

**Reservation Policy For Backward Classes
In Karnataka. 1972—1986.**

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INTRODUCTION

INTRODUCTION

Social and economic inequality constitutes an important characteristic of Indian society. Stratification and inequality were common to all social groups and efforts to lessen the resultant discrimination and exploitation were also recognised in most societies in various ways. Large sections of the Indian population suffered from many disabilities, the intensity of which depended on one's social status. The lower strata of the population have been subjected to the worst forms of discriminations and denied even the essential minimum opportunities to enjoy the basic conditions of life. Consequently, there remain identifiable sections of the population who are economically, socially and educationally backward.

As early as in 1918, Backward classes were identified in Mysore, on the basis of literacy in English. All castes and communities except the Brahmins were identified as backward. In 1930, the State Committee in Bombay recommended that the term "Depressed Classes" should be used in the sense of untouchables and the wider groups should be called Backward Classes, which was sub-divided into Depressed Classes, Aboriginal and Hill Tribes and Other Backward Classes.

However, in Madras and elsewhere the term "Backward Classes" was used to refer to the strata above the untouchables. As a result from the very beginning there was a certain ambiguity in the definition of Backward Classes. This ambiguity remained a problem even after independence.

B.R. Ambedkar, a leader of the Backward Classes, and the Chairman of the Drafting Committee of the Constitution, in his speech in the Constituent Assembly Debate stated that the authority for determining backwardness must rest with the respective state governments. According to him "a backward community is a community which is backward in the opinion of the government". The developments in the field of Reservation Policy shows that the term "backward classes" never acquired a definite meaning. At the same time the problem of social inequality and backwardness remained a serious issue confronting the government at all times.

The idea of equality of opportunity in the Indian context demands unequal treatment to unequal sections of the population. Hence, the Indian constitution applied the Principle of "Protective Discrimination" which found its concrete expression in the Reservation Policies for the deprived sections of the society. Attempts have been made

through constitutional provisions to lessen inequality which can be directly traced to social status which in turn was determined by caste identity. Dr. Ambedkar said class in the Indian context meant group of castes and the Backward Classes consist of certain castes.

Though the Scheduled Castes and the Scheduled Tribes are defined in the constitution, the "other backward classes" were not clearly specified. Nor does the constitution provide any specific criterion by which they can be identified. The constitution only directed that the State should make special provisions for the advancement of any socially and educationally backward classes of citizens and for the Scheduled Castes and the Scheduled Tribes (Article 15(4)). Besides this, Article 16(4) empowers the state to make provisions for the reservation of posts in favour of every backward class of citizens, those which were not adequately represented in the services of the state.

After independence, the Government of India made attempts to define and identify the Backward Classes and provide benefits to them. Several Commissions were appointed to examine the problem of economic and social backwardness and to identify the castes and communities deserving special treatment. However, these Commissions could not succeed in permanently resolving the controversy regarding the definitional criterion for backwardness. This task of finding an

acceptable definition was left to the states. Many states have since then been trying to solve this problem. It was difficult to evolve a uniform criteria to define backwardness as different states have different social structures and the problem of backwardness also varies from state to state.

The constitution initially provided for reservation for 20 years. However, since the problem of upliftment of the Backward Classes and the Scheduled Castes and the Scheduled Tribes was not easily achieved, the Reservation policy was continued. Some communities have benefitted from the Reservation Policy, where as others remained where they were. Corresponding to the developments taking place in the country's economic and social fronts the content of the Reservation policy was to be changed to provide new orientation and thrust to the policy.

The primary aim of the present study is to examine and analyse the reservation policy for the Backward Classes in the state of Karnataka during the period 1972 to 1986. The Reservation policy for Backward Classes has been an important policy issue in Karnataka from the beginning of the present century. But in recent years this has become even more salient issue in the politics of the state.

Karnataka ranks among the few states which made a pioneering effort to identify backwardness and provide special treatment for the Backward classes. Starting from the year 1918 to the present day, there has been continuous change in the Reservation Policy for Backward Classes. However, the year 1972 is taken as the starting point for the present study as it was from this year that the Reservation policy occupied a very prominent position in the state politics. A serious attempt to look into the problem of Backward Classes in Karnataka also began in the year 1972. A study of the developments in the successive years gives a clear picture of the change in the Reservation Policy over the years. The Reservation Policy for the Scheduled Castes and the Scheduled Tribes is not included within the framework of this study.

In Karnataka, the Brahmins are at the top of the social hierarchy, followed by the Lingayats, the Vokkaligas, Kshatriyas, Vysyas among others. Among them, the Lingayats and the Vokkaligas, are called the dominant communities as they are socially, politically and economically, the more influential groups. Besides Brahmins, they are a leading land owning community only next to the Brahmins. Since Independence, they have controlled the state apparatus and they still dominate the political scene in Karnataka.

Ironically, they too are considered backward in the State. Next in the hierarchy are the various other communities, most of whom constitute the other "Backward Classes" followed by the Scheduled Castes and the Scheduled Tribes who occupy the lowest rung of the ladder. The Scheduled Castes and Tribes and the Backward classes together form more than half of the State population.

Very few studies have examined post-Independence politics in Karnataka in general, and the Reservation policy in particular. Important studies on the state politics during the princely period were those of Lelah Duskins *Non-Brahmin Movement in Princely Mysore State (1974)*; James Manor's, Political Change in an Indian State, Mysore 1917-1955 (1977), S. Chandrasekar's Dimensions of Socio-Political Change in Mysore 1918-1940 (1977) and B. Hottne's, The Political Economy of Indirect Rule, Mysore 1381-1947 (1978).

Studies on the state politics and Reservation Policy in the recent years are very few.

The thrust of present study is to examine changes in the area of Reservation Policy in Karnataka, with special reference to the recommendations of various Commissions and changes in the criteria suggested by these Commissions and

its social and political implications for various castes and classes. The dissertation also attempts to assess who were the main beneficiaries of Reservation Policy in the State. Besides, the study analyses the politics of Reservation-Policy and the position and strategy of various groups. Particular emphasis is laid on the role of upper castes who have been sought to monopolise the benefits of reservation. An attempt is also made to see whether there was any change in the content of the Reservation Policy as a result of the political change from the Congress Party to the Janata Party. Some attention has also been paid to ^{the} issue of agitations following Reservation Policy.

The study is analytical in character and is presented on the basis of the primary and secondary source materials available in the libraries in Delhi, Bangalore and Mysore. This dissertation, has also relied heavily upon the various reports of the Backward Classes Commissions, newspapers and articles. Assembly Debates and State Gazetteers have also been consulted. Since the study is of recent period available data is more scanty.

The first chapter forms the background to the social, economic and political setting of the dominant

communities in general and the Lingayats and the Vokkaligas in particular. Since agriculture continues to be the primary occupation we would review the land legislations and trace how the Lingayats and the Vokkaligas emerged as economically and socially dominant. This in turn gave them an upper hand in state politics as well.

The aim is to comprehend the reservation policy in Karnataka from 1972 to 1986, but in order to effectively do so we need to acquaint ourselves with the policies prior to this period. Thus in the second chapter we would examine the reservation policies from the early period and the extent to which they were able to reach to the Backward Classes. It would provide a link to the successive chapters. The chapter also discusses within this perspective the problem of criteria to identify the Backward Classes, the attempt made by the centre to define Backwardness and the endeavour of the state in this respect. In particular, the Laslee Miller Committee of 1918 and the Nagan Gowda Committee of 1960 would be reviewed with an objective to discern the criteria adopted by them to define backwardness and the results.

Chapter three, concentrates on the reservation policies during the period 1972-1980 which was the period when Devraj

Urs became the first Chief Minister from a minority community in the State. During this period, serious attempts were made to re-examine the problem of backwardness. The chapter also discusses the changes that have taken place during this period, the Havanur Commission Report and its results.

Finally, chapter four discusses the reservation policy under Janata rule. The Venkataswamy Commission Report would be discussed along with the reasons for its rejection and the subsequent new reservation policy introduced by the government. This chapter clearly illustrates the politics behind the reservation policies.

CHAPTER ONE

Chapter One

SOCIAL, ECONOMIC AND POLITICAL BACKGROUND OF THE DOMINANT COMMUNITIES

This chapter attempts to understand the social, economic and political background of the dominant communities in Karnataka. Within these broader parameters we would trace the growth of increasing dominance of certain groups in Karnataka. We would also analyse the strategy through which economically and socially dominant communities came to monopolise the political power and derived the benefits of government legislation. This in turn would necessitate a survey of land relations and land legislation as agriculture is the main occupation in Karnataka. We would also briefly review the land system which has changed from time to time and the land legislations and its implementation over the years to see how far it benefitted the small land holders and landless labourers who are also, in reality, the Backward Classes.

As our study is confined to Karnataka it becomes imperative to discuss, in brief, its geographical specificity. The present Karnataka state, formerly called

Mysore, was constituted after the reorganisation of states on the linguistic basis in 1956. As a princely state, Mysore was under the indirect rule of the British. It was primarily ruled by the Maharaja's until its merger with the independent India in 1947.

The old Mysore state consisted of nine districts which included Bangalore, Chikmagalur, Shimoga and Thumkur. Bellary was transferred to the state from Madras in 1953. Subsequently the South Canara district and Kollegal Taluk of Coimbatore district were added. Raichur, Bedar and Gulbarga from Hyderabad also became part of Karnataka. From Bombay state, Karnataka got North Canara, Belgaum and Bijapur. Later, the centrally administered district of Coorg was added. Thus completed the present geographical identity of Karnataka. Presently, Karnataka has nineteen administrative districts having a total area of 191,791 sq.kilometers. This accounts for 5.83 per cent of the area of the country.¹ According to the 1981 Census the population of Karnataka is 37.04 million which accounts for 5.4 per cent of the country's population. The proportion of the urban population to total population was 29.29 per cent.

1 Census of India, 1981, Karnataka, Part II-A, p.63.

Karnataka is able to produce one of the diversified cropping patterns. Of these Jowar, Paddy, Cotton, Ragi and Groundnut are the major crops. Though it is estimated that 40 per cent of the cultivated area can be brought under irrigation so far only 15 per cent of the net area sown is under irrigation. Besides the rare forest products like Sandalwood and other timber varieties, the state is gifted with many mineral resources such as Iron ore Manganese ore and copper. Despite all these, the per capita income of the state was lower than the national per capita Income.²

Agriculture is the primary occupation of the state. Agriculture and related occupations provide livelihood for the majority of the people. Table-1 gives the occupational classification of castes in the old Mysore state.

2 G. Thimmiah and Abdul Aziz, The Political Economy of Land Reforms, Ashish Publishing House, (1984), p.15.

Table-1: Occupational Classification of Castes in the old Mysore State, 1897

Occupation	Caste	Percentage
Agriculture		33.69
(a) Military and dominant	Kshatriya, Mahratta Rachevar	
(b) Cultivators	Lingayats,* Vokkaligas, Tigala, Nayars and Pille	
(c) Forest and Hill Tribes	Lambani, Kolacha, Korama, Kadukuruba, Truliga	
Professionals	Brahmana, Satani, Natuva Bhat Raj, Dasai, Sanyasi, Gosayi, Biragi, Kanakkam, Koyast.	5.88
Commercial	Banagiga, Mudali, Lada, Gujarati and Jat	6.52
Artisan and village manual	Holaya, Akkasala, Uppara, Nayigara, Agasa, Kuruba, Mochi, Kanchugara, Jalagara.	37.99
Miner Artisans and Performers	Beda, Wodda, Jogi, Meda, Domba, Sudugadu Sidda, Gandaliga, Pandaram, Karma, Saniyar.	6.96

Source: Lewis Rice B., Mysore, A Gazettier Compiled for Government, 1897, vol.I, pp.224-31.

*Lingayats come under not only agricultural group, but also under professional and commercial groups. But agriculture is the main occupation.

Caste has played a major role in the social, political and economic life of Karnataka. Though caste was believed to have originated in the division of the people

on the basis of their occupation, it turned out to be hereditary and, in course of time, created rigid social groups based on kinship.³ The individuals' status came to be determined by their position in the social hierarchy. Traditionally the upper castes, namely Brahmins and other landowning dominant communities like Lingayats and Vokkaligas owned land while members of the lower castes earned their livelihood as tenants. Scheduled Castes and Scheduled Tribes constituted the majority of agricultural labourers. Thus, there was a clear relationship between the castes and landownership. This position has not changed substantially over the years. Even today the lower castes hardly own any land. The economic inequality created by the agrarian structure was reinforced by social inequality in agrarian relations.⁴

In Karnataka there are four major religious groups. They are the Hindus, Muslims, Christians and the Jains. Hindus constitute the major portion of the population. The Hindu social groups in the state were divided into four socio-economic and political groups. They were: (a) the Brahmins who constitute the dominant minority caste;

3 Ibid., p.10.

4 Ibid., pp.2-3.

(b) The Vokkaligas and the Lingayats, the dominant majority caste; (c) other non-Brahmin castes like Kurubar, Nayakas, Thigalas, Bedar, Fishermen, Barbaras and Potters who constitute the non-dominant minority backward castes and (d) The depressed castes which include the Scheduled Castes and the Scheduled Tribes.⁵ Before proceeding further it is necessary to have a clear idea of the constitution of the dominant communities of the state.

The 'Vokkaliga' in the strict sense meant the cultivators excluding those who tend animals. Vokkaligas were not a single community. They consisted of ^a number of castes of cultivators listed separately from one another under an occupational holding. Over the years the purely occupational definition of the category was given up and they came to be considered a single caste. The six main subsections of the castes were Gangadikara, Morasu, Kachatiga, Reddy, Halu Vokkaliga, Hallikara. Inclusion of the Reddy, the Telugu group, indicated that language barriers did not count in determining the caste identity. The Kachatiga and the Hallikara sects were deleted from the Vokkaliga community in the 1921 and 1941 Census respectively.⁶ Since

5 Ibid., p.19.

6 James Manor, Political Change in an Indian State, 1917-1955, Manohar Book Service, 1977, pp.34-36.

Vokkaligas consisted of many castes of similar occupation the term community rather than caste fit them well.

The Lingayats were a sect developed from the Bakti movement in the 12th century which was essentially a revolt against Brahmanism. Lingayat shared a distinct body of religious and ethical teachings. They abandoned the Hindu rites of purification and opted for vegetarianism and were served by separate priesthood which refused to recognise the authority of the Brahmins. Ironically the Lingayat movement (also known as Virashiva movement) which preached casteless society ultimately commenced itself as a caste. The main occupational classification among them were the Priests, Merchants, and Agriculturists. Their main occupation was agriculture. The main section of Lingayats are Jangamas (Priests), Banagigas (Merchants), Nonabas, Sadars and Gowdas (cultivators).⁷

The Brahmins traditional occupation was study of the vedas, offering sacrifices and teaching. They traditionally held the post of village accountants also. Brahmins had higher rate of literacy than any other community. They were the first to migrate to the towns in search of

7 Ibid., pp.36-37.

employment and education, after entrusting their lands to the Lingayats and the Vokkaligas, and the Brahmins became the absentee landlords. As a result the influence of Brahmins declined in the rural areas. Nevertheless, they established themselves in the towns. They were the first ones to take to English education and government service offered by the British. British rule helped them to take to western education and to enter new professions. Thus they came to monopolise three fourth of the state bureaucracy.

The Brahmins, though were socially at the top of the hierarchy and economically powerful, were numerically insignificant. So they were not capable of wielding any political power in the state. Lingayats and Vokkaligas were numerically large enough for controlling political power. They were, also economically and socially powerful. The minority backward castes were economically and socially backward and their influence in the political field was also insignificant. Depressed classes were the economically and socially exploited groups.⁸

In Karnataka majority of the people lived in rural areas where the Vokkaligas and the Lingayats dominated all

8 G. Thimmiah and Abdul Aziz, op.cit., p.19.

fields of life. James Manor points out that the dominance of the Vokkaligas and Lingayats in the rural areas was the result of a combination of factors. Their landholdings though modest, were, nevertheless, substantially high compared to those of other communities. This offered them greater wealth which enabled many of them to engage in small scale agricultural entrepreneurship and money-lending. In addition they held positions of the powerful hereditary village heads in many of the villages from early 19th century. In 1935, the Vokkaligas controlled 47.3 per cent of village headmen while the Lingayats held 30.6 per cent.⁹

The Lingayats and Vokkaligas gradually became aware of the Brahmin dominance in education and bureaucracy. This awareness substantially led to the emergence of the non-Brahmin Movement in the 1920s.¹⁰ The Indian National Movement which was gaining momentum during this period found its supporters in the Mysore state also. Initially the Brahmins dominated the movement led by the Congress. The Lingayats and the Vokkaligas, however, realized that

9 James Manor, op.cit., pp.30-31.

10 This point will be discussed elaborately in next chapter.

it was necessary for them to join the Congress to gain political power and hence they participated actively in the movement. Quiet rapidly, they outnumbered the Brahmins and began to dominate the politics of the state. With the independence the Vokkaligas who were numerically larger than the Lingayats slowly began to control the state apparatus while the Lingayats became their junior partners. This caste balance continued till the reorganisation of the state in 1956.

