

**MANDAL AGITATION IN DELHI :
A SOCIOLOGICAL STUDY**

*Dissertation submitted to Jawaharlal Nehru University
in partial fulfilment of the requirements for
the award of the Degree of*

MASTER OF PHILOSOPHY

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Dedicated to

Mummy, Pappa and Ankit



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CERTIFICATE

This is to certify the dissertation entitled "**MANDAL AGITATION IN DELHI : A SOCIOLOGICAL STUDY**" submitted by **BHUP SINGH** in partial fulfillment of the requirements for the award of the Degree of **Master of Philosophy** of this University, has not been previously for any other degree of this or any other University. This is an original work.

We recommend that this dissertation may be placed before the examiners evaluation.

Dr. Anand Kumar

Supervisor

Prof. Dipankar Gupta

Chairperson

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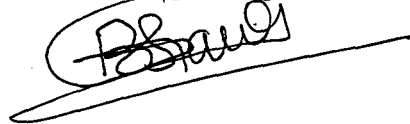
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A handwritten signature in black ink, appearing to read 'Bhup Singh', is written over a horizontal line. The signature is stylized and somewhat cursive.

List of Abbreviations

.....

- CAD* : *Constituent Assembly debate*
- G.O.* : *Government Order*
- SEBC* : *Socially and Educationally*
- BC* : *Backward Classes*
- SC* : *Scheduled Caste*
- ST* : *Scheduled Tribe*
- MCR* : *Mandal Commission Report*
- AMCF* : *Anti - Mandal Commission form*
- DUTA* : *Delhi University Teachers*
Association

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Chapter - 1

Introduction

This is a sociological study of Anti-Mandal Agitation in Delhi. It looks at the events in the context of announcement of implementation of Mandal Commission report by V.P. Singh, the then P.M. on 7th August 1990. The year 1990 was the year of "Social Justice" in India. It saw two major events: first submission of Chinnapa Reddy Commission report"¹. Which received high acclaims and much appreciation for its objectivity. On the other hand the tragic incidents, which followed the government's decision to implement 27% job quotas recommended by MCR. The Hindi belt witnessed wide spread riots, involving much blood shed and tragic suicides by young students and employees. The supreme court, however stayed². The government's decision to implement it. The Mandal report has been much maligned and has been blamed for unleashing a "Caste War" on India and the NF government was accused of playing "Caste Politics".

Theoretical Approach:

I will try to analyse this agitation in the light of two theoretical Approachs:(a) Discontent Theory (b) Relative Deprivation Theory.

Discontent Theory³ - holds that agitations are rooted in discontent of youth. Those who have either no high aspirations or are contented and comfortable with what they have or what they are likely to have will have no interest in agitations. But those who feel even mildly annoyed with existing structure and

opportunities will collectively act to pressurise the power-holders to bring some changes. Discontent leads to frustration, which erupts in aggressive violent ways.

Relative Deprivation Theory⁴ .:

According to Ted Gurr⁵. [why Men rebel, 1970] Relative Deprivation is the difference between value expectations and value capabilities of people.

Relative Deprivation theory was propounded by Stouffer in 1949. Relative Deprivation is the perception that one is less well off than the others with whom one compares oneself. It talks of the gap between expectations and realizations. It is increasing throughout most of the underdeveloped world. Youth in India also feel that lack of opportunities unemployment, reservation on caste basis, limitation on higher education particularly technical and professional education are not necessary and are avoidable. They long for better jobs, economic security, promotional opportunities, social mobility and all those things that many other enjoy. They hunger for their treasures but have little real understanding of what it takes to produce them. Even where the youth are beginning to get some of the things they covet, these satisfactions come with an unbearable slowness. A weakening of traditional controls accompanies this enormous inflation of desire. The existing social structure and power elite have little hope of keeping up with the youth's expectation. Thus when young people become most

miserable, agitations seem most likely to occur. Davies and Geshwender have said that the outbreak of agitation most often happens after a downturn has interrupted a period of improvement, creating an intolerable gap between rising expectation and falling realisations.

METHODOLOGY :

This study is based on event analysis of Anti Mandal Agitation which started with the announcement of implementation of MCR. The nature of this study is exploratory because no field study has been undertaken. The sources of data are various government reports, newspaper reports, journals and periodicals.

Social Context of Agitation :

Reservation in government services and educational institutions is an age old phenomena, so is the history of protest movement against it. Whenever, new policy of reservations has been announced, those adversely affected by it have always opposed it.

One of the most outstanding protests in colonial era was posed by M.K Gandhi, when he sat at fast unto death at Yarveda Jail in Pune. His stand was that communal awards were designed to divide the society. Finally, Pune Pact was signed on

28th Dec, 1932 and the issue of separate electorate was quashed.

In Kerala when Left Government came to power, it tried to take under its control all the private institutions which were then monopolised by Nairs and Catholic Christians. It was done with a view to break the overwhelming dominance of these communities in such institutions and to allow admission to others. This led to a great hue and cry and finally Kerala Government was dismissed in 1959. Nehru was then Prime Minister and Indira Gandhi was the Congress President⁶.

Anti Mandal Agitation in Gujrat⁷.

There were no instances of backward class or anti Brahmin movement in Gujarat. In 1960 Swatantra Party forged the idea of including Kshatriya community among backwards. In 1971, Baxi commission⁸. was appointed to identify SEBC for appointments in Government services and admission in educational institutions. On being opposed by those not included in the report, Rane Commission⁹ was appointed in 1981. In the meanwhile, medical students started an agitation in early 1981 to oppose reservations for Scs and SEBCs in post graduate medical classes. Soon the agitation got intensified and the whole reservation policy has been opposed. Strangely, only Scs were targeted in this movement. Again in 1985 Solanki government extended the quota for SEBC students from 10% to 28%. Students of upper caste reacted angrily and "bandhs" were organised. When muslims refused to join the movement there were Hindu-Muslim riots. Anti Reservation Front (ARF) was joined by the government employees

and parents of the students. On April 22, 1985 a policeman was killed, journalists were attacked and the buildings of Gujrati Daily was put on fire. Government was forced to revise the extension¹⁰.

Agitation in Hindi Belt :

It was basically after 1967, that backward classes - Yadavas, Kurmis, Gujjars, Ahirs and Jats consolidated and forged an alliance under the leadership of Charan Singh and Ram Manohar Lohia.

