all.

The extent of maturity we are able to display in marginalizing these kinds of policy diversions, I think, would eventually determine the environment which we can create for a more prosperous India and an India in which every segment of the society itself gets an opportunity to grow.

I thank you very much, Sir, once again for the opportunity, you have given me.