We have discerned a close relationship between the social, economic and political factors. The communities which had a higher status socially were economically well to do and they were able to dominate the political field also. Since agriculture is the main occupation it is important to analyse the land system in the state and the changes that have taken place from time to time. This would help us to understand the extent of the economic and political influence of the dominant communities.

Early Land System In the State

As early as the Vijayanagara period (14th to 16th Century) ^{A.D.} land owning system consisted of Paligars and Nayagars. The Paligars were defeated chieftains who remained vassals and paid tributes to the victorious kings. They

were the powerful representatives of the sovereigns. Subsequently, they emerged as the landed aristocracy of the country. Ayagars consisted of twelve hereditary officials. Under them were Shambhags and Gowdas who were responsible for keeping accounts for each village and maintaining the law and order. The Shambhags, who were Brahmins, and the Gowdas had considerable power to exploit the raiyets with higher rent and other unjustified exactions. The raiyets and landless labourers ^{who} belonged to the lower castes were at the mercy of these village officials.¹¹

Later during Hyder Ali's period a few Brahmin officials called Karakaras were appointed in each districts to look into the grievances of the raiyets. But the oppressed raiyets did not get any relief under these Brahmin officials.¹² Diwan Poorniya (1811-1813) introduced Kayamgutta permanent village settlement. In practice it meant permanent tenure and low assessment. Most of the Inam lands given by the rulers were held by the Brahmins. Here again the Gowdas were in charge of collecting revenue for the government.¹³

11 P.T. George, "Land System Laws in Mysore State", Aitha Vijnana, March-June, 1970, vol.12, pp.117-118.

12 Ibid., p.123.

13 Srikant Dundappa Holer, Some Changing Aspects of Agrarian Relationship, pertaining to Scheduled Castes and Scheduled Tribes of modern India. A sociological study with reference to Karnataka State (Post-Independence Period), Dissertation, submitted to JNU, 1978, p.53.

The above account of the pre-British land system revealed the monopoly enjoyed by the higher castes in the land system. The government officials who were appointed to manage the land system belonged to the higher castes. During the Vijayanagar period, the Shanb^hags and the Gowdas along with the Paligars were very powerful in the rural areas. The lands of the poor raiyets who could not pay the heavy rent imposed on them were confiscated by the village officials. Hyder Ali made an attempt to ameliorate the grievances of the raiyets by appointing two Brahmin officials to each districts. The poor tenants, who belonged to the lower castes were at the mercy of the Brahmin officials who held such offices owing to their high status in caste hierarchy. They also held large share of the Inam lands. The officials exploited the raiyets by imposing high land rent and monopolizing lands. The lower castes did not own any land and were either poor tenants or landless labourers. Nothing was done to help the poor labourers.

The British administrators adopted different method of revenue collection. The three basic land revenue system introduced by them were: the Zamindari system; Ryotwari System and the Mahalwari system. All the three served the same ends and that was to perpetuate the exploitation of

the peasantry.¹⁴ The Zamindari system was mostly prevalent in the North. Ryotwari system was applied for the South Indian states. Both the Ryotwari and the Inamdari system prevailed in the Mysore state. Under Ryotwari system the raiyet was directly under the control of the state. Land revenue was assessed on each separate holdings held by the raiyet. Raiyets were recognised as proprietors which meant they could sublet, mortgage or transfer the land by gift or sale. They could not be ejected so long as they paid a fixed assessment.¹⁵

In the princely state of Mysore, the bulk of the land belonged to the ruler. The tenant on government land possessed the right of completely alienating their holdings and consequent to the development of commodity money relations a fairly substantial percentage of the land gradually passed into the hands of landlords and the upper stratum of the peasantry.¹⁶

Inamdari system was one of the oldest land revenue system prevailed in the state. Inam was a gift of land to a person or a religious institution, for the services ren-

14 Gregory Kotovsky, Agrarian Reforms in India, People's Publishing House, 1964, p.2.

15 Bhawani Sen, Evolution of Agrarian Relations in India, People's Publishing House, 1926, p.66.

16 Gregory Kotovsky, op.cit., pp.14-15.

dered to the ruler or the government. Inamdar was the owner of Inam lands. The Inamdar generally could not dispossess the actual cultivator but they could collect the full revenue from the cultivator and pay land revenue to the government at favourable rates.¹⁷ In 1921 the majority of the 89 biggest Inam holdings were owned by the Brahmin individuals and institutions. The two biggest holdings (Jagirs) belonged to Diwan Poorniyas family and other to the Sringeri Matt. The Sringeri Matt had 4,452 sq.miles of lands. Both the Lingayat and Brahmin Mathis had Inam lands.¹⁸ The Inamdars coming from the upper caste never cultivated their land. They were cultivated by the raiyets of the village.

For the first time in 1864 the British government made an attempt to enquire into the bonafides of the Inams. For this an Inam Commission was set up. As a result the Inam rules were enforced. The main result was the enfranchisement of valid Inams. In the year 1888 Land Revenue Code was introduced to regulate the relationship between the Inamdar and their tenants. There was no

17 Dharma Kumar, Land and Caste in South India - Agricultural Labour In the Madras Presidency During the Nineteenth Century, Cambridge University Press, 1965, pp.12-13.

18 Lelak Dushkin, Non-Brahmin Movement in Princely Mysore State, unpublished Doctoral Thesis for University of Pennsylvania, 1974, p.44.

provision in the Code to protect the tenants from exploitation of the alienated areas.¹⁹ However, the Inamdars' interests were sufficiently taken care of. Confirmed by the British in the rights as private owners of the lands, the members of the upper stratum became landlords. At the same time, a good part of the peasant raiyets, crushed by the weight of colonial exploitation lost their lands to the landlords, the moneylenders and traders.²⁰ The tenancy regulations under the colonial rule were favourable to the landowners. Landowners belonging to the upper stratum became more powerful and continued to exploit the poor sections.

Brahmins who held Inam lands were basically absentee land lords. Their lands were cultivated by tenants who belonged to the cultivating castes such as the Vokkaligas and Lingayats and the landless castes like the Backward minority communities and the Harijans.²¹ With independence the Lingayats and the Vokkaligas started controlling the political power under the Congress Party. But they had to depend upon tenants and landless labourers for votes.

19 P.T. George, op.cit., p.153.

20 Gregory Kotovsky, op.cit., p.7.

21 G. Thimmiah and Abdul Aziz, op.cit., p.47.

Keeping this in view starting from 1947, series of attempts were made to bring about land reforms.

In August 1948, Gundappa Gowda Committee was appointed to consider the abolition of the Inam holdings and to bring about regulation in the land holding system. The Committee's recommendations were implemented when the Mysore (Personal and Miscellaneous) Inam Abolition Act was passed in 1954. The Committee came to the conclusion that the Inam villages were among the most backward areas of the state. The 1954 Act left out the minor Inam land holders. A permanent tenant to be registered as landowner had to pay a premium apart from the land revenue. The lands of Shambhags and Patels who belonged to the upper castes were excluded. A limit was set on the ceiling of land held by Inamdars which did not deprive them of holding land. In most cases the Inam lands were cultivated by the Lingayats and Vokkaligas. They were the actual beneficiaries from the Act and subsequently became the landowners. In 1955 the Mysore (Religious and Charitable) Inam Abolition Act was passed which covered all religious Inams including the Shringeri Jagir.²²

Land Reforms was another arena for political manoeuvrings. The political leaders used Land Reform Legislations to bestow favours on their own respective caste men. In 1956, with the State reorganisation, there was need for Common Land reform legislation all over the State. The reorganisation contributed to changes in the political field as well. The merger of the Lingayat dominated areas of the Deccan Plateau into the Mysore State altered the caste balance. The Lingayats became numerically larger than the Vokkaligas. From 1956 to 1972 all the Chief Ministers belonged to the Lingayat community, and the Congress Party continued to be dominated by the Lingayats and Vokkaligas.

After the reorganisation a Committee was appointed in 1957 under the Chairmanship of B.D. Jatti to recommend appropriate Land reform measures. The recommendations of the Committee was later translated into an Act of the Legislature namely the Land Reforms Act 1962. This Act essentially favoured the Land owning classes. Most of the owner cultivators belonged either to the Lingayats or the Vokkaligas. Statistics shows the dominance of tenancy in the Kannada Districts. It was 55.4 per cent in the Dakshina Kannada district and 68.2 per cent in the Uttara Kannada

district. According to the official statistics between the two agricultural Census of 1961 and 1971 tenancy declined from 29.8 per cent to 11.2 per cent. But this process was not uniform all over the state. Of the three districts with high tenancy rates Dakhina Kannada, Uttara Kannada and Shimoga, only in Shimoga tenancy declined. Still in 1971 there were 3,97,000 tenants of whom 233,000 were pure tenants with no land of their own and the remaining 164,000 were mixed tenants.²³

Provisions in the 1962 Act for reserving land for self-cultivation was only an excuse for big landowners to reserve their lands. The small land holders who had leased their land due to poor conditions of cultivation, like lack of equipment, were the losers. As far as the distribution of surplus land to the landless was concerned, the government did not achieve any success. Landless labourers and poor tenants remained as they were. The basic motive behind the land reform legislations was the mobilization of political support. The poor tenants landless labourers and small holders, however, did not realize the politics behind it. The pre-1972 Congress-

23 Theodore, Bergman, Agrarian Reform in India with Reference to Kerala, Karnataka, Andhra Pradesh and West Bengal, Agricole Publishing House, 1984, p.91.

governments did not do much to improve the conditions of the deprived sections of the state. A sincere effort in this regard was made by the Devaraj Urs Government which came to power in 1972 after the 1969 split in the Congress Party.

As Devaraj Urs did not belong to either of the two dominant communities, the Vokkaligas or the Lingayats, pressure from these landed interests was considerably low compared to the previous governments. It was in this background that the Land Reforms Act, 1974 was adopted.

Several studies on land reforms have demonstrated that stricter tenancy abolition rules worked in favour of the economically stronger land holders, who had leased in small plots of land from poor peasants who could not cultivate it on their own. A provision in the 1974 Act that an adult son could claim land - for himself gave an opportunity to those families which had many adult sons to claim land far exceeding the ceiling. The Act did not touch the earlier clause that apart from the land he already had, an actual owner of land was also entitled to claim more land as a tenant. The privately irrigated land received further concessions. A farm with the best quality of land and fully irrigated through private sources now

faced a ceiling of 25 acres. This was hardly any reduction from the earlier limit of 27 acres, fixed by the 1962 Act.²⁴

The implementation of the 1974 Act had noticeable impact only in the two coastal districts of Dakhina Kannada and Uttara-Kannada with the former showing 84 per cent and the latter showing 83 per cent. Government efforts in the distribution^{of} surplus land to the landless was more or less a failure. In the two northern districts of old Mysore, Shimoga and Chitradurga, and further north in the inland district of Bombay the problems still remained. In these districts an average of 49 per cent of the actual population in agriculture was landless labourers in 1971. By 1979 land was distributed to only 0.3 per cent of the population.²⁵ As was provided by the Act, Tribunals were set up to settle land disputes. Corruption was rampant in the Tribunals. In effect, the Land Reforms Act of 1974, did not rise to solve the problem of landless labourers. It also did not in any way seriously affect the interests of the dominant classes.

24 Narendra Pani, "Reform to Pre-empt Changes: Land Legislation in Karnataka", pp.45-49, in A.R. Rajapurohita, (ed.), Land Reforms in India, Ashish Publishing House, 1984.

25 James Manor, "Pragmatic Progressives in Regional Politics: The Case of Devaraj Urs", Economic and Political Weekly, Annual Number, February 1980, p.23.

The State of Karnataka was the stronghold of the Congress Party since independence. The two dominant communities, the Lingayats and the Vokkaligas together controlled the Congress Party and the government. Being the land-owning classes they enjoyed economic power along with the Brahmins. The early land owning system in the state clearly showed their pre-eminence. The rivalry between the Brahmins on the one hand and the Lingayats and the Vokkaligas on the other, for economic and political power was apparent at many levels. This was intensified in the 1920s and the 1930s. The Inam Abolition Act did not affect these two communities as land was mostly held by the Brahmins.

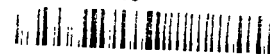
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The Land Reform Legislation of 1962 did not affect the land-owning classes. Much was expected to come out of the 1974 Land Reforms Act as by then there was a considerable decline in the power and influence of the Lingayats and the Vokkaligas in the state machinery and the Congress Party. But even this legislation failed to improve the condition of the small holders, poor tenants and landless labourers who belonged to the Backward Classes.

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CHAPTER TWO

Chapter Two

RESERVATION POLICY TILL LATE 60s

The present chapter will discuss the Reservation Policy in Karnataka upto the late 1960s. Karnataka was among the first states which made an attempt to examine the problem of backwardness within its cultural zone. We would survey the constitutional clauses that talk of backwardness and move on to a discussion of the various commissions that were set up by the state government in order to look into this problem.

Attempts have been made towards the upliftment of the 'weaker sections' and the 'downtrodden' groups by providing them protection through constitutional means. It was realized that if the principle of equality of opportunity was strictly implemented it would create a situation where weaker sections would not be able to compete with others. Hence, the Indian constitution incorporated the policy of 'protective discrimination' both with regard to Scheduled Castes and Scheduled Tribes and the other Backward Classes to provide them an opportunity for education and employment.

The Articles 15(4) and 16(4) of the Constitution deals with the special provisions for Backward Classes and Scheduled Castes and Scheduled Tribes. Article 15(1) embodies the general principle of non-discrimination in all matters based on religion, caste etc., whereas clause (4) of the Article is an exception to the general rule laid down in Article 15(1). It empowers the state to make special provisions for the advancement of any socially and educationally Backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes. Article 16(4) also provides an exception to the general principle of non-discrimination in matters relating to the employment or appointment of any office under the state embodied in Article 16(2). Under Article 16(4) the state can make provisions for the reservation of appointments or posts in favour of any Backward Class of citizens those of which are not adequately represented in the services of the state.¹

Further, Article 340 of the constitution provides for the appointment of a Commission to investigate the condition of the Backward Classes. It says that: (1) "The President may by an order appoint a Commission consisting of such

1 B.A.V. Sharma, "Development of Reservation Policy", in, B.A.V. Sharma and Madusudan Reddy (ed.), Reservation Policy in India, Light and Light Pub., 1984, pp.12-13.

persons as he thinks fit to investigate the conditions of socially and educationally Backward classes within the territory of India, the difficulties under which they labour and to make recommendations as to the steps that should be taken by the Union or any state to remove such difficulties to improve their conditions and also to the grants that should be made for the purpose by the Union or any state and further the conditions subject to such grants should be made, and the order appointing such a commission shall define the procedure to be followed by the Commission". (2) "A Commission thus appointed shall investigate the matters referred to them and present to the President a report out of the facts as found by them and make such recommendations as they think proper". (3) The President shall cause a copy of the report so presented together with a memorandum explaining the action taken thereon to be laid before each house of the Parliament.²

The above provisions of the constitution regarding Backward Classes shows that the policy toward Backward

2 G. Ratna Revankar, The Indian Constitution, A Case Study of Backward Classes, Foinleigh Dickinson University Press, 1971, p.65.

Classes was ^{not} clearly defined by the Constitution, in contrast to the position on the Scheduled Castes and Scheduled Tribes which was clearly set out in the constitution. The term 'Backward Class' has no specific definition or meaning. Marc Galanter notes that the category "had a variety of referents, it had shifted rapidly in meaning and had come to mean different things in different places".³ Generally, the Backward Classes roughly include "The list which tends to converge on something like the second and third quintiles of the population (assuming ^{that} the Scheduled Castes and Tribes make up roughly the lowest quintiles)".⁴

Article 16(4) of the Constitution states that provisions can be made for any Backward Classes of citizens. Likewise, Article 15(4) specifically states that provision can be made for the advancement of any socially and educationally Backward Classes. Thus, according to this Article, a Backward Class should necessarily be socially and educationally backward to be given any benefits.

Even at the All India level, the term Backward Classes has never acquired a definite meaning. In order to find a

3 Marc Galanter, "Who are other Backward Classes"? An Introduction to Constitutional Puzzle, Economic and Political Weekly, October 28, 1978, p.1812.