In Bihar twice born caste constituted only 13% of the population but were dominating the whole political field. In 1971, Mungeri Lal Commission¹¹. was appointed which prepared its own list of OBC (128) and most backward classes (93), taking into an account social status educational backwardness, representation in government services, trade, commerce, industries etc. 26% reservation in jobs and 24% in educational institutions was embarked. Karpuri Thakur government accepted the recommendations of report in 1978, despite opposition from within his party - Janta Party. He proclaimed, "I am determined to implement all the programmes (for welfare of BCs also) enumerated in the election maniefesto of the party ". He announced reservation in jobs and in holding of Panchayats elections.

OBCs	8%
Most BCs	12%
SCs	14%
STs	10%
Women	3%
Economically Backwards	3%

Karpuri Thakur Formula¹².

This decision provoked widespread backlash on the part of the forward castes. Colleges were closed, trains & buses were attacked and govt. property was destroyed. Derogatory slogans were floated to attack Karpuri Thakur - "Karpuri Karpura, Chhor Gaddi, Dhar Chhura." [Karpuri leave political chair and go back to your profession of barber (Nai)]¹³.

Uttar Pradesh has been a political nerve centre of country. In U.P. caste system is, found well as, differentiated interms of the varna model. A most backward classes commission" under chairmanship of Shri Chhendi Lal Sethi¹⁴ was appointed in oct. 1975 which submitted its report in 1977.

Category	Quotas Suggested
1. List 'A' Comprising those who are Landless Labourers, Unskilled non Artisans, Doms etc.	17%
2. List 'B' Comprising of Marginal and Small Cultivators.	10%
3. List 'C' Comprising of backward Muslims.	2.5%
4. Total	29.5%
5. Already Existing Quota for SCs and STs	20.0%
Total Quotas	49.5%

It recommended classification of backward classes into three categories. But later, Ram Naresh Yadav Govt. revised the recommendations and only 15% quota was fixed for OBCs. However, general caste students demanded that class and not caste should be the basis of backwardness. The agitation was joined by intellectuals, govt. servants and media. In 1979, Allahabad High Court struck down the government order. The case is, still, pending before the Supreme Court of India¹⁵.

The concepts and their relevance

(a) Mass media -:

Gould and Kolb¹⁶ have defined mass media as all the impersonal means of communication by which visual, or auditory messages or both are transmitted directly to audience.

According to Ram Damija¹⁷, there are three different parts or element of mass media in India (1) Folk media (2) Print media (3) Electronic media.

However, During Mandal agitation Print media, Visual media played crucial role to intensify the agitation,

(b) Social Justice¹⁸ -:

Social justice may be defined as the right of weaker, aged, destitute poor, women, children and other underprivileged persons, to the protection of the state against the ruthless competition of life. It gives the necessary adventitious aids to the underprivileged so that they may have the equal opportunity with more advanced sections of society, in the race of life. In short, we can say that it is a balancing wheel between the "haves" and "have nots".

It is a product of social injustice and seeks to remove social disability by birth resulting in social and economic inequality. It ensures equality of status, equality of opportunity and developmental facilities to all. Thus, it is of great value in providing a stable society and in securing the unity of India.

(c) Agitation¹⁹ -:

It is of primary importance in a social movement. It

operates to arouse people and make them possible recruits in movements. It is essentially a mean of inciting people and awakening within them, new impulses and ideas which make them restless and dissatisfied. For successful Agitation preconditions are -:

- (1) It must gain the attention of people.
- (2) It must excite them, arouse feelings and impulses.
- (3) It must give some direction to these impulses and feelings through ideas, suggestions, criticisms and promises.

Agitators are of two types²⁰. First type of Agitator are excitable, their dynamic and energetic behavior attracts the attention of people. Actor's appearance and behaviour provides extra dimension to the campaign of unrest and excitement. This type of agitator is likely to be most successful, in situation where people are already disturbed and unsettled; in such a situation his own activity can arouse other people who are sensitized to such behaviour and already disposed to excitability.

Second type of agitator is more calm, quite and dignified. He stirs people not by what he does, but what he says. He is likely to be a man sparing in his words but of saying very caustic incisive and biting things - things which get "under the skin" of people and force them to view a new light. This type of agitator is suited to situation where people endure hardship or discrimination without developing attitude of resentment²⁰.

(d) Limitation of study -:

The present study of AntiMandal Agitation from sociological perspective has certain limitations also -:

(1) Area of study is specified.

(2) It is based on secondary data only, because no field study has been undertaken.

(3) The period chosen from 8th Aug. to 2 Oct. is very specific.

Thus, conclusion should be taken as tentative.

(e) The Schema -:

Chapter - I -:

This chapter outlines the significance and relevance of study. It also deals with theoretical approaches concepts and methodological aspects.

Chapter - II -:

This Chapter described the evolution of the reservation policy and describes how it started and was legalized by constitution.

Chapter - III -:

This Chapter will deal with Anti Mandal agitation in Delhi, which became role model for other centres through out the country. In this chapter, I will also try to look at role played by Media, Student organisations and other support groups.

Chapter - IV -:

This Chapter will attempt a full fladged analysis of various debates which have taken place during and afterward the Mandal agitation.

Chapter - V -: Conclusion

Notes and References

1. Third Karnataka Backward Classes Commission which submitted its report on 4th April, 1990.
2. On 1st Oct., 1990 Supreme Court declared that till it decides the constitutionality on the 13th Aug., 1990, notification of the National Front Government, no jobs will be given to the SEBC under this notification. The notification reserves 27% jobs in the central Civil Services and public sector undertaking on the basis of the MCR.Hindustan Times; 2 Oct., 1990.
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6. Bigoted Protest Economic and Political Weekly 6th Oct., 1990.
7. Ghanshyam Shah. Antireservation Agitation in Gujrat.
8. First Backward Classes Commission of Gujrat.
9. Second Backward Classes Commission of Gujrat.
10. Ibid (7).
11. First Backward Classes Commission of Bihar.
12. Karpuri Thakur Formula.
13. Sunil, "Aarakshan virodha Ka Sach". Paritipaksh (Hindi), Sept. - Oct. 1990.
14. State Backward Classes Commission Report.
15. Ibid (14).
16. Quoted in S.C. Sharma's Mass Commission and Development 1987, P-20.
17. Ram Dhamija, "Media and Communalism" p. - 405.
18. P. Venugopal, "Social Justice and Reservation", Emerald publishers 1992.
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20. Blumer, Herbert.

