

'MINORITY' TAG: CENTRE'S VOLTE-FACE IRKS SC

Relevant for: Developmental Issues | Topic: Rights & Welfare of STs, SCs, and OBCs - Schemes & their Performance, Mechanisms, Laws Institutions and Bodies

"States can also declare a religious or linguistic community as a minority community within the said State," the Ministry had said earlier.

In the "superseding" affidavit filed by the Ministry on May 9, it said the Centre alone was vested with the power to notify a minority community. The affidavit said Section 2(f) and Section 2(c) of the National Commission for Minorities Educational Institutions Act, 2004, and the National Commission for Minorities Act, 1992, respectively, passed by Parliament, empowered the Centre to notify a minority community.

The Centre, in the same second affidavit, however turned around to say it would still have to engage in a "wide consultation with the State governments and other stakeholders" before notifying any community as a minority. The "wide consultations" would avoid "any unintended complications in future with regard to such a vital issue", it reasoned with the court.

"You seem to have taken a U-turn from your earlier stand... You people have not been able to decide what you have to do... There is a lot of uncertainty. If you had wanted to consult, who was stopping the government of India... Taking different stands does not help. Consultations should have taken place before you filed your affidavits... We do not appreciate this," Justice Sanjay Kishan Kaul, leading a Bench including Justice M.M. Sundresh, lashed out at the government.

The court, however, for the time being acquiesced with Solicitor-General Tushar Mehta's request to give the Centre three months to hold the consultations. It posted the case on August 30 and directed it to file a status report three days before the court hearing.

[Our code of editorial values](#)

END

Downloaded from crackIAS.com

© **Zuccess App** by crackIAS.com