4 Ibid., p.1821.

solution to a number of complex problems regarding the definition, the Government of India appointed a Backward Classes Commission in 1953 under the Chairmanship of Kaka Saheb Kanglekar. The primary purpose of appointing this Commission was to evolve a uniform criteria to define backwardness at an all India level. The Commission was asked to determine the criterion to be adopted with regard to any section of the people characterised as socially and educationally backward. It was also to ascertain the conditions and difficulties under which they labour and live and in terms of the above, to recommend steps that should be taken to improve their conditions.⁵

The Commission evolved the following four point criteria for the determination of backwardness: (1) Low social position in the traditional caste hierarchy of Hindu society; (2) lack of general educational advancement among the major sections of a caste and community; (3) inadequate or no representation in government service; and (4) inadequate representation in the field of trade, commerce and industry.⁶ The Commission accepted caste as

5 Report of the Backward Classes Commission, Government of India, 1955, vol.1, pp.2-3.

6 Ibid., p.166.

the determining factor in designating the Backward Classes. At the same time Chairman in the covering letter of the report^{expressed} his unhappiness in adopting caste as the criteria. The Commission found it difficult to avoid caste in the then prevailing conditions.⁷ It related social and educational backwardness to social hierarchy based on caste. The government felt that the Commission failed to evolve a reasonable and workable criteria. It was therefore not surprising that the report was rejected. The initial attempts by the government to find a uniform criteria to define backwardness thus resulted in using caste as the basis for identification of backwardness.

After the failure of the first Backward Class Commission, the Centre made no concrete attempts to evolve a uniform criteria until December 1978. The Janata Government, which came to power after the emergency appointed another Backward Class Commission under the Chairmanship of B.P. Mandal. The Commission was asked to determine the criteria for defining the socially and educationally Backward Classes and to recommend steps that should be taken for their improvement and also to make provisions for

7 Ibid.

reservations in appointments of posts in favour of such backward classes.⁸

The Mandal Commission like the Kalekar Commission, justified and reinforced caste as the criteria to identify backwardness. The Commission felt that lower castes were socially, educationally, politically and economically backward. On the other hand, it was felt that the higher castes were advanced vis-a-vis the lower. "The basic cause of this phenomenon was the higher or lower rank of a particular caste in the ritual hierarchy".⁹ Caste came to be looked upon as the fundamental unit of social organisation of the Hindu community. A separate criteria for the Hindu community and the non-Hindu community in backwardness manifested itself accordingly. All untouchables converted to any non-Hindu community and those occupational communities which were known by the name of their traditional hereditary occupation, and whose Hindu counterparts have been included in the list of other Backward Classes, were also included in the Backward Classes.¹⁰ Thus all the attempts by the Centre to evolve a criteria to identify backwardness ended

8 Report of the Backward Classes Commission, Government of India, 1980, vol.1, p.vii.

9 Ibid., p.17.

10 Ibid., p.56.

up using caste as the basis for its determination, notwithstanding the fact that caste itself was responsible for social subordination of backward groups.

Not surprisingly, this did not resolve the controversy regarding the definitional criterion for backwardness. The failure of the Centre left the task of finding an acceptable definition to the States. Many States have been trying to comprehend and resolve this problem of backwardness. In 1951 the Supreme Court in *State of Madras vs. Champakam Dorairajan* case overturned the legal foundation of the communal quotas of reservation which prevailed in South India. It struck down reservation in educational institutions. At the same time, the Supreme Court in the *Venkataraman vs. State of Madras* struck down the quota fixed by the Madras government in government posts to all groups other than Scheduled Castes and "Backward Hindus", confining possible recipients to those who could qualify as 'Backward Class' as provided in article 16(4). This decision led to the First amendment of the Constitution which added article 15(4) to the Constitution.¹¹

11 Marc Galanter, *op.cit.*, pp.1815.

History of reservation policy for backward classes in the state of Karnataka goes back to the early twentieth century. The Laslie Miller Committee was appointed in response to the non-Brahmin movement against the dominance of Brahmins in the state services. A brief resume of the non-Brahmin movement is necessary before we turn to the Laslie Miller Committee.

The Brahmins were the first to respond to English education offered by the British. This enabled them to capture the new professions. They also monopolized the administrative posts and this resulted in resentment from other communities. From 1881, politics in Mysore was influenced by the neighbouring states' administrative and educational developments. This was reflected in the preference of Brahmins educated in Madras for various appointments in the Mysore State. It was largely the Brahmins from Madras who were appointed as Diwans. These Brahmins were opposed by those of Mysore.

While the educated strata was engaged in the Madrasian-Mysorian conflict, the wider majority of the uneducated social groups were gradually also awakened to the state of their backwardness. These sections mobilized themselves into pressure groups.¹²

12 S. Chandrashekar, Dimensions of Socio-Political Change in Mysore, 1918-1940, Ashish Publishing House, 1985, p.6.

The Lingayats and the Vokkaligas, were in the forefront of the non-Brahmin movement. They formed the "Mysore Lingayat Education Fund Association" in 1905 which became the forum for representing the Lingayat grievances. Simultaneously the "Vokkaliga Sanga" was established in 1906 for the same purpose.¹³

However, these associations were neither political in nature nor were they well organized. The maintenance of an overall caste or class pressure against discrimination in educational aid to students and opposition to the Brahmin dominance formed the thrust of their activities. The membership of these associations was limited to urban and educated groups who were in a minority. These urban and educated groups represented the whole Lingayat and Vokkaliga community.

However, the developments in Madras encouraged non-Brahmins to pursue their interest with greater vigour. The rise of the Justice Party movement in Madras impelled them to voice their grievances fervently against the Brahmin dominance in the government service and education. In 1918, Brahmins who formed 3.6% of the population held

13 James Manor, Political Change in Indian State of Mysore, 1917-1955, Manohar Book Service, 1977, p.43.

69.3% of the services; Christians with a population of 1.2% held 3.9%; Muslims with 5.7% population held 7.7%, and finally Vokkaligas, Lingayats and Kuruba, the three non-Brahmin communities with the largest population of 40.4% held only 6.3% of the state services.¹⁴

Table-2 gives a caste-wise composition of the Bureaucracy in the former Mysore State as on June 30, 1918.

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14 Lelah Dushkin, The Non-Brahmin Movement in Princely Mysore, unpublished thesis, University of Pennsylvania, 1974, p.101.

Table-2: Caste Composition of Bureaucracy in Former Mysore State as on June 30, 1918

Caste/ Community	No. of emplo- yees getting salary about Rs.250 Class I	% of total of Class I	No. of emplo- yees getting salary between Rs.100- Rs.250 Class II	% of total of Class II	No. of emplo- yees getting salary Rs.100 & below Class -III	% of total of Class -III	Total emplo- yees in Govt. service all the three classes	% of Total of Three Classes
Brahmins	240	64.87	362	74.79	9,110	69.59	9,712	69.65
Kshatriyas	009	02.43	005	01.03	0,206	01.57	0,220	01.58
Vokkaligas	004	01.08	004	00.83	0,330	02.52	0,338	02.42
Lingayats	007	01.89	010	02.07	0,487	03.72	0,504	03.61
Mudaliars	007	01.89	019	03.92	0,351	02.68	0,377	02.70
Other Hindus	031	08.38	016	03.31	0,954	07.29	1,001	07.18
Depressed castes	--	--	--	--	0,165	01.26	0,165	01.18
Muslims	016	04.33	017	03.51	1,045	07.98	1,078	07.73
Christians	015	04.05	007	01.45	0,375	02.85	0,395	02.83
Europeans & Anglo Indians	041	11.08	044	09.09	0,071	00.54	0,156	01.12

Note : These data exclude Class-IV Employees.

Source: Report of the Committee appointed to consider steps necessary for the adequate representation of communities in the public service, Mysore, 18 July 1919, p.20, cited in G. Thimmaiah, & Abdul Aziz, Political Economy of Land Reforms, Ashish Publishing House, (1984), pp.52-53.

In 1917, the first non-Brahmin political association known as the 'Praja Mitra Mandali' was established. C.R. Reddy, an ardent champion of non-Brahmin cause in Madras and a Professor at Maharaja College Mysore, was successful in encouraging a handful of Lingayats, Vokkaligas and Muslim leaders to form the association. He arranged for a delegation of 'Praja Mitra Mandali' leaders to present a formal plea to the Maharaja on 24th June 1918 to grant concessions to the non-Brahmins.¹⁵

In response to the delegation, the Maharaja appointed the Laslie Miller Committee under the Chairmanship of Justice Laslie Miller. In doing so the government accepted that the Brahmin communities had an overwhelming representation in public service. Consequently, it was important to take steps to increase the representation of other groups.¹⁶

The Committee consisted of six members. Of them, C. Srikanteshwara Iyer and C. Ranga Iyengar were Brahmins. The other members were drawn from Lingayats, Vokkaligas, minor castes and Muslims. The Committee submitted its report in 1920 and the government ratified it in 1921.

15 B. Hettne, The Political Economy of Indirect Rule, Mysore 1881-1947, Curzon Press Ltd., 1978, pp.143-144.

16 Report of the Committee Appointed to consider steps necessary for the Adequate Representation of Communities in Public Service, Mysore, 1919, p.1.

The Committee defined backward as those castes or communities which had less than 5 per cent literates in English under a general category of castes or communities enumerated in the Census report of 1911. The Indian Christians, Mudaliars and Pillai communities were also included in the backward classes by virtue of government order, even though they did not fall under less than 5 per cent ^{English} literates category. The committee recommended that within a period of not more than 7 years, two-thirds of the lower appointments in each grades of the service and as far as possible in each office were to be given to communities other than the Brahmins.¹⁷

The criteria adopted to identify backwardness was literacy in English. Dushkin pointed out that the Committee made no efforts to distinguish between different Backward Communities. It is highly significant that literacy in English was the criteria and no other standard either of material condition or of traditional caste ranks was even considered.¹⁸ All those communities who were not adequately represented in the public service other than Brahmins were considered Backward. The report, as was

17 Ibid., pp.1-2.

18 Lelah Dushkin, op.cit., pp.96-97.

expected, provoked a strong reaction from the Brahmins. Definition of literacy in English excluded Brahmins from any benefits of reservation. On the other hand, the Miller Committee failed to identify forward communities among non-Brahmins. By clubbing all the non-Brahmins together and identifying them as backward, the economically and socially dominant among the non-brahmins were the important beneficiaries. The illiterate and poorer sections of the population who belonged to the lower strata of the social hierarchy were not in a position to compete with the dominant communities, derived hardly any benefit from the Committee's recommendations.

The Progress Report of the Central Recruitment Board regarding the first ten years of the Miller Order 1921-1930, reveals that the Brahmin representation in lower gazetted posts was reduced, however, their representation in the upper gazetted posts went up. The proportion of Brahmins in the upper gazetted and non-gazetted, ministerial and executive services increased gradually from 30.7% in 1918 to 42.7% in 1928, 45.9% in 1930 and 47.6% in 1933. Not surprisingly, in the gazetted posts, the proportion of non-Brahmins decreased from 35% in 1918 to 30% in 1930, but it went up subsequently even though the progress was rather slow.¹⁹

19 Ibid., p.248.

The two communities which gained most substantially were the Lingayats and the Vokkaligas. As far as the gazetted posts were concerned, the Lingayat percentage went up from 2 per cent in 1948 to nearly 13 per cent in 1956 and that of Vokkaligas from one percent in 1918 to 10 per cent in 1956.²⁰ At the university level, during the five year period between 1914-1918 and 1921-1922, the total scholarships awarded to the Backward Classes were 299, out of which 69 went to the Lingayats, 52 to Muslims and 31 to the Vokkaligas.²¹ In 1940-41, 629 Backward Class scholarships were awarded to students in High Schools of which 104 went to Lingayats and 189 to the Vokkaligas. Thus these two communities, forming roughly one third of the high school students, obtained nearly one half of the Backward Class scholarships.²² The benefits, it should be noted, mainly went to the landowning classes. The Lingayats and the Vokkaligas, succeeded in undermining the Brahmin dominance and, thus, became the chief beneficiaries. The Miller Committee report impeded the advancement of Brahmins and served to accelerate the progress of non-Brahmin caste Hindus.

20 B. Kuppaswamy, *Backward Classes Movement in Karnataka, Prasaranga, Bangalore University, 1978, p.62.*

21 Lelah, Dushkin, *op.cit.*, p.113.

22 B. Kuppaswamy, *op.cit.*, p.63.

From the late 1920s and early 1930s there was a lull in the political mobilization of caste associations. Even the early associations started to decline. There emerged conspicuous infightings in the non-brahmin associations. C.R. Reddy who had inspired the movement resigned to join politics in Madras.²³ Besides, he was primarily interested in the politics of Madras. He organized the Mysore chapter of the Justice Party. But this could not be called a movement. It was just an association of two upper caste groups, unlike the Justice Party in Madras which was dominated by zamindars, powerful lawyers and public figures drawn from various sections of Malayalees, Telugus and Tamils.

During the years 1926-28 certain events took place which initiated a new phase in the non-Brahmin movement. In 1926, Mirza Ismail became the Diwan of Mysore, who also happened to be a close friend of a Muslim leader in Bangalore. The non-Brahmin Hindus feared that the Muslims would get more organized under the Ismail's regime. These fears were aggravated by the 1928 communal riot²⁴ in Bangalore. This led to the Hindu-Muslim polarization.²⁵

23 James Manor, op.cit., p.60.

24 The immediate provocation for the communal riot was provided by Abbas Khan, President of Bangalore Municipal Council, popularly associated with Diwan Mirza Ismail, through whose influence got the Ganapathi image, installed opposite to his house, removed. This was interpreted by Brahmins as an insult on Hinduism. Consequently in July 1928 open clash broke out between Hindus and the Muslims.

25 B. Hattne, op.cit., pp.151-152.

The non-Brahmin movement dominated political life in the twenties and the thirties, but in the successive decades it became less anti-Brahmanic owing to the emergence of the Indian National Movement. The nationalist spirit found its supporters in the State also. A faction of the 'Praja Mitra Mandali' which no longer believed in parochial politics, left the party in 1930 and formed the 'Praja Paksha' or People's Federation.²⁶ Its membership was open to all the communities. Growing nationalist spirit gave the Congress a strong base in the State. In October 1937, the non-Brahmin People's Federation merged with the Mysore Congress.²⁷ The movement in the prevailing situation in Mysore was understandably against the autocracy of the princely states which in turn became more oppressive in its endeavours to suppress the movement. At the same time, the attitude of the Indian National Congress towards the Princely state changed and in accordance with its plan, the Congress demanded the incorporation of the princely state within the framework of independent India.

After the merger of the Princely states into the Indian Union and the introduction of responsible government, the Vokkaligas who were numerically larger than the Lingayats

26 S. Chandrashekar, op.cit., pp.77-78.

27 James Manor, op.cit., p.95.

controlled the state apparatus and the Congress Party, while the Lingayats constituted the junior partners. The formation of unified Karnataka state in 1956 altered the caste balance considerably. This was because the Lingayats were numerically larger in the areas merged into Karnataka. Lingayats constituted 15 per cent of the state population and Vokkaligas about 11 per cent.²⁸

After the reorganization of states the reservation scheme was extended to the entire state. The state government passed an order in July 1958 whereby all people except Brahmins were declared backward and 57 per cent of the jobs were reserved for the Backward Classes, in addition to the 18 per cent for the Scheduled Castes and Scheduled Tribes. Only 25 per cent of the jobs were left for open competition. This order was struck down by the judiciary. As a result, the Karnataka government issued another order in the following year classifying all castes except Brahmins, Baniyas and Kshatriyas as backward. This was also struck down by the High Court. Karnataka government issued yet another order making compartmental reservation of jobs and seats in educational institution for each of them. The judiciary did not accept the compartmental reservation either.²⁹

28 R.K. Hebsur, "Reactions to the Reservation for Backward Classes, A Comparative Study of Four States Karnataka--Two Stage Backward Class Movement". In, Report of the Backward Classes Commission, Government of India, 1980, vol.III-VIII, p.152.