Chapter II

Evolution of the Reservation Policy

The basic objective of reservation policy was to eradicate the traditional inequalities meted out to the downtrodden. It was premised on the fact that it will facilitate personal achievement and endow the individuals with the confidence and capacity to shape their own future.

The policy of reservation was firmly established during the closing decade of the British rule. The British Government had introduced special provision and concession for the educational advancement of the backward classes, which was later on converted into caste reservations in educational institutions and for the government jobs. The first instance of scheduled caste person entry into government school in Dharward, Bombay Presidency was recorded in year of 1856. This incident had created a furore in the administration which ultimately attracted the attention of the British rulers. The Board of directors had formulated an Educational policy, where it was stated that as long as the schools were maintained by the government the 'classes of its subjects are to be given admission without any distinction of caste, creed and religion. This policy was further strengthened with the enactment of caste Disabilities act of 1872¹.

In the middle of the 19th century social reformers like Brahma Naidu, Narayan Guru and Jyothirao Phule started movement for the entry of backward classes into the educational institutions and for the equality of opportunities. Due to the

combined efforts of these reformers, first government circular regarding reservation certain posts in favour of the backward classes was made on June 19-21 1895 by the Mysore government².

In 1902, July 26th. The ^{Shri. Kothari} Sathur sathrapati order pleaded for not only 50% reservation for the backward caste people but also provided importance and preference to the backward caste people in most of the departments of the government³. The census report of 1910, for the first time divided the Hindus into three categories: (a) Hindus (b) Animists and Tribals, (c) The Depressed classes or Untouchable, giving separate importance to the untouchable acquired a new political dimension in the census.

In 1910, the basis, adopted by the census commissioner for separating the different classes of Hindus was (a) those who were hundred percent Hindus (b) those who were not found in circular issued by the Census. Among those who were not 100 % Hindus, were included the castes and tribal which (i) deny the supremacy of Brahmins; (ii) do not receive the Mantras from Brahmins again (iii) deny the authority of the Vedas; (iv) do not worship the Hindu Gods; (v) are not served by superior Brahmins as the family priests; (vi) have no Brahman Priests at all; (vii) are denied entry to the interiors of the Hindu Temples; (viii) cause pollution by their touch or from a certain distance; (ix) bury their dead; (x) eat beef and do not revere the cow. Here the tests that divide the hindus from untouchable are (ii), (v), (vi), (vii) and (x)⁴. "The Congress party in its annual session in 1917 passed a resolution in which it urged upon the people of India,

the necessity of justice and rightness of removing all the disabilities imposed by customs upon the Depressed classes, the disabilities being of a most vexatious and oppressive character, subjecting those classes to considerable hardship and inconvenience"⁵.

The king of Mysore appointed a committee headed by Miller in 1918⁶. This committee defined the term 'backward classes to Include all communities except Brahmans'. In 1925, Bombay Presidency made a announcement through different resolutions that except Brahmans, Lords, Jains, Parsis, the remaining 90% population was declared as ' Backward class people'⁷. Reservations were created in the government departments for the backward class people. In the history of reservation policy Justice party was the first to lay down caste wise reservations for public employment⁸.

In 1927, Government of Madras Presidency passed the resolution which brings out the fact that all reservations should be on the basis of caste⁹

S.No.1.	Non-Brahman Hindus (5 seats reserved for 12 seats)	= 42%
2.	Brahmans (2 seats reserved for 12 seats)	= 17%
3.	Muslims(2 seats reserved for 12 seats)	=17%
4.	Anglo Indians (2 seats reserved for 12 seats)	= 17%

5.	Schedule caste (1 seat reserved for 12 seats)	= 7%
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The Hartong Committee 1929 defined Backward community in its glossary as castes or classes which are educationally backward, they include the Depressed classes, Aboriginal, Hill Tribes, and Criminal Tribes. Mr. M.C. Rajah, spokesman of untouchable, mentions the term backward classes only as a 'confusing synonym' for depressed classes. This confusion was cleared by the Starte Committee¹⁰ in 1930 and it recommended that, 'Depressed classes should be used in the sense of untouchable, an usage which coincide with the existing common practice. This committee divided the backward class people in three categories

1. Depressed Classes (SC)
2. Tribes (ST)
3. Other Backward Classes (OBC)

The committee recommended the special concession and consideration in the government services to the above mentioned three categories.

The British government followed a policy of communal representation in public services for the communities like Muslims, Christians, Anglo Indians, Parsis, Depressed classes, Aborigines and Other Groups. Dr. B.R. Ambedkar demanded separate electorate in the Second Round Table conference at London for Scheduled Caste People. Separate electorate was granted to the Scheduled Caste by the British government. It was opposed by

Gandhiji, who undertook a 'fast unto death' to force the revision of the electoral award. This negotiation came in the form of Puna Pact,¹¹ under which Dr. Ambedkar gave the demand of yielded up Separate Electorate and accepted in its place a system of reservation for untouchable under a joint electorate with a caste Hindu majority.

The United Province Hindu Backward Class League (founded in 1929) submitted a memorandum which suggested that the term 'Depressed' carried a connotation of untouchability in the sense of causing pollution by touch as in case of Madras and Bombay. The league suggested the term 'Hindu backward' as a more suitable nomenclature¹². The Madras Provincial Backward Classes League was founded in 1934 for securing separate treatment from the forward non Brahman communities. It presented a list to the Madras Government in 1944 comprising of more than hundred communities with about 25 million population¹³. In November 1947 separate reservations in Madras services were provided for these 'Backward Hindus.'

The communal representation provided by British government of India Act 1919 and 1935 was to pacify different sections of society especially the minorities. Reservation of post Government was applicable only to direct recruitment and not in promotion. Ever since 1925 the scheme of reservations applied to Indian Civil Services Class I, Class II and subordinate services under administrative control of the British government of India with exception of certain services for which

high technical qualification were necessary¹⁴. The British government issued instructions on July 4th 1934 for reserving posts for the minorities and depressed classes. However, it was only in 1942 that the British government decided to fix a certain percentage of jobs for depressed classes in order to give them necessary stimulus to equip themselves with better qualification in order to become eligible for posts and services¹⁵.

