

NO STATE-WISE MINORITY CLASSIFICATION, SAYS SC

Relevant for: Developmental Issues | Topic: Rights & Welfare of Minorities Incl. Linguistic Minorities - Schemes & their performance; Mechanisms, Laws, Institutions & Bodies

S.A. Bobde

Religion has no borders, Chief Justice of India Sharad A. Bobde said on Wednesday, as the Supreme Court dismissed a petition to recognise Hindus as minorities in the States where they are low in population.

The petition asked the court to frame guidelines to “identify and define” religious minorities in every State, especially where Hindus are in a minority, to protect their culture and interests. “The States have been carved language-wise. But religion is beyond all borders, especially political borders. It has to be taken on a pan-India basis,” the Chief Justice observed.

The observation came on a petition from advocate A.K. Upadhyay that said the Hindus were not declared a minority community in several States, and they were deprived of the benefits of the status. Attorney General K.K. Venugopal, for the government, submitted that Hindus were a minority in eight States.

For the purposes of Articles 29 (protection of the interests of minorities) and 30 (the right of minorities to administer educational institutions) of the Constitution, it was necessary that the religious and linguistic minorities be determined State-wise on the basis of the numeric proportions of various communities in each State, Mr. Upadhyay said.

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