29 Ibid.

Nagan Gowda Committee

Owing to the failure of government orders in the reservation for Backward Classes, the government appointed yet another Committee to recommend the classification of the Backward Classes in the state. The Committee was appointed in January 1960 under the Chairmanship of R. Nagan Gowda. The terms and references of the Committee were:

- "1. To suggest the criteria to be adopted in determining which section of the people in the state should be treated as socially and educationally backward;
2. To suggest the exact manner in which the criteria thus indicated should be followed to enable the state government to determine the persons, who should secure such preference as may be determined by government in respect of admission to technical institutions and appointments in government services".³⁰

The Committee submitted its interim report in February of the same year. This report recommended reservation of 22 per cent jobs and seats for other Backward Classes and 18 per cent for the Scheduled Castes and Scheduled Tribes leaving only 60 per cent for open competition.³¹

The criteria adopted by the Committee to classify the Backward Classes in the final report were: the social

30 Final Report of the Backward Classes Committee, Government of Mysore, 1960, pp.5-6.

31 B. Kuppaswamy, op.cit., p.83.

position which the community or caste occupies in society; the general educational backwardness of the community on the basis of the High School standard of education, and the Representation the Community had in government service.³² If the percentage of students of any community in the three High School classes during the year 1950-60 is below the percentage of the total number of students studying in the three High School classes in the state during 1959-60, that community was considered educationally backward.³³

The Committee divided "other Backward classes" into two parts: Part A - Backward Communities and Part B - More Backward Communities, separately with the proviso that the more backward communities should be eligible to compete for the quota reserved. The Committee recommended 57 per cent reservation for other Backward Classes out of which 33 per cent was in Group A and 24 per cent in Group B. Out of the 50 per cent recommended for admission to technical institutions, 28 per cent was for Group A and 22 per cent for Group B; and out of the 45 per cent recommended for appointment to government service 21 per cent was for Group A and 24 per cent for Group B.³⁴

32 Final Report of the Backward Classes Committee, Government of Mysore, 1960, p.21.

33 Ibid., p.15.

34 Ibid., pp.22-25.

The state government passed an order in 1962 providing the following scheme of reservation.³⁵

Open Competition	..	32 per cent
Other Backward Classes	..	50 per cent
Scheduled Castes & Scheduled Tribes)	..	18 per cent

The Final Report of the Nagan Gowda Committee excluded Lingayats and one sections of the Vokkaligas from the purview of reservation. The Lingayats were removed on the ground that the number of Lingayat students per thousand population in the three high school classes was slightly higher than the state average. However, with their enormous political influence they pressurized the government to change the recommendation in their favour. As a result, the state average of literacy was raised from 6.9 per thousand to 7 per thousand to accommodate the Lingayats whose literacy rate was 7.1 per thousand. In pursuance of this policy, the state government decided to add one per cent to the state average and reduced one per cent from the Lingayat literacy figure.³⁶ As a result the Lingayats were declared Backward and thus entitled to the benefit of reservation. This was

35 R.K. Hebsur, op.cit., p.152.

36 M.K. Balaji vs. State of Mysore, AIR 196, 36S.C. 649. Cited in Report of the Backward Classes Commission, vol.III-VII, Government of India, p.12.

made possible by the efforts of Chief Minister who belonged to the Lingayat Community and the political power was mainly shared between Lingayats and Vokkaligas.

The Miller Committee by adopting English literacy as a sole criteria completely overlooked social and economic backwardness. The Nagan Gowda Committee could not do ^{anything} better and an inconsistent criteria continued. This reservation scheme, however, did not come into operation. The 1962 government order on reservation based on the Nagan Gowda Committee Report was challenged in the Supreme Court in the famous Balaji case in 1963. In this case, the Court clearly pointed out the shortcomings in the conclusions of the Committee. The Court held that: (1) Regarding educational backwardness it was doubtful if the text of the average of student population in the last three years of High School classes was appropriate, further assuming the test was valid and the state average was 6.9 per thousand a community which satisfied this test could not be regarded as backward. It must be substantially below the average. (2) The most important dimension was the rejection of caste as a sole criteria for reservation. Caste could not be made the sole or dominant means for determining backwardness, for this would perpetuate the evil of caste system in ^{the} society. (3) Sub-classification of backwardness into backward and

more backward was not constitutionally permissible. (4) The total reservation of 68 per cent including Scheduled Castes and Scheduled Tribes held to be excessive. Reservation should not exceed 50 per cent. (5) Backward Classes for whom special provisions are authorised by Article 15(4) of the Constitution should be comparable to Scheduled Castes and Scheduled Tribes.³⁷ This judgement, to a certain extent, tried to remove the uncertainty surrounding the definition of 'Other Backward Classes'. It did not however, solve the whole problem. Marc Galanter has commented, "This case marked the emergence of the judiciary as the institution within which the problem of who are Backward Class was most carefully and coherently addressed".³⁸

The government had to look afresh at the new policy once the Nagan Gowda Committee recommendation was rejected. The Mysore government issued an order reserving 30 per cent of the seats for the other backward classes and 18 per cent for Scheduled Castes and Scheduled Tribes. Here the criteria adopted was not caste, but individual belonging to certain kind of occupation based on manual labour and earning less

37 Ibid., p.12.

38 Galanter Marc., Competing Inequalities: Law and Backward Classes In India, Oxford University, 1984, p.178.

than Rs.1,200 per year. This scheme began in 1963 and continued till 1977 when the recommendations of First Backward Class Commission Report headed by L.G. Havanur was implemented.

While Reservation Policy for the benefit of backward classes is an important step in the direction of establishing a welfare state, until late 1960s two Committees that were set up in Karnataka failed in their primary task of defining the criteria of backwardness. The Miller Commission was the result of the non-Brahmin's hostility against the Brahmin supremacy in the state. Here, the non-Brahmin movement was mainly organised by the Lingayats, and the Vokkaligas. The Backward Classes and the depressed classes population were visibly out of the purview. The Upper castes continued to benefit from concessions given by the Government.

There has been no consistency in the definition of backwardness. At one time it was English literacy that became the criteria, and at another caste became the criteria. It was only after the Balaji case taken up by the Supreme Court that income featured as some kind of criteria. Here again, under the cover of income limit, it was the upper castes including the Brahmins who were at an advantage. The fact that the Backward Classes did not have

a similar economic, social or political background and the dominant groups, hampered any hopes of their getting any remunerative benefits. The real backward and depressed classes were not totally aware of the benefits that were being clinched away by the dominant groups under the former's name. No resentment was voiced by the Backward sections because of the lack of awareness either in the line of protest or of organized agitation.

CHAPTER THREE

Chapter Three

RESERVATION POLICY UNDER DEVARAJ URS

This chapter analyses the reservation policy in the state during the Devaraj Urs period. An attempt is made to analyse the changed political conditions which facilitated his coming to power and the factors that contributed to his down fall. Emphasis is placed on a study of the reservation policy adopted by Urs. For this it is important to examine the Havanur Commission on Backward Classes established during this period, the implementation of its report and also how the forward communities reacted to it and why there was no violent protest by them. This chapter also attempts to see whether there was essentially any change in the content of the reservation policy adopted during this period.

The emergence of Devraj Urs as the Chief Minister marked a new phase in the Karnataka politics. Traditionally the state was a stronghold of the Congress organization. In the early phase of the Indian National Movement, the Congress Party was essentially dominated by the Brahmins. The merger of the non-Brahmin People's

Federation into the Mysore Congress, contributed to the increasing participation of the non-Brahmins in ^{the} national movement. The non-Brahmins were dissatisfied with the autocratic style of the government which survived basically on Brahmin support. Hence, they wanted to put an end to the Brahmin control of administration. Gradually the Vokkaliga's and the Lingayats, the two numerically dominant communities, widened their influence in the Congress.

In the period between the merger of the Federation with the Congress in 1937, and the Quit-India Movement in August 1942, the top leadership of the Congress consisted of seven men: H.E. Gundappa Gowda, K.C. Reddy and H.C. Dasappa from the Vokkaliga community; S. Nijalingappa and H. Siddiah from the Lingayats and K.T. Bashyam and J. Subramanya from the Brahmins.¹

From the first general election in 1952 state politics was dominated by the strategy and influence of Congress. Most of the Congress leadership was drawn from the ranks of Lingayats and Vokkaligas. The structure of leadership underwent significant change in the early seventies with

1 James Manor, Political Change in an Indian State, Mysore 1917-1955, 1977 Manohar Book Service, p.120.

the emergence of Devaraj Urs who did not belong to the dominant communities. The balance of social forces was shifted in favour of groups that had been hitherto neglected under the dispensation of dominant communities. Devaraj Urs became the Chief Minister of the state in 1972. Urs was a member of the tiny 'Arasu' community. In fact the significance of the community can be gauged from the fact that between 1972 and 1978 only one MLA belonged to the Arasu community. Yet Devaraj Urs with the powerful backing of the Centre rose to be the Chief Minister. Table-3 shows the party position in the State Assembly since 1952. (Refer at the end of the Chapter).

Much like other Congress ruled states, the party organization in the state was marked by factional infighting which reached a peak in the 1960s. The two major groups were led by S. Nijalingappa, the Chief Minister, and B.D. Jatti a former Chief Minister. During the 1962 Assembly election, the opposition parties, with a view to offering a viable alternative to the Congress formed the 'united front'. This 'united front', however, did not succeed in its objectives.²

2 B. Patel and Okaly, "Karnataka--Politics of One Party Dominance", in Iqbal Narain (ed.), State Politics in India (Meenakshi Prakashan, 1976), pp.134-135.

The Congress Party won the 1962 election, capturing 136 seats out of the 206 seats. S. Nijalingappa, a Banajiga Lingayat, was elected the Chief Minister. As Nijalingappa was appointed the President of the All India Congress Committee (AICC), he was replaced by Veerendra Patil, who succeeded him as the Chief Minister. The appointment of Patil aggravated the internal crisis in the Congress as he refused to accommodate the interests of competing groups. With the result, the claims of the Jatti group were completely overlooked in the formation of the Ministry. These internecine quarrels eventually led to a split in the Congress Party in 1969 which was divided into two groups, the Congress (O) and the Ruling Congress (R).³ From the split it was evident that the Congress (R) faction was the most influential.

In the course of this crisis the Congress Party regrouped its forces under the leadership of Urs. The party followed a different strategy of mobilization which widened the support base of the party. Largely due to Urs' efforts, Congress (R) won all the 27 Lok Sabha seats in Karnataka, in the 1971 general elections. The astounding defeat of

3 Ibid.

Congress (O) forced Veerendra Patil, the Chief Minister of the state, of the Congress (O) government to submit his resignation. This necessitated the imposition of President's rule until the formation of a new government in 1972.⁴

Backed by Mrs. Indira Gandhi, Devaraj Urs formed the new government after the Congress gained an absolute majority in the 1972 Assembly elections. The party bagged 165 out of the 216 seats, which was 75 per cent of the total seats and 52 per cent of the popular votes. The Congress (O), with only 24 seats, polled 26 per cent of the votes.⁵

As Urs was neither a Lingayat nor a Vokkaliga, the only viable basis for building political support was by mobilizing members of social groups other than these two dominant communities.⁶ For this purpose, the Urs' government gave priority to the task of socio-economic reforms to benefit the Backward Classes.⁷ Programmes to provide

4 Ibid.

5 R.K. Helsur, "Karnataka", Seminar, no.224, April 1978, p.23.

6 James Manor, "Structural Change in Karnataka Politics", Economic and Political Weekly, October 29, 1977, p.1877.

7 "Urs at Cross Roads", Link, 30 December 1979, p.15.

debt relief and housing facilities for the dispossessed, were initiated. Another major step was the initiation of land reform measures in 1974 which was however not very effective. The most important political decision was the formulation and adoption of a new reservation policy.

The new reservation policy attempted to break the informal alliance between the dominant communities by identifying the Lingayats as forward castes and the Vokkaligas as backward. This, in effect, meant that the hitherto existing commonality of interest between these two dominant communities ceased to be a political force in the state politics. The division in their ranks meant that they could not put up a joint opposition against this. The popular support gained by the Congress from the new Reservation Policy was evident in the Congress performance in 1977 election. Although the party was returned to power with an impressive majority in Karnataka, Congress won 26 out of 28 Lok Sabha seats. In contrast to the north, the impact of emergency was not deeply felt in Karnataka. Besides, many poor Lingayats and Vokkaligas, who had been largely excluded from the division of spoils that were cornered by the wealthier fellow castemen, voted for the Congress. Most of all, the acceptance of the Karnataka Backward Class Commission Report (Havanur Commission) on

the eve of the election turned the popular tide in favour of the Congress party in Karnataka.⁸

However, the strong alliance between Devaraj Urs and the Congress High Command started crumbling towards the late seventies. The Congress central parliamentary Board appointed K.H. Patil as the President of the Pradesh Congress Committee against the strong reservations of the Chief Minister. Urs wanted to appoint a loyalist member of his cabinet to the post of President of the Pradesh Congress. But since he could not have his say with the High Command, he asserted his power at the state level by removing Patil from the State cabinet. This move divided the Congress members of the legislative Assembly into two factions controlled by Urs and Patil. Without the backing of the Centre Urs found hard to survive. The Urs' ministry was thus, dismissed on 31 December 1978 and the State was once again placed under the President's rule.⁹

However, in the Assembly election of 1979, Devraj Urs was returned to power with a comfortable majority winning 158 seats out of the 244. This demonstrated the solid

8 James Manor, "Where Congress Survived, Five States in the Indian General Election of 1977", in Asian Survey, vol.18, 1978, August pp.792-794.

9 The Times of India (Delhi), 1 January 1978.

popular support for Urs in Karnataka. At the national level, Sanjay Gandhi was reigning supreme within the Congress. Urs, nevertheless, did not like the dominance of Sanjay Gandhi and continued to function independently of the Party's central leadership which was resented by Mrs. Indira Gandhi. Mrs. Gandhi gradually developed hostility towards Urs. She expressed reservations over the issue of his keeping the Pradesh Congress Committee's Chief's post also. Mrs. Gandhi wanted him to shed it. When Urs resisted she appointed an ad hoc Pradesh Congress Committee. This was the signal for the break. Consequently, Urs was expelled from the party. Urs, in turn, launched an independent political party namely the Congress (U), (U for Urs) in 1979.

After his break with Mrs. Gandhi, Urs made efforts to build a parallel Congress Organisation to challenge the leadership of Indira Gandhi. This however, was not an easy task. Karnataka was traditionally, a stronghold of Indira Gandhi Congress. No opposition party, till then has been able to make inroads into the Congress (I) bastion. What weakened Urs's efforts was the restoration of Congress rule at the Centre. This made it difficult for Congress (U) to widen its base in the State.

In the 1980 General elections the Congress (U) led by Devraj Urs was routed in Karnataka. The Congress (I) bagged 27 out of the 28 Lok Sabha seats thus improving its performance from 1977 when it had gained 26 out of 28 seats. The Janata Party managed to get one seat and the Congress(U) drew a blank. Accepting the people's verdict, Urs submitted the resignation of his ministry.¹⁰

Urs sang Mrs. Gandhi's praises during all the previous elections, with the result Mrs. Gandhi was given the credit for all the socio-economic reforms initiated by his government.¹¹ When he parted company with her, Urs lost much of the party cadre at the grass-root level. The Harijans stood fully behind the Congress (I). The Muslims also did not back him.¹² Urs did not have any time to pose himself as an independent leader from Mrs. Gandhi. Confidently he broke away from Congress (I) to challenge its authority. But the unexpected turn of events ended the nearly decade long dominance of Devraj Urs in the state politics.

10 "Karnataka - Crushing Blow to Urs", Commerce, 19 January 1978, vol.IV, no.3578, pp.21-22.

11 Lalitha Nataraj, "Problem of Demythetising", Economic and Political Weekly, vol.15, 1979, December 15, p.2639.

12 Lalitha Nataraj, "Undone by His Own Creation", Economic and Political Weekly, vol.15, 12 January, 1980, p.55.

Both the rise and fall of Urs had been a direct result of the split in the Congress Party. If the 1969 split brought him to power, the 1979 split brought about his downfall. During his long tenure as the Chief Minister of the State, daring and controversial steps were taken by him. The new Reservation Policy initiated by him was, perhaps, the most notable of his contributions. Our main concern here is to analyse the new policy adopted by him which brought about changes in the definition and content of the backward classes.

Karnataka Backward Classes Commission

It is against this background that Devraj Urs appointed the Havanur Commission. After the rejection of the Nagan Gowda Committee report of 1963 by the Supreme Court, the Government Order reserving 30 per cent for other Backward Classes and 13 per cent for scheduled castes and scheduled tribes formed the basis of reservation in the state till 1977. This was modified by the First Karnataka Backward Classes Commission appointed by the Urs ministry. The Commission functioned under the Chairmanship of L.G. Havanur.

The Constitution of the First Backward Classes Commission was welcomed by large sections of the people. It was viewed

as a necessary step towards social change and uplift of the really backward groups whose interests had been overlooked by the power structure controlled by the dominant communities. Belonging to a backward community and was known to have represented their interests in various forums, Havanur was considered an appropriate person for inducing the social change Congress was committed to.

The Terms of References

The Commission was asked to (1) suggest the criterion to be adopted for determining the backwardness of any classes of persons, other than the scheduled castes and scheduled tribes to be treated as socially and educationally backward classes; (2) to make recommendations as to the special provisions to be made by the government for their advancement; (3) to make a list of classes which are to be regarded as backward classes; (4) to suggest the extent of reservation to be made for such classes in the educational institutions and the concessions by way of assistance to be given; (5) to determine the extent of their representation in the services under the state and the reservation of posts to be made; and (6) to suggest steps to be taken by the government to safeguard the Backward Classes of citizens.