Steps were taken to grant age concession , reduction in examination fee etc. in order to enable the candidates from these classes to join government services. The Objective Resolution of the constitutional Assembly moved by Jawharlal Nehru on December 13, 1946 has resolved to provide adequate safeguard for minorities, backward and tribal areas, and depressed, and other backward classes¹⁶. The objective resolution was welcomed by different communities representing the constitutional assembly as proclaiming in unequivocal terms as assurance to protect the interests of minorities and backwards¹⁷. Nehru conceded that state appointment should be fairly and adequately distributed and that no community should have a cause to complain. He thought that such fairness could be attained by convention and agreement and by giving backward communities special education and training to bring them unto a higher level¹⁸. On the suggestions of Cabinet Mission, an advisory committee on the fundamental rights and minorities was setup by the constitutional assembly containing due to representation to all minorities of India. The Advisory committee was represented by all sections of the society- Hindus,

Muslims, Scheduled castes, Sikhs, Indian Christians, Parsis, Anglo Indians, and Tribal. Sikhs and Anglo Indian made special demands for reservation in government posts of their community¹⁹. Along with these communities, Ambedkar the chief spokesman of the untouchables made a strong case for ameliorative measures to be undertaken by the state under the proposed constitution of India for boosting up the socio economic condition of the scheduled castes²⁰. He demanded that his community should be adequately represented in the legislature and in the services according to its percentage in the total population. He drew attention of sub committee to the deprivation and disadvantages suffered by the scheduled cast for centuries and insisted that a policy of preferential treatment was imperative for their socio-economic mobility. He viewed the scheduled caste as a religious minority in India²¹. The 'Sub Committee on Minorities submitted its report to the advisory committee with Sardar Patel as its chairman. It also recommended a Statutory Commission to investigate into the conditions of socially and educationally backward classes and to study the difficulties under which they labour and to recommend necessary measures to uplift them²².

The constitutional assembly accepted all the main recommendations of the committee. The spokesmen from the minority communities hailed the recommendations and congratulated Patel for having produced the 'Magna Carta' for the welfare of the Harijans and other minorities²³. But the attitude of Muslims League was not cooperative and they demanded a separate

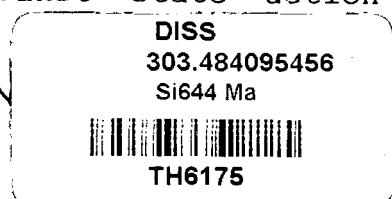
electorate²⁴. The partition of the country on communal lines forced the constitutional assembly to reconsider the entire report of the committee from 30th December 1948. It ultimately withdrew the reservation given to the religious minorities e.g. Muslim, Christian, Sikhs, etc.,²⁵ and both the legislature and the public services. Reservations only in favour of the scheduled caste and scheduled tribe and other backward classes were retained²⁶. In the constituent drafting committee after a lot of discussion regarding the word "Backward Classes" among Ambedkar, Rajagopalachari and Pannikar they finally decided to confine the policy of reservation only to the backward classes and not for any religious or linguistic minority. Hence the word "Backward' before the word" classes was added by the Drafting Committee in the Article 10(3) of draft constitution. This came to be the Article 16(4) of the new constitution.

CONSTITUTIONAL PROVISIONS FOR RESERVATION

The constitution of India aims at achieving administrative and political unity and socio-economic revolution under a democratic set up. The philosophy underlying our constitution is gloriously embodied in the preamble that K.M. Munshi termed 'Political Horoscope'²⁷. The preamble tells- "we the people of India, having solemnly resolved to constitute India into a (Sovereign, Socialist, Secular and Democratic Republic)²⁸, and to secure to all its citizens : Justice,, Social, Economic and Political; Liberty of thought, Expression, faith, belief and worship : Equality of status and of opportunity; and to Fraternity assuring the dignity of the individual and (the unity and integrity of the nation)²⁹, in our constituent assembly, this twenty sixth of November 1949 we hereby adopt, enact and give to ourselves this constitution".

Our constitution talks about political, economic and social justice and equality of opportunity. Thus both justice and equality defined in the Preamble according to G.S.Ghurye', cut of the very root of our castes³⁰ and aims at a radical social revolution through the relevant provisions of socioeconomic rights enshrined in it. Article 15(i) of the constitution of India prescribes that the 'state' shall not discriminate against any citizen on ground of religion, race, caste, sex, place of birth or any of them.

Article 29(2) also guarantees protection to citizen, against state action which discriminates in admission to



institutions on grounds of religion, race caste, language or any of them. After the commencement of the constitution, challenges³¹ were made to governmental programmes aimed at making special provision for weaker sections in the field of education and housing. Due to decision of the Supreme Court clause (4) has been incorporated in Article 15. It empowers the state to make special provision for advancement of socially and educationally backward classes of citizens for the scheduled castes and scheduled tribes.

Article 16(4) lays down that - "Nothing in this article shall prevent the state from making any provision for reservation of appointment or post in favour of any backward classes of citizens who, in the opinion of the state, are not adequately represented in the services under the state" in fact this provides an exception to the principle of equality of opportunities in public employment guaranteed in the constitution. Article 17 says that Untouchability is abolished and its practice in any form is forbidden. The enforcement of any disability arising out of "untouchability" shall be an offence punishable in accordance with law" compensatory/protective discrimination also finds its place in Article 29(2) which says "nothing in this article shall prevent the state from making any special provision for the advancement of any socially and educationally backward class of citizens or for scheduled castes and scheduled tribes".

Article 46 says that "state shall promote with special

care the educational and economic interests of the weaker sections of the people, and in particular of scheduled castes and scheduled tribes and shall protect them from social injustice and all forms of exploitation. Article 164 of the constitution also provides appointment of Minister in charge of Tribal Welfare in the state of Bihar, Orissa and Madhya Pradesh. Article 275 of the constitution provides Grants from the union to certain states for the purpose of promoting the welfare of scheduled tribes and raising the level of the administration of the scheduled area in the state".

Article 330 provides reservation of seats for scheduled caste and tribes in the House of People.

Article 332 provides reservation of seats for scheduled caste and tribes in the legislative Assemblies" Article 335 says that the claims of members of scheduled caste and the scheduled tribe shall be taken into consideration in consistency with the maintenance of efficiency of administration in making an appointment to which the affair of the union or of a state.

Article 340 of the constitution says that the president may order the appointment of a Commission consisting of such persons as he thinks fit to investigate the conditions of socially and educationally backward classes within the territory of India and difficulties under which they labour, to make recommendations as to the steps that should be taken by the Union or any State to remove such difficulties and to improve their

conditions and as to the 'grants' that should be given for these purpose by the union to any state and the condition, subject to which such grants should be given and the order appointing such commission shall define the procedure to be followed by the commission.

340 (b) a commission so appointed shall investigate the matters referred to them and to the President of India a report setting out the factors as found by them and making such recommendation as they think proper.

340 (c) The President shall cause a copy of the report so presented together with a memorandum explaining the action taken there on to be laid before the parliament.

Thakur Das Bhargava described this article "as the soul of constitution. This article places upon the entire nation, the obligation of seeing that all the disabilities and difficulties are removed and therefore it is really a" charter of the Liberties of the Backward classes³². Till such time as they reached normal standard of living facilities should be extended to them.

Article 341 (a) The President may with respect to any state or union Territory and where it is state, after consultation with governor there of by public notification specify the castes, races or tribes which shall for purposes of this constitution be deemed to be scheduled caste in relation to

that state.

341 (b) Parliament may by law include or exclude from the list of Scheduled Caste specified in a notification issued under section (i) any caste, race or part of or group within any caste, race or tribe, but serve as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification.

Article 342 (1) Says that the president may with respect to any state or union territory and where it is state, after consultation with governor ---thereof by public notification specify the tribes or tribal communities which shall for the purpose of this constitution be deemed to be scheduled tribe in relation to that state.

342(2) Parliament may by law include in or exclude from the list of scheduled tribes specified in a notification issued under clause (i) any tribe or but same as aforesaid a notification under the said clause shall not be varied by any subsequent notification.

THE OTHER BACKWARD CLASSES

The OBCs for whom preferential treatment are authorized are not defined in the constitution nor is any exclusive methods or agency for their designation provided. At the time of independence the term Backward classes did not have a fixed or definite reference. It had a variety of referents, had shifted rapidly in meaning and had to mean different things in different places. When asked, what a backward community is, Dr. Ambedkar defending the Draft of constitution explained, "we have left it to be determined by each local government. A backward community is a community which is backward in the opinion of the Government"³³.

The framers of the Indian constitution were aware of political social and economic inequalities which existed in the country, due to historical reasons and were anxious to remove these inequalities by positive state measures even if these measures imposed unequal burden on these individuals who had hitherto enjoyed undue advantages. They were aware of the prevailing miserable and appalling condition of the backward groups who had remained behind and segregated from national and social life and had continued to be socially oppressed and economically exploited due to various types of disabilities. It became imperative to adopt a policy for weaker section of the society who were considered backward in comparison to the majority.

The policies formulated for the benefit of weaker

sections of society are known by different names, : "Special Treatment", "Concession", "Privileges", "Special Provisions", "Preferential Treatment" or "The Policy of Protective discrimination" etc.³⁴. But Marc Galanter prefer to use the term "Compensatory discrimination" because it implies that it is a compensation both for historical deprivation and to offset present handicaps³⁵. It also carries an implication that discrimination will cease, when compensatory treatment has removed these conditions. Protective discrimination, he says, has a paternalistic and static quality³⁶.

The first All India effort to recommend reservation on caste basis (other than scheduled caste, scheduled tribe) was attempted by Kaka Kalekar Commission in 1953. This commission was appointed by the government in accordance with Articles 15(4), 16(4) and 340 of Indian constitution³⁷. Kaka Kalelkar Commission was appointed on 29.1.1953 and it submitted its reports on 30.3.1955. The Commission prepared a list of 2399 backward castes. It recommended reservation for SEBC (Socially and Educationally Backward Classes) in government and local body services.

25%	Class I
33.1/2 %	Class II
40%	Classes III & IV

The commission suggested the creation of a separate ministry for backward classes welfare.

The commission laid down the following tests for classifying socially and educationally backward classes.

(i) Low social position in traditional hierarchy of Hindu Society.

(ii) Lack of general educational advancement among major section of a caste or community.

(iii) Inadequate or no representation in government services.

(iv) Inadequate representation in the field of trade, commerce and industry.

Analysis of Kaka kalelkar Report :

The commission could not present an unanimous report. Five of its members recorded of dissent. Dr. Arup Singh, Sri Arunangshu De, Sri P.G. Shah were opposed to the reservation of caste as an criteria. On the other hand, Sri S.D.S Chaurasia strongly advocated the acceptance of the caste as a criterion for the backwardness. Sri T. Marriappa's minute of dissent was concerned only with the inclusion of a couple of castes in the list of OBC's. Sri Kaka Sahab Kalelkar also opposed the acceptance of caste as the basis of backwardness; though he did not record a formal minute of dissent. Apart from this major difference the commission suffered from methodological flaws.

The commission was also required to determine the criteria for identifying socially and educationally backward

classes. The commission did prepare a list of 2399 backward classes but failed to explain that how these criteria were applied.

The commission obtained 3414 representations, evidences of 5636 persons, and 985 replies to its questionnaire from the state governments and the general public³⁸. The state governments pleaded that the relevant caste wise data were not collected in the 1951 census, while the figures furnished by different castes/communities were a matter of guess work and exaggeratory action. On its part, the commission did not make any attempt to collect the relevant data through its own surveys either.

The commission state wise lists are based on the list prepared by the Ministry of Education for the grant of scholarships etc., to the other educationally backward classes in 1942. It was compiled from the recommendations received from the respective state governments. The other figures for the OBCs were based on the figure given by the census departments,. However, apart from these two lists, the commissions also used the OBI list arbitrarily drawn up by the state governments.

The list prepared by the Ministry of Education was not based on any special service, it was meant only for other educationally backward classes, and not socially and educationally backward classes as contemplated in Article 340 of the constitutions.

The Commission found as many as 2399 castes/communities as backward, with 837 of them most backward. It recommended different percentages of seats or vacancies in educational institutions, government services etc; for OBI. But in absence of any exploration of rationale for fixing different percentage for different group of post etc; the approach appears some what arbitrary.