In brief, the task set before the Commission was basically to identify the Other Backward Classes and recommend assistance to them.¹³

The Commission conducted an extensive socio-economic survey besides issuing questionnaires on various issues before it. As it was not possible to survey the whole state, it selected 200 villages, with at least one village from each taluk and 204 urban blocks. Hundred and ninety three villages and hundred and eightyfive urban blocks were surveyed, covering about more than sixtythree thousand families with a total population of about 3,55,000.¹⁴ The Commission took nearly three years to complete the work. It was placed on the table of the legislature in May 1976.

The Commission adopted multiple test criterion, such as economic, residential,^{and} occupational, to determine social backwardness of castes and communities. It should be noted that caste was not considered a criterion for determining backwardness except for some backward tribes. A few castes belonging to the lower stratum in the caste hierarchy were excluded, because they showed high economic and educational

13 Report of the Backward Class Commission, Government of Karnataka, 1975, vol.I, p.4.

14 Ibid., p.308.

advancement. The Satani caste which was involved in temple management and temple priesthood was considered socially backward under the multiple test criterion, for example.¹⁵

Majority of the specified castes and communities were rural inhabitants, and were economically poor as they were engaged in menial occupations, considered unclean and inferior. The low status and inferiority associated with their castes made it difficult for them to have access to institutions and opportunities of emancipation. As a result, they were segregated from advanced communities. The absence of adequate educational facilities and institutions also contributed to their social backwardness.¹⁶

The Commission adopted five criteria to define backwardness: economic, residential, occupational, educational and the caste. The previous commissions, without identifying the weaker sections within a particular community, declared the whole community backward or forward. The present Commission to be more objective using the

15 B. Kuppaswamy, Backward Classes Movement in Karnataka, (Prasaranga, Bombay University, 1978), p.125.

16 Karnataka Backward Class Commission Report, Government of Karnataka, 1975, vol.I, pp.313-314.

above criteria, tried to indentify weaker sections within particular communities. Despite the Commission's claim that it has ignored the criterion of caste, in effect, it could not totally avoid it. It came to the conclusion that social and economic backwardness was essentially related to the low status in society. This in effect perpetuated the importance and relevance of caste. "If caste is recognised as the unit equivalent to socially and educationally Backward Class, it would mean legitimising caste by state action and perpetuating caste system, which is inconsistent with the ideal of the constitution".¹⁷ Legitimising caste system, through direct or indirect state action was 'against the secular principles embodied in the constitution'.

Undoubtedly there is a close co-relation between caste and class. But majority of the people belonging to upper caste also belong to the upper class and vice-versa. A poor Brahmin boy gets somewhat more congenial environment for education than a koli,¹⁸ for instance. It is also true that there are economically poor people in all the castes. In most

17 I.P. Desai, "Should Caste be the Basis for Recognising Backwardness?", Economic and Political Weekly, 14 July 1984, p.1111.

18 Ganshyam Shah, "Caste, Class and Reservation", Economic and Political Weekly, vol.XX, 19 January 1985.

cases, where the caste alone is taken as a criterion for social legislation it is the upper strata of the lower castes that pockets the benefits. Hence the acceptance, of the economic criterion along with the caste criterion by the Commission, was a fair proposition.

Educational Backwardness

The constitution specifies ^{that} the caste/community which derive the benefits of reservation should be socially and educationally backward. The Havanur Commission, ^{however,} focussed on educational backwardness as the major issue in backwardness. To decide on educational backwardness, the commission used the criterion of secondary school leaving certificate (SSLC) examination, because this was the minimum qualification required for class III post in the government services. Those whose student average per thousand of its population passing at the April 1972 SSLC examination was below the state average. (The state average was 1.69 per thousand) were considered to be educationally backward.¹⁹ On this basis castes and communities were categorised into three groups, namely (1) Backward Communities; (2) Backward castes;

19 Karnataka Backward Class Commission Report, 1975,
vol.1, p.315.

and (3) Backward tribes. An income limit of Rs.8,000/- was fixed for claiming the benefits of reservation.

- I. Backward Communities were those whose student average per thousand population was below the state average but above 50 per cent of the state average.
- II. Backward Castes were those communities whose student average per thousand population was below 50 per cent of the state average.²⁰
- III. Backward Tribes were identified as those whose student average was below 50 per cent of the state averages and who were the nomadic and denotified tribes.

The Commission clubbed and interpreted together article 15(4) and 16(4) of the constitution, thus, prescribing that a class of citizen to obtain the benefits of reservation under article 16(4) also had to be socially and educationally backward as specified under article 15(4). The Commission

20 Ibid., pp.315-316.

held that the 'Other Backward Classes' under article 15(4) need not necessarily be backward class under article 16(4). Taking this into consideration some castes and communities which were socially and educationally backward were excluded from the benefits, because they were adequately represented in the government service as required by article 16(4) of the Constitution.²¹

The Commission recommended the quota of 32 per cent reservation for other Backward Classes under Articles 15(4) and 16(4) of the Constitution in the following order.²²

	Percentage of Population	Quota of Allotment
<u>Under Article 15(4)</u>		
1) Backward communities	22.03	16%
2) Backward caste	14.49	10%
3) Backward Tribe	08.00	6%
<u>Under Article 16(4)</u>		
1) Backward communities	19.20	16%
2) Backward Castes	14.47	10%
3) Backward Tribes	8.00	6%

Only the Brahmins, Lingayats, Christians and the Jain groups had more than the state average of passes both in

21 Ibid., p.316.

22 Ibid., p.317.

the VIII standard and the SSLC examination. Together they constituted one fourth of the population. Remaining three quarters were declared educationally backward. If the criterion of below 50 per cent of the state average at both the levels was applied, the students from the Beda, the Kuraba, the Yadava, the Scheduled Castes and Scheduled Tribes, who constituted 27.28 per cent of the population, were the most backward. As Kuppuswamy rightly said, the educational effort of last nearly three decades has not made improvements in the educational attainment of nearly 75 per cent of the population.²³ This is evident from Table 6.

According to the new reservation scheme, the Brahmins, Bunts, Lingayats, Kshatriyas, Jains along with the other religious minorities and religious denominations such as the Muslims, Christians, Parsees and the Anglo-Indians were out of the reserved category. The Commission recommended a separate category called 'the special group' with 5 per cent reservation under which the actual cultivator, artisans, petty businessmen or one holding appointments either in government service or corresponding jobs under the private employment

23 B. Kuppuswamy, 1978, op.cit., p.127.

casual labourers and any persons engaged in any occupation involving manual labour whose annual income is Rs.4,800/- and below were eligible for special treatment.²⁴

The following percentage of reservation was recommended by the Commission:

Open Competition	..	52 per cent
Backward Castes	..	20 per cent
Backward Tribes	..	5 per cent
Special groups	..	5 per cent
Scheduled Castes and Scheduled Tribes	..	18 per cent

An important aspect of the Commission's recommendations was the special concessions offered to girls. The Commission was of the opinion, that girls belonging to other Backward Classes, should be given free education and seats should be reserved for them in institutions of higher learning. Girls belonging to the advanced castes and communities whose parental income was less than Rs.6,000/- per annum were ^{to be} encouraged by award of scholarships.²⁵ In this way the Commission sought to combine both the caste

24 Government Order No.SWR 12TBS, 77, Bangalore, dated 22nd February 1977, in A New Deal for Backward Classes in Karnataka, Government of Karnataka, 1986.

25 Karnataka Backward Class Commission Report, op.cit., vol.I, p.323.

and the economic criterion.

Whether women should be given special reservation or not is a widely debated subject. As far as general reservation was concerned whether it was for Scheduled Castes, Scheduled Tribes or other Backward Classes, there was no distinction between men and women. Women belonging to the Scheduled Castes, Scheduled Tribes and other Backward Classes were equally entitled to the benefits of reservation, like men, without any distinction. Even in the case of women belonging to the economically well off communities, especially in rural areas, it was lack of proper schools, insufficient hostel facilities and the deep-rooted customs and traditions that prevented them from getting proper education. More attention was needed in this regard.

In Indian society where a woman is supposed to leave her parental home after marriage, in many cases, the investment on women's education was considered to be a dead investment. Here, giving free education and reservation of seats encouraged the women to acquire proper education. However, the government of Karnataka did not accept this recommendation of the Commission.

The Commission found a solution for removing social distinctions and educational and economic disparities by

proposing an amendment of the constitution in such a way that the Fundamental Rights and the Directive Principles of State Policy would be equated by amending or deleting Article 37 of the constitution which makes ^{the} seven duties of the state unenforceable in a court of law.²⁶ Unlike the Fundamental Rights contained in Part III of the constitution, the Directive Principles enumerated in Part-IV cannot be enforced through any court. But it was the duty of the state to apply these principles in making laws.

The Directive Principles of state policy stands for providing social economic and political justice -- the noble objectives enumerated in the preamble - to the people. Every citizen of India is entitled to enjoy the Fundamental Rights guaranteed by the constitution. But in reality, only a small section of the population has the privilege to enjoy it. Conscious attempts have to be made to remove social and economic inequality than stopping at rhetorics. The problem basically is not that of lack of sound policies but of defective implementation.

In March 1977 the Devraj Urs government broadly accepted the recommendations of the Commission. However,

26 Ibid., p.162.

immediately after its acceptance, the validity of the classification of certain castes and communities included in the backward list was challenged in the Karnataka High Court. This resulted in the deletion of Arasu (Urs) community along with six other communities from the list of Backward castes under Article 15(4) and 16(4) of the constitution. The other communities were the Baliga, Devadiga, Ganga, Nayinda, Rajput and the Satani. The High Court also deleted 83 castes from the list of backward castes under Article 16(4).²⁷

The reservation of 20 per cent under the category of Backward communities was modified after the deletion of six communities from the list. Also the total population of all the communities in the Backward community category was redetermined as the income limit was raised from Rs.4,200/- a year to Rs.10,000/- a year. Consequently the reservation quota, under Articles 15(4) and 16(4) of the Constitution, was refixed at the following proportion:

Backward Classes	Article 15(4)	Article 16(4)
Backward communities	20 per cent	18 per cent
Backward castes	10 per cent	10 per cent
Backward Tribe	5 per cent	5 per cent

27 C.N. Vijaya, "Debate Ranging Over Reservation", The Statesman, 23 May 1985.

This percentage was in addition to 18 per cent reserved for the Scheduled Castes and Scheduled Tribes and 5 per cent for the Special Groups. Overall, this meant a total of 58 per cent reservation for the Scheduled Castes, Scheduled Tribes and other Backward Classes. This had the approval of the judiciary, in striking contrast to the famous Balaji case where the Supreme Court had disapproved allotment of more than 50 per cent reservation. Taking advantage of judicial approval Urs substantially increased the reservation quota. By an order passed in July 1979, reservation for the Special Groups was raised from 5 per cent to 15 per cent.²⁸ Thus, the total proportion of the reserved quota went up to 68 per cent leaving only 32 per cent for open competition. 50 per cent was allotted to backward classes. This was much higher than in the neighbouring Tamil Nadu or in any other Indian state.

The Tamil Nadu government, in 1971, following the recommendation of the Tamil Nadu Backward Class Commission (1970) revised the reservation scheme under Articles 15(4) and 16(4), making caste as the criterion. Leaving 51 per cent for open competition, the Tamil Nadu government

28 The Hindu (Madras), 9 July 1979.

allotted 31 per cent for Backward Classes and 18 per cent for Scheduled Castes and Scheduled Tribes.²⁹ This was small compared to the total percentage of reservation in Karnataka.

Disapproving the proposed 68 per cent reservation as recommended by the Nagan Gowda Committee, the Supreme Court had, in the Balaji case, clearly directed that under no circumstances the reserved quota should ^{not} exceed 50 per cent. For this reason, the Nagan Gowda Committee recommendations were not implemented. But surprisingly, the High Court allowed Urs to raise the percentage to 68 per cent thus exceeding the Supreme Court judgement.

An interesting feature of the Commission's recommendation was the identification of the Lingayats, as a forward caste. Lingayats the dominant community of the State, were not included in the reserved category. The Lingayats, a community which has been deprived of all the benefits that went with the backward label for over five decades, were further disillusioned by the continued denial of the Backward status and the accruing benefits even under the new commission. With the result, they resorted to protests against

29 R.K. Hebsur, "Tamil Nadu - From the Non-Brahmin Movement to Tamil Revivalism" - In Report of the Backward Classes Committee, Government of India, vols.III-VII, 1980, p.148.

the Commission's recommendations. Demonstrations were organized in different parts of the state, they were supported by the Swamijis of the Lingayat Mutt also.

The disgruntled groups designated as the 'Forwards' formed an organisation called the Santhrasthara Jagrati Samiti (Santhrasthara Jagrati Samiti means victims awakening Committee) to press their case. A member of the Legislature belonging to the Lingayat Community burned a copy of the Report on the floor of the Assembly. However, this protest did not go unchallenged.

To counter these pressures, members of the Harijans and other Backward Classes came together to form an organisation to defend the Havanur Commission Report under the auspices of the 'Social-Legal Service Research Centre.' This organisation was founded by Havanur, when he was not a minister in the Congress government. They too organised demonstrations in front of the Vidhan Sabha and submitted a memorandum to the Chief Minister demanding the immediate acceptance and vigorous implementation of the Report.³⁰

The resistance by the upper castes, however, did not take any violent form. There was much debate as to why

30 Upper Caste Offensive in Karnataka, ^{The} Patriot, (Delhi), 3 September, 1978.

there was no violent protests by the upper castes in Karnataka, unlike in the other states, like for instance, in Bihar. For this purpose, it is worthwhile to make a comparative analysis of the responses to the Backward Class Commission Reports in the states of Bihar and Karnataka.

The timing of the implementation of the recommendations of the Mungari Lal Commission on Backward Classes in Bihar and the Havanur Commission's recommendations in Karnataka was almost the same. In Bihar, the Karpoori Thakur government accepted the Mungari Lal Commission's recommendations providing for 26 per cent reservation for Backward Classes in addition to the already 24 per cent reserved for Harijans and Adivasis.³¹ The Brahmins, Bhumihars, Rajputs and the Kayastas in Bihar, like the Brahmins, Bunts and the Lingayats in Karnataka, were kept out of the purview of reservation. Bihar witnessed a violent backlash from the upper caste unlike in Karnataka.

The comparison between the developments in Bihar and Karnataka highlights certain interesting points. When

31 Harry W. Blair, "Rising Kulaks and Backward Classes in Bihar, Social Change in the late 1970s", Economic and Political Weekly, January 12, 1980, p.61.

Devaraj Urs accepted the Karnataka Backward Class Commission Report in 1977 he had already completed five years in office and thus had firmly entrenched his position in the state. Whereas Karpoori Thakur accepted, the Mungajlal Commission recommendations immediately after he came to power in 1977. In fact the action taken by Karpoori Thakur was in a haste and before he could consolidate his own position in the state. This hasty decision inflated the feelings of both the forward and the backward classes alike.³²

Urs accepted the Havanur Commission's recommendations with considerable modification. Muslims who were considered a religious minority by the Commission were recognised as backward by Urs. This was intended to pacify the Muslims. Further rise in the Special Group percentage quota reservation from 5 to 15 per cent, entry to which was based on income and occupation, rather than caste, gave an opportunity to a section of the upper caste, also to claim a share of reservation. This contained the upper caste feelings to a considerable extent.³³

32 James Manor, "Pragmatic Progressives in Regional Politics - The Case of Devaraj Urs," Economic and Political Weekly, Annual Number, February 1980, p.207.

33 Lalitha Nataraj and V.K. Nataraj, "Limits of Populism, Devaraj Urs and Karnataka Politics", Economic and Political Weekly, September 11, 1982, p.1505.

Social Welfare Programmes adopted by Urs won support from those who suffered, under the dominance of the Lingayats and the Vokkaligas, including the poorer sections within these communities. The new Reservation Policy effectively broke the informal alliance between these two communities by recognising one as forward and the other as backward. This division and split, in effect meant that the government did not have to face the combined strength of both nor even the full might of one dominant community. In Bihar three percent reservation for the economically backward irrespective of caste, was too small, against Karnataka's 15 per cent, to force a division in the ranks of the forward castes. Instead, the forward castes found themselves united.³⁴

In Bihar, Harijans also allied themselves with the upper landed castes against the landed backward caste. The Harijans were threatened by the rise in the power of the upper peasant castes. This facilitated the forward class backlash. History of the reservation policy in Karnataka goes back to the 1918, princely period, whereas in the

34 R.K. Hebsur, "Reaction to the Reservations for other Backward Classes: A Comparative Study of four States," in, Report of the Backward Classes Commission, 1983, vol.III-VII, p.162.

state of Bihar which did not have a long history of reservation policy for backward classes, the 1978 increase in the quota gave a sudden shock. This led to the violent reactions.³⁵ The Brahmins of Karnataka, who were considered as forwards since 1918, were too weak to protest. Other than this they never wanted to be considered backward. They took pride in considering themselves as forwards.

The developments in the political sphere contributed considerably to the absence of any violent protest. The presentation and implementation of the Havanur Commission Report was done when the country was under the Emergency. Then, there was hardly any opportunity for resistance against ^{any} authority. The Janata government set up various Commissions of Enquiry against the state governments under Congress rule. The Grover Commission was appointed to enquire into the charges of the misuse of power by Devaraj Urs.

The period from the acceptance of Havanur Commission Report till the fall of Urs, state politics was full of

35 Ibid., pp.162-163.

conflict and confusion. Soon after the acceptance of the Report, conflict arose between the Congress High Command and the Chief Minister Urs over the issue of appointment of K.H. Patil as the Pradesh Congress Committee President, which resulted in the dismissal of his ministry and imposition of President's rule in the state. So there was no scope for resistance by the upper castes against reservation. When Urs was returned to power again, he raised the special group quota from 5 to 15 per cent. This helped considerably to cool down the forward caste anger for the time being. Subsequently within no time, Urs broke off from Mrs. Gandhi and the Janata government collapsed at the Centre. Consequently Urs had to step down from power accepting people's verdict in favour of the Congress (I). Thus, politicians were busy with political manoeuvrings and this checked their active involvement in any serious agitation in defence or against the Reservation Policy.

In Bihar, in contrast, the Karpoori Thakur's Janata government, which was voted to power against Mrs. Gandhi's authoritarian rule, had to face the ire of powerful upper caste Congress leaders who were still fairly strong. All those deprived of power were waiting for an opportunity to strike. The new Reservation Policy offered them an opportunity to do so. The Congress fully used the forward-

Harijan alliance to undermine the upper-backward who formed the backbone of Janata support.

Devaraj Urs characterised the Havanur Commission report as the 'Bible' of Backward Classes. As recommended by the Commission, a separate Directorate for Backward Classes was set up at a total cost of Rs.15 lakhs. This was designated as "The Directorate of Backward Classes and Minorities". The same order approved the establishment of a Backward Classes and Minorities Development Corporation with an initial investment of Rs.40 lakhs.³⁶

In the beginning the Department was mainly meant to provide hostels and to award scholarships to the two backward classes students studying in pre-matric and post-matric courses. Later other schemes like administering of Orphanages, award of compensation to educational institutions etc., were added. 240 hostels for Backward classes were sanctioned. During the first year there were 200 hostels and 40 post-matric hostels in different parts of the state. In addition 56,452 students were awarded pre-matric scholarships and 9,844 students were awarded post-matric scholarships in the State.³⁷

36 Report of the Second Backward Class Commission,
Government of Karnataka, Bangalore, vol.I, p.2.

37 Ibid., p.231.

Table-4 gives the employment opportunities offered, through the Employment Exchanges, to the Backward Classes. (refer at the end of the Chapter).

The acceptance of the Havanur Commission Report was a clever political manoeuvre to win over the electorate in favour of the Congress. The Reservation policy was used for deriving political benefits. Admitting this fact, Havanur asked "why not a political party take the benefit out of it".³⁸

The controversial category of 'Special Groups' recommended by the Commission provided much ground for misgivings. Without any caste barriers, even those whose annual income was more than Rs.4,800/- could obtain a low income certificate by fraud and claim the benefits, thereby depriving the benefits to the needy ones. The administrative loopholes gave scope for issuing false income certificates.

Urs also made a serious effort to check the dominance of the Lingayats and Vokkaligas in the state. The Lingayats and Vokkaligas along with the Brahmins, however, still continue to monopolise the benefits in one way or the other. However, it should be conceded that there has been increase in the extent of benefits derived by the backward classes during the period.

38 Discussion held with L.G. Havanur, Bangalore, 7 September 1986.

Urs made conscious attempts to provide some justice to the Backward Classes. As far as the Daliths were concerned not much attention was given to them by Urs government. The Lingayats who were waging war against the denial of Backward status, challenged the legality of certain aspects of the scheme of classification, in the Supreme Court. During the hearing in 1982, Gundu Rao government gave an undertaking that a second Backward Class Commission would be appointed to review the scheme of classification.

The Havanur Commission appointed by him tried to identify backwardness by adopting multiple criterions, thus, breaking from the practice of using caste as the only determinant of backwardness. It cannot be denied that during Devaraj Urs's period a new beginning was made to leniently look into the problems of the deprived sections of the society and to suggest workable propositions for their upliftment.

Table-3: Composition of Karnataka Legislative Assembly by Caste: 1952-1972 Elections

Caste/Community	1952		1957		1962		1967		1972	
	No.	% to the total	No.	% to the total	No.	% to the total	No.	% to the total	No.	% to the total
Brahmins	14	11	9	6.75	8	6	8	6	11	4
Lingayats	45	45	47	33	45	34	49	36	43	24
Vokkaligas	33	26	35	8.25	35	27	36	26	52	29
Other Hindus	12	9	22	15	20	14	17	12	37	22
Scheduled Castes	20	16	22	15	21	16	24	17	23	12.5
Scheduled Tribes	--	--	2	1.50	1	1	--	--	2	1
Christians	--	--	1	0.75	--	--	1	0.75	5	3
Jains	2	2	3	2.25	1	1	1	0.75	1	.5
Muslims	1	1	1	0.75	1	1	2	1.50	4	2
TOTAL	127	100	142	100	132	100	138	100	178	100

Source: Karnataka Backward Classes Commission Report, Government of Karnataka (Bangalore), vol.IV, 1975, pp.822-23.

Table-4: Jobs Secured for different Categories of Backward Classes applicants through Employment Exchange in the State, 1977-81

Year	Backward community	Backward Caste	Backward Tribe	Backward Special Group	Others	Total
1977-78	0,638	0,353	0,153	0,398	13,066	14,608
1978-79	1,316	0,549	0,346	0,689	13,203	16,103
1979-80	1,430	0,689	0,427	0,737	09,577	12,860
1980-81	1,295	0,681	0,463	1,688	15,795	19,922
1981-82*	0,299	0,136	0,101	0,220	03,928	04,684
TOTAL	4,978	2,408	1,490	3,732	55,569	68,177

*This is from April 1981 to June 1981.

Source: Legislative Assembly Debate, vol.xxxxxii, 7th July 1972, p.488.

CHAPTER FOUR

Chapter Four

RESERVATION POLICY UNDER JANATA RULE

The present chapter examines the Reservation Policy in the state during the post-Urs period with special emphasis on the Janata period. The chapter starts with a discussion of the shifting focus in state politics from Congress to Janata. The main emphasis is on an analysis of the Janata government's Reservation policy for Backward Classes: the Venkataswamy Commission Report, its rejection and the new ad-hoc Reservation Policy introduced by the Hegde government. The chapter also tries to look into the extent of power and influence the dominant communities continue to wield in the state and the ways in which they manage to take away the benefit of reservation meant for the Backward Classes. Lastly the Chapter tries to see who are actually deprived of the benefit of reservation by the policy of the Janata government, and the politics behind the Reservation Policy in Karnataka.

In the previous chapter we have discussed the Reservation Policy introduced by the government and the changing trend in the state politics - which became noticeable during Devaraj Urs period. For the first time in the state, Lingayats were

given forward tag by the 1977 government order on reservation. Since their protest failed to yield any positive result they decided to fight it out through legal means. They approached the Supreme Court challenging the validity of the government order based on the Havanur Commission recommendation. Chief Justice Y.V. Chandrachud headed the five Judge Constitution Bench set up to hear the case of K.C. Vasantha Kumar and others vs. State of Karnataka. L.G. Havanur, himself a jurist, argued on behalf of the state government. But before the judgement could be delivered the Gundu Rao government gave an undertaking that a Commission will be appointed soon to investigate the conditions of the Backward Classes in the state. However, shortly after this the Gundu Rao government collapsed. In the 1983 election the Janata Party under Ramakrishna Hegde was voted to power. Hegde, after assuming the Chief Ministership of the state appointed the Second Karnataka Backward Classes Commission. Before we turn to a discussion on the Reservation Policy for Backward Classes under the Janata government it is important to understand the developments leading to the decline of the Congress Party in Karnataka and the election of the Janata government.

The humiliating defeat in the January 1980 Lok Sabha election prompted the resignation of the Congress (U) ministry

under Devaraj Urs. Gundu Rao, who was then the opposition leader from Congress in the State Assembly, was chosen as successor to Devaraj Urs by Mrs. Gandhi. Thus, Gundu Rao came to power without any direct popular mandate. He survived on the support of the defectors from Urs's Congress(U). The Congress(I) managed to show a strength of 184 in the 225 member State Assembly.¹

Karnataka was a strong hold of Congress Party since independence. The opposition parties did not succeed in their attempt to break through the Congress dominance even in the 1977 general election, when Congress obtained an absolute majority in Karnataka. There was noticeable decline in the percentage of votes polled for the Congress(I). It decreased from 71 per cent in 1971 parliamentary election to 57 per cent in the 1977 election. On the other hand even though Janata won only one seat, it obtained 40 per cent of the popular votes. In the following State Assembly election of 1978 Janata Party emerged as the single largest opposition party securing 59 seats out of the 224 it contested.² The percentage of votes polled by Congress(I) came down to

1 The Hindu, Madras, December 21, 1982.

2 Ibid.

44 from the 57 per cent in 1977.³ Janata won 59 seats with 37 per cent of the total valid votes. This showed the inroad made by the Janata Party in the state politics.

Urs tried to check the supremacy of the Lingayats and the Vokkaligas in the State politics by giving importance to the Backward Classes. In the Lingayat dominated Bombay-Karnataka areas, a minimum of 60 per cent of the seats always used to go to the Congress in almost all the elections. The former Chief Ministers Nijalingappa, B.D. Jatti, S.R. Kanthi, all Lingayats, belonged to this area. In the 1978 election Janata won seven out of 15 seats in these areas and polled more votes than the Congress(I).⁴ This showed that the people neglected by Urs switched over their support to the opposition. Janata Party, also like Urs, tried to appeal to the Backward Classes and Minorities by showing sympathy to their cause. Congress lost power at the Centre mainly due to the emergency atrocities. Even though emergency was not deeply felt in Karnataka, the anti-Congress(I) wave did make some effect in the state also. It was only a few years after the emergency that the Janata Party was able to emerge as the dominant Party in the State.

3 R.K. Hebsur, "Karnataka", Seminar, April 1978, no.224, p.221.

4 The Hindu, Madras, December 25, 1982.

The Gundu Rao Government which was in power in the state for nearly three years was known for its corrupt administration. Gundu Rao, who assumed power on 12th January 1980, was the first Brahmin Chief Minister in the State. No serious attempts were made during this period to look into the problems of the Backward Classes. During this period a new party called the Karnataka Kranti Ranga was founded by Devaraj Urs. Through this Urs hoped to build an effective opposition to the Congress(I) at the national level. Bangarappa who was the Revenue Minister in the Gundu Rao government and former Pradesh Congress Committee(I) President broke with Gundu Rao and joined Kranti Ranga. However, before consolidating his new regional party Urs passed away. Meanwhile the 1983 Assembly election was announced in the state. By then the anti-Congress(I) feeling had been growing at a fast pace owing to the mis-rule of the Gundu Rao government.

The opposition parties cashed in this opportunity to win the election. A four party opposition front called the United Democratic Front (UDF) was formed, comprising the Janata, Karnataka Kranti Ranga, the CPI and the CPI(M), to fight the forthcoming election unitedly. Janata, Kranti Ranga fought the election with a common symbol, common

manifesto and from a common platform.⁵ They contested under the banner of 'Karnataka Janata Ranga.'

In the Assembly election of January, 1983, Janata Kranti Ranga won 95 seats out of 223, Congress(I) 81, Bharatiya Janata Party 18, CPI and CPI(M) three each and 23 seats went to the independents. The Janata and the Kranti Ranga merged to form the government with the support of independents. Bharatiya Janata Party (BJP) also extended its support to the government.⁶ Ramakrishna Hegde was elected the Chief Minister of the State on January 9th, 1983, thus, ending the 35 years old Congress hegemony in the state politics.

The shift in the loyalty from Congress(I) to Janata, which started in 1977 ended in 1983 with the Janata Party capturing power in the state. Many prominent Congressmen defected to the Janata-Kranti Ranga alliance. The dominant communities, afraid of losing their supremacy, turned anti-Congress(I). Interestingly in the 1983 elections the Chief Minister Gundu Rao himself lost, in his home constituency, to a Janata candidate. This showed how unpopular the Gundu Rao government was in the State. Unlike Urs, Gundu Rao failed to appeal to the Backward classes. The number of Police firing that took place during his period earned the name of

5 The Hindu, Madras, December 10, 1982.

6 Ibid., January 9, 1983.

'police state' for his government. Other than this, extravagant life of the Chief Minister and the misuse of state finance also contributed to the unpopularity of his government. Thus the challenge initially thrown up by Devaraj Urs against the authoritarian tendency within the Congress ultimately led to the end of the nearly three decades long unquestioned Congress dominance in Karnataka and its replacement, by the newly emerged Janata party.

Ramakrishna Hegde, after assuming power as the Chief Minister of the state, appointed a Backward Classes Commission in accordance with the undertaking given to the Supreme Court by ^{the} Gundu Rao government. Thus in April 1983, a 15 member Karnataka Second Backward Classes Commission was constituted under the Chairmanship of T. Venkataswamy.

The Terms of References of the Commission:⁷

The Commission was asked to review the existing list of Backward Classes as approved in the government order of 22nd February 1977, and in the light of its amendments from time to time, in accordance with the provisions of the Constitution and the Supreme Court judgement.

7 Report of the Second Backward Classes Commission,
Government of Karnataka, 1986, vol.1, pp.4-5.

The Commission was asked to review the measures so far taken by the government for the betterment of the conditions of the Backward Classes, especially its effectiveness in the field of education, and also to recommend further steps to be taken by the State. The recommendation on further steps to be taken was to cover (a) Education, including reservation of seats in professional colleges and institutions of higher learning; (b) Representation in public services; (c) Trade, Commerce and Industry; (d) Rural Credit, marketing and cooperation; (e) Housing; (f) Grants; and (g) Community Development. It had to make scientific and factual investigation into the conditions of the Backward Classes in the state and recommend measures for their upliftment.

The Commission had to examine whether the existing Reservation Policy could be continued or needed to be modified. It had to cover all the questions and issues that had any bearing upon the enumeration and classification of Backward Classes, the reservation in educational institutions, professional colleges and institutions of higher learning, the reservation in appointment of posts in favour of the Backward Classes in the government services etc.

In short, the Commission was asked to review the conditions of the Backward Classes in the light of the benefits conferred on them so far and investigate the extent of developments. Proposals for the future were to be made in the light of this review. When the report was published there was an allegation that the Commission had gone beyond its terms of reference. When one goes through the terms of reference it becomes clear that it was necessary for the Commission to conduct a very extensive socio-economic and educational survey as the Commission was asked to look into the question of the classification of Backward Classes and further steps to be taken. Given the enormity of the task entrusted to it, the Commission was quite justified in preparing a new list of Backward Classes. It was the duty of the Commission not only to investigate but also to suggest possible alternatives and delete those who did not need the benefit of reservation any longer.

The Commission was appointed as a Commission of enquiry by the government under the Commissions of Enquiry Act of 1952, for its effective functioning. By the end of March 1986 the Commission submitted its report to the government after completing nearly three years of work.⁸ Venkataswamy

8 Ibid., pp.6-7.

Commission Report was not a unanimous report like the Havanur Commission's Report. Out of the fifteen members of the Commission five members wrote dissenting note against the Commission's findings and four of them expressed their disagreement on certain findings of the Commission.

The Commission conducted a census of households. The survey data covered nearly 95 per cent of the rural population and 79 per cent of the urban population which was about 90 per cent of the state population. The state average was derived from the district average.⁹

The Commission, like the previous one, adopted the multiple-test criterion to identify backwardness. It adopted 17 indicators with nine as negative indicators. These indicators were divided into four parts - Social, economic, educational and employment. The seventeen indicators included the percentage of literacy in each caste, the percentage students studying in SSLC, the percentage of urban people in each caste, percentage of self-employed in each caste, percentage of households living in Pucca and kutcha houses, percentage of landless households, percentage of households owning above 20 standard acres of land, percentage of households having an annual income of

9 Dr. G. Thimmiah, "Backward Classes Commission-I, Analysis of Methodology", The Deccan Herald, Bangalore, September 30, 1986.