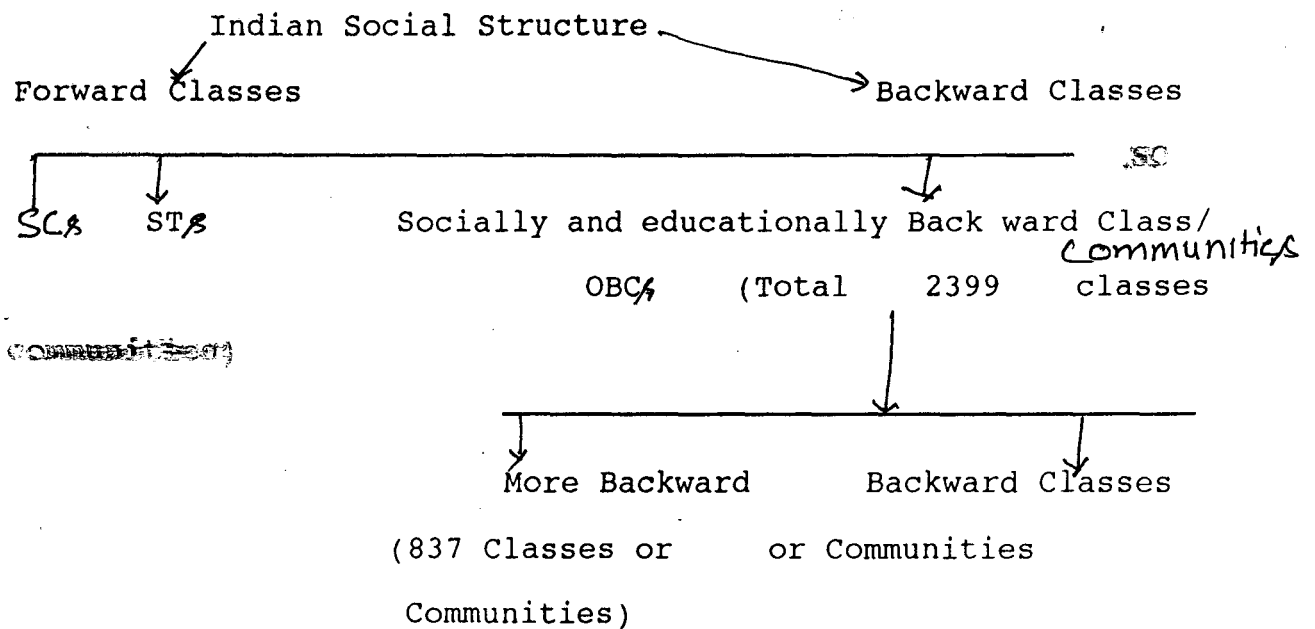
As it is aforesaid that the weakness of the report lies in its internal contradictions. There was no unanimity among the members of the commission over the criteria to identify the OBCs. Three members of the commission were opposed to the linking of caste with services.

Though the chairman of the commission, Kaka Kalelkar did not formally submit a note of dissent, yet he himself contradicted his report. In his 30 pages forwarding letter to the president, he himself repudiated the commissions work; stating that the remedies suggested were worse than the evil to combat the social problems. He was against reservations in government services for any community.

His letter to President clearly shows the duality of mind. His contradictory statement weakens the genuineness of the report.

Kaka kalelkar's report has also some merits. It has taken, the social structure of India into account, to solve the

problem of backwardness. It divided the backward classes into two groups and recognise that apart from SC's and ST's there were three groups :- forward classes which stand in opposition to backward classes; more backward classes; and less backward classes. This division can be understood with the help of a diagram.



Thus the commission has made it clear that there could not be a homogenous socially and educationally backward classes/ community. There are opposition of interests even within them.

The report has also recognised the regional variations of backward classes. A backward class in one place may not be backward in another place. The commission has pointed out 837 classes as most backward out of 2399 SEBC. The then government realised this fact, and understood its inability to provide assistance to such a vast group; as it would not have served the

poorest among the backwards; so that the regional variations should be given adequate attention.

Though Kaka Kalelker commission could not be implemented yet it provided a guideline to various state commissions and second backward classes commission of India. It indeed raised some basic issues which could not be solved till this time.

The government of India rejected the recommendations and informed the states were free to draw their respective lists of backward classes on the basis of criteria worked out by them and take whatever further action they deem necessary in the matter. Consequently a number of state governments set up their own commissions. Actually the caste based mobilisation has influenced the response of the states. Those who were once designated as backward resist any attempts to eliminate them from the list of backward caste on the basis of their advancement. Backwardness in this context has become a privilege to be fought for and consolidated political powers. After 1967 the intermediate peasant classes Yadav Kurmi, Ahir, Gujjar, Jats attained an impressive economic as well as political power due to their numerical strength and political mobilisation. The government of Janta Party dominated by ex. Socialists and Lok Dalities appointed another commission. It was headed by Bindhyeshwari Prasad Mandal, former Bihar Chief Minister and included other five members³⁹. The second backward class commission called the Mandal Commission submitted its reports to the government of India on 31 December 1980.)

The Terms of reference :-

The commission was asked to

- (i) To determine the criteria for defining the socially and educationally backward classes;
- (ii) To determine steps to be taken for the advancement for the socially and educationally backward classes of citizens so identified;
- (iii) To examine the desirability or otherwise of making provisions for reservations to appointment on posts in favour of such backward classes of citizens which are not adequately representative in public services and posts in connection with the affairs of the union or any state ; and
- (iv) Present the report setting out the facts found by them and making such recommendation as they think proper.

The commission may also examine the recommendations of backward classes commissions appointed earlier and the consideration which stood in the way, of the acceptance of its recommendations by the governments

Criteria Used by the Commission

The following are the criteria used by second backward classes commission in its socio educational field survey.

A. Social

1. Castes/Classes considered as socially backward by others.
2. Castes/ Classes which mainly depend on manual labour for their livelihood.

3. Castes/ Classes where at least 25% females and 10% males above the state average get married at an age below 17 years in rural area and at least 10% female and 5% males do so in urban areas.

4. Castes/ Classes where participation of females in work is at least 25% above the state average.

B. Educational

5. Castes/ Classes where the number of children in the age group of 5-15 years who never attended school is at least 25% above the state average.

6. Castes/ Classes where the rate of student drop outs in the age group of 5-15 years is atleast 25% above the state average.

7. Castes/Classes amongst whom the proportion of matriculates is at least 25% below the state average.

C. Economic.

8. Castes/ Classes where the value of family assets is at least 25% below the state average.

9. Castes / Classes where the number of families living in Kuchha house is at least 25% above the state average.

10. Castes / Classes where the source of drinking water is beyond half a kilometer for more than 50% of the households.

11. Castes/ Classes where the number of households having taken consumption loan is at least 25% above the state average.

Weightage

Social indicators	:	3	(x4) =12
Educational Indicators	:	2	(x3) =6
Economic Indicators	:	1	(x4) =4

Total	:		22

All the Castes /Classes which had a score of 50% (11 points) or above are treated as SEBCs.

Identification of OBC:⁴⁰.

It is necessary to know that the classes, castes or communities identified as a backward as a result of this survey belong to Hindu religion only. As the unit of Identification in the above survey is caste, and caste is a unique feature of Hindu Society only; the result of survey cannot have much validity for their identification have been given separately.

As the acceptance of caste as a unit of identification has already been discussed exhaustively in the chapter IV and VII of this report. The Supreme Court has held " ... but it must not be forgotten that a caste is also a class of citizens and if the caste as a whole is socially and educationally backward, Reservation can be made in favour of such a caste on the ground that is socially and educationally backward classes of citizen within the meaning of Article 15(4)". Further " a caste as always been recognised as a class. There is no gainsaying the fact that there are numerous castes in this country which are socially and educationally backward. And if after collecting the necessary data it is found that caste as a whole is socially and educationally backward, in our opinion, the reservation made of such persons will have to be upheld notwithstanding the fact that a few individuals in that group may be both socially and educationally backward.

Expert panels also recognised that main task before the commission was to "lay down the criteria for identifying for recognisable and persistent collectiveness and not individuals". "It also observed", "In the Indian context such collectiveness can be castes or hereditary groups".

Infact, caste being the basic unit of social organisation of Hindu society, castes are only readily and clearly , "recognisable and persistent collectivities".

Regarding state wise lists, socially and educationally backward classes contained in vol.VI of this report; the following clarification may come in mind. As stated in the last chapter, only two villages and one urban block were selected from each district of the country for socio educational survey where as the size of this sample was large enough to give us reliable data for formulation and testing of the criteria of socio educational backwardness, it was not sufficiently comprehensive to cover each and every caste in the country. but for the purpose of the commission it was also necessary to give complete list of socially and educationally backward caste/class in each state. as in absence of properly identified OBC's, the recommendation would have been only of academic interest.

In view of the foregoing, the commission has also applied some other tests like stigma of low occupation, criminality, nomadism, beggery and untouchability to identify social backwardness. Inadequate representation in public services

was taken as another important test.

Thus the commission adopted a multiple approach for the preparation of comprehensive list of OBC for all the states and union territories. The main sources examined for the preparation of these list were :-

(i) Socio Educational Field Survey

(ii) Census Report of 1961 (particularly for the identification of primitive Tribes, Aboriginal Tribes, Hill Tribes, Forest Tribes and Indigineous Tribes).

(iii) Personal Knowledge gained through extensive touring of the country and receipt of voluminous public evidences as described in chapter X of this report; and

(iv) List of OBC notified by various state governments.

OBC Among Non Hindu Communities :-

There is no doubt that social and educational backwardness among non Hindus communities exists. Though caste system is peculiar to the Hindu society yet in actual practice it also pervades the non Hindu communities in India though in varying degrees.

Despite the prevalence of caste systems among non Hindu communities in varying degrees, the fact of matter is that all these religions are totally egalitarian in their outlook. They proclaim absolute equality of all their co-religionist and any social differentiation based on the caste is anathema to them.

In view of this caste cannot be made the basis for identifying socially and educationally backward classes among non Hindu communities. Therefore the commission had to evolve other rough and ready criteria for identifying OBC's.

After under going a good deal of thought the commission evolved the following rough and ready criteria for identifying non Hindus OBC.

- (i) All untouchables converted to any non Hindu religion;
- (ii) Such occupational communities which are known by name of their traditional hereditary occupation and who's Hindu counter part have been included in the list of Hindu OBC (i.e. Dhobi, Teli, Dheemar, Nai, Gujar, Kumhar, Lohar, Darji, Badhai etc.);

Reservations :-

According to the last chapter of the report according to the population of OBC, both Hindus and non Hindus, around 52% of all post under the central government should be reserved for them. But this provision may go against the law laid down by the Supreme Court judgements under Article 15 (4) and 16(4) of the constitution that the limit of reservation should be below 50%. In view of this legal constraint, the commission recommended a reservation of 27% only, even though there population is almost twice of this figure.

States which have already introduced reservation for OBCs exceeding 27% will remain unaffected by the recommendation.

The commission recommended the following scheme of reservation for OBCs.

- 1) The candidate belonging to the OBC recruited on the basis of merit in an open competition should not be adjusted against their reservation quota of 27%.
- 2) The above reservation should be made applicable to promotion quota at all levels.
- 3) Reserved quota remained unfulfilled should be carried forward for a period of three years and deserved there after.
- 4) Relaxation in the upperage limit for direct recruitment should be extended to the candidates of OBC in the same manner as done in case of SC/STs.
- 5) A roster system for each category of posts should be adopted by the concerned authorities in the same manner as presently done in respect of SC and ST candidates.

The above scheme of reservation in its toto should also be made applicable to all recruitment to the public sector undertakings both under the central and state government as also in nationalised banks.

All private sector undertakings which have received financial assistance from the government in one form or the other should also be obliged to recruit personals on the aforesaid basis .

All universities and affiliated college should also be covered by the above scheme of reservation.

To give proper effect to these recommendations, it is imperative that adequate statutory provisions are made by the government to amend the existing enactments, rules procedures etc., to the extent they are not in consonance with same.

Educational Concessions :-

The report criticises the present education system as 'elitist', involving a high degree of wastage and unsuited to the requirement of an overpopulated and developing country; still less suited to the needs of backward classes. Yet they are forced to run the rat race with others as no option are available to them. An 'educational reform was not within the term of reference of this commission, we are forced to tread the beaten track and suggest only the palliative measures within the existing framework.

While appreciating the existing educational concessions to other backward classes student like exemption of tuition fee, free supply of books and clothes, mid day meals, special hostel facilities, stipends etc. It also recommended the need for integrated schemes for creating the proper environment and incentives for serious and purposeful studies.

The report gave the following reasons for illiteracy and high dropout ratios.