Rs.20,000 and above, and finally the percentage of representations in Class I, II and III in the state government jobs. Any caste and community which scored more than nine indicators were considered as backward and caste and community which secured less than nine indicators were considered forward.¹⁰

As we have seen earlier there has been constant change in the criteria adopted to identify Backward Classes. Havanur Commission adopted multiple criteria of economic, educational, occupational and residential. The Venkataswamy Commission drew up seventeen indicators. However, Caste remained the basic criteria. The Commission used caste to identify groups and communities. It felt that it would be doing injustice to many castes and Communities who were really backward if economic criteria was adopted as the decisive one. Being aware of the role caste played in social deprivation, the Commission, while admitting that poverty contributed to backwardness, did not give primacy to the economic factor.¹¹ This meant giving undue importance to the caste factor.

10 G. Thimmaiah, Karnataka Government Policies for SC/STs and OBCs, Seminar on Reservation: Objectives and Policies, Centre for Policy Research, New Delhi, March 18-20, 1987, pp.30-31.

11 Report of the Second Backward Classes Commission, Government of Karnataka, 1986, vol.1, pp.202-204.

Applying certain economic tests, like families with no house nor house sites, with landholdings less than one standard acre, or families in kacha houses etc., the Commission tried to establish that it gave due importance to the economic criteria. But ultimately caste emerged as the main determinant. Havanur Commission too had pointed out that backwardness, in most of the cases, was related to social status of the individuals. People belonging to the lower castes have inferior occupation, low literacy rate, are rural inhabitants and generally have much lesser opportunities than the upper castes to improve their standard of living. At the same time one should not ignore the fact that there are economically poor people even within the upper caste also. So it was necessary to give equal weightage to both the economic and caste factors in identifying backwardness.

To identify educational backwardness the Commission adopted SSLC pass test as the basic criteria. The Commission took the state average of students passed in the 1985 SSLC examination and combining this with the evidence derived from the seventeen indicators survey of 1984, the Commission decided on the criteria to identify the socially and educationally Backward Classes. In the case of certain communities like the Buddhists, Gudigara, Kamma, Kotesatriya,

Paligar and the Satani, the SSLC pass average was below the state average which meant that they were educationally backward. But among the rest of the seventeen indicators they scored less than nine which meant that they could not be considered as backward. This confusion was resolved by taking the SSLC pass test indicator along with the seventeen indicators. But still all these communities could not score enough indicators in their favour to claim backwardness. On the contrary caste/communities like Ambalawasi, Ganiga, Devadiga, Kunjirbhat and Kottari secured ten or more indicators and hence were declared backward.¹²

As far as the small community of Parsis were concerned the Commission took its own decision without considering the multiple test criterion result. The Parsi Community showed less than state average in SSLC pass test and secured twelve indicators out of seventeen. Thus, it was technically eligible to be considered backward. Nevertheless, the Commission, ignoring the socio-economic and educational criteria, treated it as a prosperous community. In this particular case the Commission was unanimous in its opinion.

12 Ibid., pp.212-213.

Here, an obvious question that arises is, if everybody considered it as a prosperous community, how could the statistics, be treated as an objective criterion to determine backwardness? Or else, one has to question the validity of the data collected by the Commission. The Parsis originally did not belong to the state. They were an insignificant section of the state population and were migrants from other places, basically involved in business. It was difficult to get an accurate statistics about their socio-economic and educational status. So, taking this numerically insignificant section as an example, it won't be right to question the validity of the extensive data collected by the Commission.

Recommendation on Reservation Under Article 15(4) of the Constitution¹³

Thirty five castes/communities along with their sub-castes and related occupational groups were identified as socially and educationally backward classes to be able to derive the benefits under Article 15(4) of the Constitution. These 35 castes and communities were divided into groups 'A' and 'B'. All those castes and communities which were

13 Ibid., pp.213-215.

below the state average of 3.34 per thousand in SSLC pass test but above 50 per cent of the state average were grouped under group 'A'. The following castes/communities along with their synonyms and sub-castes and related occupational groups come under group 'A': (1) Agasa; (2) Bavaji; (3) Devadiga; (4) Deshabandhari; (5) Gollia; (6) Gondhali; (7) Hindu Sikkiligara; (8) Hindu Hugur; (9) 2 Idiga; (10) Jogi; (11) Kajirbhat; (12) Kottari; (13) Kumbara; (14) Nayinda; and (15) 25 sub-castes among Muslims.

All these caste/communities, along with their sub-castes and related occupational groups, which secured below 50 per cent of the state average in the SSLC pass test were put under group 'B'. They were: (1) Ambalakaran; (2) Beda; (3) Bestha; (4) Budubuduki; (5) Dasar; (6) Ganiga; (7) Halwakkivakkal; (8) Helawa; (9) Katik; (10) Kudubi; (11) Kuruba; (12) Ladara; (13) Medar; (14) Kayaravat; (15) Siddi; (16) Tewar; (17) Thigala; (18) Uppara; and (19) Scheduled Castes converts to Christianity.

The Commission recommended 27 per cent reservation under Article 15(4) by allotting 14 per cent to Group 'A' which had a population of 17.17 per cent and 13 per cent to group 'B' which had a population of 15.21 per cent.

Under Article 16(4)

The Communities like Baandhi, Devadiga, Kajirbhat, and Kottari who were adequately represented in the government services, were declared ineligible to draw the benefits of reservation under Article 16(4) of the Constitution even though they were recognised to be eligible to derive the benefits under Article 15(4). Thus the number of caste/communities given benefit under Article 16(4) was reduced to 31. They were divided into Group 'A' and 'B' with 13 per cent and 14 per cent reservation respectively.¹⁴

To find out if a community is adequately represented in the government services the proportion of each caste/community's population to the total population was taken. The castes/communities which were found to be, proportionately, or over represented, were denied any more benefits under Article 16(4). Of the four communities which were found to be ineligible for further benefits under Article 16(4), even though they were identified as backward, under 15(4), the caste Baandhi and Kanjirbhat were over represented. Kottari and Devadiga had representation equal to their population percentage. Since they had secured more than

14 Ibid., p.219.

the state average in the SSLC pass test they were left out.¹⁵ This was contrary to the Havanur Commission recommendation. Havanur Commission clubbed together Article 15(4) and 16(4) of the Constitution. Some castes/communities which were socially and educationally backward were excluded from the benefits of reservation on finding that they were adequately represented in the government services.

Altogether Commission identified 35 castes and communities with their synonyms and sub-castes for the benefits under Article 15(4) and 31 castes and communities with their synonyms and sub-castes for the benefits under Article 16(4). The Havanur Commission had identified 16 castes and communities under Backward Communities, 129 castes and communities under Backward Castes and 62 castes/communities under Backward Tribes. Thus, Venkataswamy Commission deleted large number of castes and communities from the list of Backward Classes.

To discourage the well off sections of the Backward Classes from cornering the benefits of reservation, the

15 Ibid., p.218.

Commission set an income limit of Rs.15,000 per annum, so that those earning above this, though otherwise identified as backward, could not claim any benefits under either Article 15(4) or 16(4) of the Constitution. The Commission also recommended that reservation for Backward Classes should apply in the case of promotions in the government services.¹⁶ It is a known fact that in most cases the benefits of reservation has been monopolised by the well off sections of the Backward Classes themselves. Income limit set for Backward Classes would help the needy sections of the Backward Classes to avail of the benefits of reservation.

Backward Special Group

The Backward Special Group category was first introduced by the Havanur Commission under which any person irrespective of his or her caste/community could claim the benefits of reservation on the basis of low income. This provision was misused by the well off sections of the forward communities who could easily procure a false income certificate to grab the benefits of reservations.

16 The Deccan Herald, Bangalore, August 30, 1986.

— Venkataswamy Commission abolished the category of Backward Special Group as it was felt that where economic test was the only criteria it ultimately gave a double benefit to the forward castes which also dominated the merit group.¹⁷ The data collected by the Commission proved this point. The following table (Table-5) shows the category-wise and caste-wise distribution of MBBS seats in government and private Medical colleges under Government quota for the year 1985-1986.

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17 Report of the Second Backward Classes Commission, Government of Karnataka, 1986, vol.1, pp.223-224.

Table-5: Category-wise and Caste-wise Distribution of MBBS Seats in Government and Private Medical Colleges Under Government Quota in Admission for the Year 1985-86 in the State.

Caste/Community	General	Backward Special Group	Backward Community	Backward Caste	Backward Tribe	Scheduled Caste	Scheduled Tribe	Total
Bunts	3	6						9
Brahmins	155	58		4				217
Golla	1				21			22
Jain	6	6		1				13
Kuruba (Gond)				25			1	26
Kamma	4			9				9
Lingayats	28	27			1			56
Vokkaligas	30	1	75					106
Christians	11	7		2				20
Muslims	15		35	4	1			55

Source: Karnataka Second Backward Classes Commission Report, Government of Karnataka, 1986, vol.III, p.95.

Out of the 118 special group seats, the Brahmins secured 58 seats, the Lingayats secured 27 and the rest went to the Bunts, Jains, Vysya and the Maratha. Out of the 298 merit seats 155 went to the Brahmins and the rest was distributed among the other communities. Table-6 shows the category wise students admitted to the different courses in the Agricultural University of Bangalore, during the year 1984-85.

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Table-6: Category-wise Particulars of students admitted to the Different Courses in the Agricultural University, Bangalore, During the year 1984-85

Caste/ Community	General Merit	Back- ward Special Group	Back- ward Commu- nity	Back- ward Caste	Back- ward Tribe	S.C.	S.T.	% of the Total	% of the popula- tion
Brahmin	60	19						19.72	03.81
Lingayats	33	38	12					20.19	16.92
Vokkaliga	8		60					16.24	11.68
Christian	4	2	7					2.55	1.89
Jain	2	1	7					2.32	0.84
Muslim	1	1			1			0.70	10.97

Source: Karnataka Second Backward Class Commission Report, Government of Karnataka, 1986, vol.III, pp.106-109.

Out of the 63 Backward Special Group seats, 38 went to the Lingayats and 19 to the Brahmins thus leaving only 2 for the Christians, and one each for Ganiga, Maratha, Jain and the Muslims. Out of the 134 merit seats, 60 went to the Brahmins, 33 to the Lingayats, and 8 to the Vokkaligas. Thus, more than 100 seats went to these 3 Communities. These statistics clearly shows the monopolisation of benefits under the Backward Special Group category by the upper caste/communities. Apart from this they dominated the merit group too.

The Commission recommended 45 per cent reservation including the reservation of 18 per cent for the Scheduled Castes and Scheduled Tribes. This was much less than the then existing reservation quota of 68 per cent. The reduction in the quota was the result of deletion of many castes and communities from the list of Backward Classes.

Karnataka has been treating even some of the dominant communities under the Backward Classes. It was only during Devaraj Urs's period that the government order based on the Havanur Commission recommendation, identified

Lingayats, one of the dominant communities as forwards. But the Vokkaligas continued to enjoy the benefit of reservation under the backward category. The Venkataswamy Commission also upheld Lingayats as forwards. Besides this, applying the socio-economic and educational survey the Commission identified the Vokkaligas also as a forward community. It was found that the Vokkaligas scored only 3 out of the seventeen indicators adopted to identify the caste/class status. It was for the first time in the history of Reservation Policy in Karnataka that the Lingayats and the Vokkaligas, the two dominant communities, were identified as forwards.

The Commission treated some known and identifiable sections of Muslims, who were declared by the government either as denotified or nomadic tribes, as backward classes. The Havanur Commission on the basis of its survey had identified the Muslims as forwards. But Devaraj Urs while implementing the Commissions recommendations gave Muslims the backward tag. The Venkataswamy Commission divided the Muslims into different categories - including some in the backward list and the others into the forward.

The Christians who had considerably higher proportion of the educated than the state average, and economically

better off than other communities, continued to be recognised as forwards. But the Scheduled Caste converts to Christianity were included in the backward list.

Many castes and communities that were identified as backward were enjoying the benefits of reservation ever since the beginning of the Reservation Policy in the state. The Commission intended to put an end to this ongoing derivation of benefits by limiting the benefits of reservation for only two generations. Those whose parents and grand parents had enjoyed the benefits of reservation under Article 15(4) and 16(4) of the Constitution were recommended to be ineligible for the benefits of reservation.¹⁸ Like Havanur Commission, the Venkataswamy Commission also suggested a review of Reservation Policy once in every ten years.

The other recommendation of the Commission included sanction of more pre-metric and post-metric hostels for Backward Classes, a scheme for granting Rs.15 per month to parents of poor income groups among the Backward Classes as an incentive to send their children to the Schools,

18 Ibid., p.293.

scholarship facilities to the Backward Classes, exemption of application fee and examination fee for those whose income was less than Rs.6,000 per annum, Reservation of 25 per cent seats for Backward Classes in all government and semi-government institutions and boards etc.¹⁹

The tabling of the three volume Venkataswamy Commission Report in the State Legislature invited resentments from various sections of the people all over the state. It gave severe shock to the Vokkaliga community for classifying them as forward. The Lingayats were furious for the continuation of their forward label. The castes/Communities who were deprived of their concessions under Backward Classes were out on the roads protesting against the recommendations. The five dissenting members of the Commission requested the Chief Minister Mr. Hegde to reject the report in toto.

The dissenting members raised various objections against the findings of the Commission. They alleged that the Commission had not taken all its members into confidence before finalising the report. The Project report of the Socio-economic-cum-educational survey in 1984 were not prepared and placed before the Commission,

19 Ibid., pp.293-300.

to understand and evaluate the conditions of backwardness. Some members complained that they were not given an opportunity to look into the annexures and tables of data to express their opinion. The grouping of about 400 castes/communities into 65 groups was not thought to be fair enough to identify backwardness. The 17 indicators chosen to identify the backward classes by the sub-committee were not comprehensive enough to include social status, occupation, education, habitation etc. The dissenters claimed that the data collected by the Commission were finalised without consulting all the members.²⁰

The dissenting Members accused the sub-committee on statistics which prepared the list of Backward classes, and the members who accepted the main report, of bias in conferring benefits on a few castes and communities. They felt that certain castes and communities have been eliminated without adequately evaluating their socio-economic and educational progress since 1977. They saw in it a strategy to set one community against the other thus preparing the way for caste war.²¹ The dissenters were also in favour of retaining the special group category which has been rejected by the Venkataswamy Commission.

20 Letter of the Dissenting Members of the Venkataswamy Commission, addressed to the Chief Minister of Karnataka, A New Deal for Backward Classes in Karnataka, Government of Karnataka, 1986, pp.10-12.

21 Ibid.

Serious doubts were raised about the reliability of caste-wise statistics regarding passes in the SSLC examination and persons in government service. The caste-wise statistics of students appeared for the SSLC examination in 1985 was collected from 3017 High Schools out of the total 3,244 high Schools in the state. As the information about the caste of a student appearing for the examination was not insisted, there was serious doubts about the authenticity of the caste percentage in the SSLC passes.²² Same was the case with statistics on the percentage of castes in Government service also.

One of the dissenters pointed out that the reduction in the percentage of reservation to 27 per cent would deprive the benefits to more than 25 per cent of population living below the poverty line. The Commission gave undue importance to the caste factor ignoring the basic distinction between caste and class. Caste has been used to identify class in the traditional sense.²³

22 G. Thimmaiah, "Second Backward Classes Commission-II: Contradictory Findings", The Deccan Herald, Bangalore, 1 October 1986.

23 K.H. Cheluva Raju, Minute of Dissent-Report of the Second Backward Classes Commission, Government of Karnataka, vol.I, pp.310-311.

Many castes and communities including the Lingayats and the Vokkaligas were very disappointed with the recommendations of the Venkataswamy Commission. They organised protests in various parts of the state by way of demonstrations, bandh, blockade of rail and road traffic etc. The agitators found ready support forthcoming from some of the political parties also. The opposition Congress(I) tried to capitalise on the situation. Protests came not only from the Congress(I) but also from within the ruling Janata Party.

Many Vokkaliga MLAs (Members of Legislative Assembly) and MLCs (Members of Legislative Council) belonging to the Janata Party threatened to resign if the Venkataswamy Commission Report was accepted. There were a few instances of resignations also. The Vokkaligas took the lead in mobilising others. Road and rail traffic was totally disrupted in the Vokkaliga stronghold of Southern Karnataka, particularly in the Mysore-Bangalore sector. Attempts were even made to disrupt watersupply in the state.²⁴

Vokkaligas, who were for the first time identified as forwards waged an all out war against the government.

24 H. Husumkar, "To be 'Backward' is good", The Times of India, Delhi, 9 November 1986.

This opportunity was also utilised by the Lingayats who unsuccessfully tried to pressurise the Devaraj Urs Government to earn a backward label. State-wide agitation was called by the All India Veerashiva Mahasabha. Later, the Devangas, Ganigas, the Viswakarmas and a few others joined the protest.

When the agitation began it was largely confined to Mandya, Hassan, and parts of Bangalore, and Mysore districts. Later, it spread to most of Kolar, Kodagu, Thunkur, Chikamagalur, Shimoga and parts of Chitradurga, Dharwar, Uttara Kannada, Raichur and other northern Karnataka districts.²⁵ Thus, the agitation was mostly confined to the Vokkaliga and Lingayat dominated areas. Disruption of transport and the frequent calls for Bandhs caused enormous inconvenience to the general public. During the agitation period normal life was disrupted in most parts of the State.

Chief Minister Ramakrishna Hegde was under pressure from all sides to reject the Venkataswamy Commission Report. On 22 September 1986 Hegde invited the leaders of the political parties, agitators and academicians to discuss the Report.

25 The Deccan Herald, Bangalore, 29 September 1986.

In the meeting it was decided not to accept the Commission report as it is, but after modifying it in such a way as to ensure that no injustice was done to any community. Hegde promised to retain the quota of reservation at the existing 68 per cent. The meeting which was looked with hopes both by agitators and the Backward Classes, ended up more favourably to the former at the cost of the latter. The government demonstrated its weakness by expressing its inability to stand up and resist the upper class pressure.

As assured by the Chief Minister, a decision on the Venkataswamy Commission Report was taken by the government on October 7, 1986. The decision was clearly, favourable to the agitators. The cabinet in its meeting rejected the Venkataswamy Commission Report and a new ad-hoc Reservation Policy for three years was announced. Hegde also announced his decision to appoint yet another Backward Class Commission which was earlier refused by him. With this decision of the government the three years' effort of the Venkataswamy Commission was thrown aside.

Earlier, in 1963, consequent to the Supreme Court verdict in the Balaji case, the Nagan Gowda Committee Report was rejected before it could be implemented. The present report was rejected only because of the upper caste

pressure. Hegde Government did not have the political will to resist the agitators and accept the report.

The New Reservation Policy

The rejection of the Venkataswamy Commission Report and the announcement of a new Reservation Policy was an immediate strategy to pacify the agitators and buy peace for the time being. The new policy accommodated most of the agitating castes and communities in the Backward classes list. Brahmins, Vysyas, Jains, Mudaliars and a few others constituting eight per cent of the population were the only ones considered forward. Caste-wise nearly 92 per cent of the population was considered backward.

Since the income limit has been imposed government claimed that it was going to benefit only 60 per cent of the population. Castes/communities listed under Backward Classes were divided into six groups. The income limit was to cover only five groups out of six. The total percentage of reservation has been retained at 68 including the Scheduled Castes and the Scheduled Tribes. The Backward Special Groups initially introduced by the Havanur Commission was retained with 5 per cent reservation.

Reservation Under Article 15(4) of the Constitution

The group 'A' covering 65 communities with the population of 4.73 per cent was given 5 per cent reservation. The group 'B' containing 13.3 per cent of the state population was allotted 15 per cent reservation, to be given to only those coming under the Rs.10,000/- annual income limit. The group 'C' consisting of Muslims, Vokkaligas, Kamma, Dayi, Devanga, Neigi, Pathakar, and Viswakarma communities forming 26.32 per cent of the population was sanctioned 16 per cent reservation. An income limit of Rs.10,000/- per annum was fixed for them also.

The group 'D' consisted of Desh Bandari, the kshatriyas, the Marathas, Raja kshatriyas, Hindu Sadar, the Samavamsha kshatriyas and the Veerashiva Lingayats. They constituted 20.79 per cent of the population and were given 9 per cent reservation. The income limit fixed was the same as group 'B' and 'C'. And group 'E' covered the Backward Special Group with 5 per cent reservation for those coming under the income ceiling of Rs.8,000 per annum regardless of the caste or community to which they belonged.²⁶

26 The Deccan Herald, Bangalore, 8 October 1986.

Reservation Under Article 16(4)

The quota of reservation for group 'A' was the same as under Article 15(4). The group 'B' covering 16.42 per cent of the population was given 13 per cent reservation. Group 'C' forming 26.26 per cent of the state population was allotted 16 per cent reservation. Group 'D' comprising 20.79% of the population was assigned 11 per cent reservation. The benefit of reservation under Group 'E' was the same as under Article 15(4) Group 'B', 'C' and 'D' had the income ceiling of Rs.10,000/- per annum and the Group 'E's income limit was Rs.8,000/- per annum.²⁷

The announcement of the ad-hoc Reservation Policy took everybody by surprise. The agitators were on the whole satisfied with the outcome. Hegde's main intention, it appeared, was to appease the forward castes. It was a big boom for the Lingayats who were totally out of the Backward list ever since the Havanur Commission Report was accepted by the Urs Government. There is no doubt that they are going to capture a major chunk of the 9 per cent reservation under Article 15(4) and the 11 per cent reservation under Article 16(4).

27 Ibid.

The Vokkaligas were also all the more satisfied with their success in pressurising the government to reject the Venkataswamy Commission Report and in gaining a larger share of the reservation. The state was looking forward to Hegde's decision with great expectation. However, causing great disappointment to the deprived sections, he succumbed to the upper caste Pressure. Long-term political considerations restrained him from further antagonising the Lingayats and the Vokkaligas.

The Janata Government's new Reservation Policy was dubbed immoral, illegal, unconstitutional, and impractical by the Press, intelligentsia and the leaders of the backward classes. The decision was considered politically motivated to fight the forthcoming Mandal Panchayat and Zilla Parishad elections. "It is one example", commented the Tribune "of the government starting out on a laudable mission and ending up doing the exact opposite".²⁸ The government was accused of taking an ambiguous, indecisive and weak stand.²⁹ Hegde was taking an easy way making political capital out of the issue.³⁰ It was described

28 The Tribune, Chandigarh, 9 October 1986.

29 The Deccan Herald, Bangalore, 9 October 1986.

30 The Hindustan Times, Delhi, 9 October 1986.

as a "step backward"³¹ and was branded as "worse than capitulations".³²

The Venkataswamy Commission was appointed, by Hegde, soon after he came to power, with laudable objectives. However, it is a tragedy that the Reservation Policy has become a platform for the vested interests and the government to derive political benefits. Political calculations rather than the interests of the deprived sections weigh more with the governments. While appointing the Commission, Hegde took care to ensure that none of the members belonged to the upper caste/communities. But when it came to implementation dominant communities' interest became important.

The Havanur Commission conducted sample survey covering 193 villagers, 185 urban blocks and 63,650 families. Compared to this the Venkataswamy Commission conducted very extensive socio-economic and educational survey involving 44,572 enumerators covering nearly 90 per cent of the state population. The data collected was fed to the computers to arrive at a conclusion.³³

31 The Indian Express, Bangalore, 9 October 1986.

32 The News Time, Hyderabad, 10 October 1986.

33 H. Husumakar, op.cit.

There was wide difference between the data collected by the Commission and by the Directorate of Economics and statistics. The number of government employees in the state, as per the Commission's survey, in Class I was 28,099 whereas the Directorate of Economics and Statistics shows 8,362. Here a difference of around 20,000 has been pointed out. In Class II there was a difference of around 58,000 and in Class III of about 53,000. Class IV showed a difference of 46,000.³⁴ These wide gaps gave ample scope for doubt about the accuracy of the data collected by the Commission.

The extensive surveys conducted by the Commission was the first of its kind in Karnataka. An Enquiry Committee could have been appointed to look into this discrepancies instead of rejecting the report in toto. Had the Vokkaligas and the Lingayats not been identified as forwards there would not have had so much pressure on the government as to reject the report. As much as the organisation and strength of the forward classes, the inherent weakness of the Backward Classes to organise and fight back contributed to the rejection of the Report.

34 A New Deal for Backward Classes in Karnataka,
Government of Karnataka, 1986, p.8.

The Lingayats and the Vokkaligas who were controlling the political scene since independence were contained to some extent during Devaraj Urs's period. Their remobilisations started during the Gundu Rao period. They captured most of the Assembly seats during the 1985 election which returned the Janata Party to Power. Out of the Janata Party's 136 MLAs 90 belong to either the Lingayats or the Vokkaligas.³⁵

The political Pressure on Hegde was more from his own party than from the opposition. When the Havanur Commission's recommendations were accepted by the Government the Lingayats were not politically strong enough to pressurise the government. But the new Report brought both the Vokkaligas and the Lingayats together against the government. Hegde was under considerable pressure from his own colleagues. He did not want to loose power. The Vokkaligas were well aware that unless the government was threatened their demands were not going to be accepted. They had learned lessons from the Lingayats' experience under the Devaraj Urs' government. The disturbing political scene, and the emergency rule that prevailed, did not give them much scope to force the government to meet their demands.

35 The Telegraph, Calcutta, 9 October 1986.

Hegde's approach towards the agitators, right from the beginning, was sympathetic. Within 25 days of the tabling of the Report Hegde called for a meeting and assured the agitators of retaining the quota of reservation at 68 per cent and also promised to consider most of their demands. Accordingly the new Reservation Policy was introduced.

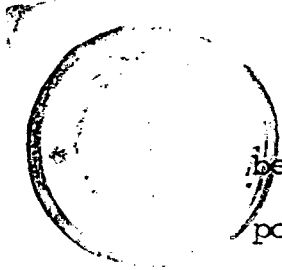
The Venkataswamy Commission was charged with neglect of the Supreme Court directives. Chief Justice Y.V. Chandrachud in the case of Vasantha Kumar and others vs. the State of Karnataka had held that there should be two tests to identify the backward classes. They should be comparable to the scheduled castes and scheduled tribes and they should satisfy the means-test such as laid down by the State Government in the context of the prevailing economic conditions.³⁶ The new Reservation Policy announced by the Janata Government did not conform to this suggestions. Caste continued to be the main determinant of backwardness. In the cover of the proposed income limit the government justified its policy of considering 90 per cent of the population as backward.

36 Report of the Second Backward Class Commission, Government of Karnataka, vol.I, p.92.

All those who disagreed with the Commission's Report including the dissenters did not react to the new Reservation Policy. Here, an important question to be raised is, can the Lingayats and the Vokkaligas be comparable to the Scheduled Castes and the Scheduled Tribes, who have been bearing the brunt of the upper class dominance, to enjoy the more or less same kind of benefits that goes with the backward tag? The answer is obviously in the negative. The Janata government's policy has totally ignored the Supreme Court's suggestions.

It is unfortunate that the Backward Classes have not been able to launch a counter agitation against the upper caste agitation. Lack of consciousness among the Backward Classes and absence of proper leadership to organise them were their main weaknesses. The upper castes have major say in both the ruling as well as the opposition parties. Hegde, by putting the forward castes/communities within the backward list has done grave injustice to the really deprived sections. As Naik rightly commented, "It is something like putting the big and the small fish together the former will swallow the latter".³⁷ It is unfortunate that the Backward Classes were not able to realise this.

37 L.R. Naik, "Caste, A Dominant Factor in Deciding Backwardness", The Times of India, Bangalore, October 26, 1986.



The Janata government was not able to continue the beginning that was made, during Urs' period,ⁱⁿ the state politics. The bold attempts of identifying the Lingayats and the Vokkaligas as forwards by the Venkataswamy Commission was sabotaged by the Government. By announcing the ad-hoc Reservation Policy the government pacified the agitating upper classes at the expense of the lower classes. The Government justified its new policy by adopting both the caste and the income criterions.

According to the new Reservation Policy 92 per cent of the state's population are backward. Bringing the communities like the Lingayats and the Vokkaligas under the purview of reservation is against the very ideal of 'protective discrimination' visualised in the constitution. It is true that there are poor people within these dominant communities. But their number is very insignificant compared to the very backward castes/communities who are incapable of competing with others.

It will be a difficult task to delete, the castes or communities once considered backward, from the list, at a later stage. The Janata government missed a golden opportunity to do this. Unless the upper class pressure is countered by a strong government policy the really needy backward classes will never get due justice.

Hegde Government by putting all of them together deprived the benefit of reservation to the needy ones. Though the Chief Minister has promised to appoint yet another Commission to have a fresh look at the problem, there is serious doubts about the viability of this suggestion to solve the issue. What is needed is the political will to take a bold decision limiting the benefits of reservation only to the actually under-privileged sections of the society. Here, the directives, issued by the Supreme Court would provide some objective criterions. The issue of reservation should be looked at from above the narrow political angle.

CONCLUSION

CONCLUSION

The absence of a precise and definite criteria in identifying backwardness stands out as a primary limitation to a fair assessment of the problems of the Backward classes. This can be discerned from the appointment of the first Backward Classes Commission to the present day. Initially, all except the Brahmins were identified as backward. The criteria was the knowledge of English language. Later, caste emerged as the primary criteria. It was only during the tenure of Devraj Urs, that the Havanur Commission adopted the multiple criteria. This included in its purview the economic, occupational and residential aspects. Even though the Commission adopted the multiple criteria, the ultimate conclusion was that the lower social status of a particular caste or community was the cause of its backwardness. The Venkataswamy Commission, appointed during the Janata regime, gave overwhelming importance to caste. After the rejection of the Venkataswamy Commission's recommendations the new reservation policy brought out by the government also could not avoid caste as the criteria to identify backwardness, although certain income criteria was also

attached to it. This showed the urgent need to adopt a proper and precise criteria in identifying backwardness. Undue weightage to any one aspect will not go far in solving this problem. Balanced weightage should be given to the caste and the economic criteria.

The Devaraj Urs phase between 1972-1980, marked a new trend in the arena of reservation policy in Karnataka. The Lingayats and the Vokkaligas, who were socially, economically and politically dominant, mostly controlled the state apparatus and the Congress Party since Independence. In the pre-independence period, they challenged the dominance of the Brahmins in the state, and asserted their position vis-a-vis the Brahmins. Devaraj Urs, coming from a minority community, as Chief Minister, made an attempt to check the unquestioned dominance of the Lingayats and the Vokkaligas in the state politics. During this period concrete steps were taken to improve the conditions of the Backward Classes. The Lingayats were for the first time designated as forwards in the state. However, this did not continue for long. The Janata government, under its new Reservation Policy reverted them back to the status of Backward Classes.

Karnataka ranks among the foremost states to provide for one of the highest percentages of reservation. The

state did not witness any violent anti-reservation movements unlike some of the other states in India. The peculiarity of Karnataka is that it has provided examples of agitation not against reservation but, curiously enough, for reservation. The Castes and the Communities identified as forwards have always fought for the backward identity. Most of the times it was only the Brahmins who were designated as forwards. The Brahmins who were numerically insignificant were incapable of launching an organised protest. When the Lingayats were designated as forwards by the Havanur Commission, they did not succeed in pressurizing the government to procure a backward tag. It was during the Janata regime when the Lingayats and the Vokkaligas together were identified as forwards that they joined hands and succeeded in getting their demands fulfilled. But the agitation never assumed a violent form. The point to be emphasised here is that although any protest when countered by other groups can become violent, in Karnataka this did not happen.

Our analysis of the reservation policy in Karnataka showed the politics behind the whole issue of reservation. Clearly the reservation policy had been used by the political parties and the government in order to pursue their narrow

political objectives. On many occasions, reservation policy was passed on the eve of elections so as to win over the voters in favour of the respective party in the government. The best example was the new reservation policy formulated by the Janata party in 1986. As it was difficult for the government to survive without the support of the dominant communities they have time and again, been given the backward label. It was the forthcoming Zilla Parishad and the Mandal Panchayat elections that made the government reject the Venkataswamy Commission Report which was strongly opposed by the dominant communities. Unless the political motives behind the reservation policy is done away with, the Backward Classes would never get their due benefits.

Hegde's new dispensation for the Backward Classes ended up identifying most of the communities as backward. If the pattern of reservation established in 1986 is to continue, then the very meaning of 'protective discrimination' provided under Article 15(4) and 16(4) of the Constitution will be lost. It was true that an income limit was imposed. But the communities like the Lingayats and the Vokkaligas did not in reality require the benefits of reservation. It cannot be denied that there are poor people within these communities as well, but they are negligible as compared to the others. By identifying some

of the otherwise dominant classes as backward along with the truly backward classes, it is not surprising that, the former takes away a major chunk of the benefits meant for the latter. There has been a passivity on the part of the deprived sections in fighting for their due. They lack proper leadership and initiative in this regard. The Backward Classes should organize themselves to resist the upper class dominance and to demand a proper share in social legislations.

It is clear that most of the times the benefits of reservation have gone either to the forward classes or to the upper strata of the backward classes themselves. There is an urgent need to conduct research on who the really backwards are, and who among them must be brought under the cover of reservation, in order to ensure that the benefits of social legislation go only to the needy ones.

The problem of backwardness cannot be solved by appointing Commission after Commission. This can only demonstrate the absence of political will on the part of the government. First of all, a sincere effort should be made to establish an objective criteria to identify backwardness. Secondly, the government should show the necessary political will to apply this criterion. The

Supreme Court directives in the Vasant Kumar's and Balaji's cases can provide some guidance in identifying the criteria. Over and above all these things the issue of reservation should be looked at from above the narrow political angle.

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