(i) These children are brought up in a climate of extreme social and cultural deprivation and, consequently, a proper motivation

for schooling is generally lacking.

(ii) Engagement in bread earning from very small age due to poverty.

It is very difficult to create a proper environment with limited resources. It can be tackled on two fronts.

(i) An intensive and time bound programme for adult education to create motivation in parents for educating their children.

(ii) Residential school having all facilities free of cost for OBC students should be setup in backward areas. These tasks should be taken on a limited and selective basis but at fast pace.

They cannot afford the high wastage of rates of our educational system, it is very important that their education should be highly in favour of vocational training to enable them to get a return on having vested several years in education.

It is obvious that even if all the above facilities are provided to the OBC students, they will not be able to compete on an equal footing with others in securing admission to technical and professional institutions; so seat should be reserved for OBC student in all scientific, technical and professional institutions run by central as well as state government, under Article 15(4) of the constitution. The quantum of reservation should be the same as in the government services, i.e. 27%. Those states which have already reserved more than 27% for OBC students will remain unaffected by this recommendation.

In addition to reservation of seats, the report recommended adequate follow up, in the form of special coaching facilities in technical and professional institutions.

Financial Assistance :-

The report says that industrialisation has harmed communities following hereditary occupation by robbing them of their traditional means of livelihood. Therefore members of such communities who want to setup their own small scale industries on their own should be given suitable institutional finance and technical assistance. Similar assistance should be provided for promoting OBC candidates who have obtained special vocational training.

Although most state governments have created various financial and technical agencies for such assistance, but only more influential members of communities are able to grab benefits from these agencies thus it is very essential that separate financial institution for providing financial and technical assistance to OBC should be established, as some state govt. like Karnataka and Andhara Pradesh have already set up.

The report also recommends cooperative societies of occupational groups for such help, on the condition that all the office bearers and members of such societies belong to the concerned hereditary occupational groups and no outsiders are allowed to exploit them by infiltrating into such co-operatives. The report holds such assistance essential as a part of an

overall strategy to uplift the Backward Classes.

Structural changes

The report says that without structural changes, reservations in government employment and educational institutions, as well as possible financial assistance will remain to be mere palliative unless problems of backwardness is tackled at its root. Bulk of the small land holders, tenants, agricultural labourers, impoverished villager, artisans, unskilled labourers etc. belong to scheduled caste and scheduled tribe and other backward classes, who form the numerical majority, the socio-political balance is heavily tilted infavour of high castes and rich peasantry. Hence it is the commission's firm conviction that a radical transformation of existing production relation is the most important step that can be taken for the welfare and the upliftment of all Backward Class. Even if this is not possible in the industrial sector for various reasons, in the agriculture sector a change of this nature is both feasible and overdue.

The commission therefore strongly recommends that all the state government should be directed to enact and implement progressive land legislation so as to effect basic structural changes in existing production relations in the countryside.

It also recommends that surplus land should be allotted to OBCs as it is allotted to SC/ST's.

MISCELLANEOUS RECOMMENDATIONS

- 1) Certain sections of some occupational communities like fishermen, Banjaras Khatwes etc still suffer from the stigma of untouchability in some parts of the country. They have been listed as OBC's by the commission, but their inclusion in the list of scheduled caste/scheduled tribe may be considered by the government.
- 2) Backward classes development corporation should be setup both at the central and state level in order to implement various socio-educational and economic measures for their advancement.
- 3) A separate ministry/department for OBC at centre and at states should be created to safeguard their interests.
- 4) With a view to give better representation to certain very backward sections of OBC's like Gaddis in H.P., New Budhists in Mahashtra, Fishermen in coastal areas, Gujjars in Jammu and Kashmir, it is recommended that areas of their concentration may be carved out into separate constituencies.

CENTRAL ASSISTANCE

At present no central assistance is available to state government for implementing welfare measures for OBCs. The Eighteen states and union territories which have undertaken measures to provide with various resources. The commission strongly recommends that all development programmes specially designed for OBC should be financed by central govt. in the same manner and to the same extent as done in the case of Scheduled

castes and Scheduled tribes.

Ragarding the period of the operation of the commission's recommendations entire scheme should be reviewed after 20 years. We have advisedly suggested the span of one generation, as the rising social conciousness is genrational progress. Any review at a shorter interval would be rather arbitrary and will not give fair indication of impact of our recommendation on prevailing status and life styles of OBC's.

Since, the Janata Goverment fell in a meantime, the commission submitted it's recommendations to the then government headed by Indira Gandhi. Again more significantly that government neither accepted nor rejected its recommendations. The intelligentsia did oppose it but mildly.

The demand for implementing the recommendations of the Mandal commission have been in air since then. It has been mostly voiced by the ex. socialists and Lok Dalities. The Congress and B.J.P. lent to it same sort of non committal support. Those who supported the Mandal commission are accused of consolidating a vote bank in what are loosely discribed as backward castes. They consitute the middle level of caste stratification as commonly defined and understood by the sociologists. However in general election of 1989, all the leading parties made a non committal reference to the recommendations of Mandal commission. Janata Dal promised to implement them⁴¹. Sudden Announcement by Janata Dal government to reserve 27% of the civil services under the central

government was received with shock, dismay and misgivings. It was seen as an elitist measure of the power game between then Prime Minister Shri V.P. Singh and his dismissed Deputy Prime Minister Devilal. A severe criticism flowed from intellectuals and the print media. It shocked and electrified the nation, particularly the youth of Hindi heartland. Angry and violent measures to contain them resulted in the loss of life and property. It subsided when the matter was taken to the Supreme court to examine if it ultravire to the constitution of India⁴²

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15. Report of Commissions on SCs/STs (1951).
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17. CAD, It was welcomed by M.R.Masani(Parsi), Sardar Ujjal Singh, P.R. Thakur (Harizan), Revjersome D'Souza.(Christian)
18. CAD p.215

19.CAD p.346,325. The only exception for Anglo Indian Community for whom job reservation had to be continued up to 1960.

20.CAD p,391.

21.CAD p.393-396.

22. Article 300 of the draft Constitution. The committee also recommended the appointment of a special officers for minorities to investigate all matters relating to the safe- gaurd provided for minorities and report to the President upon working of the safeguarded.

23.CAD p.208

24.CADp.213.

25.CAD,p.270,310-311.

26.CAD, But the reservation in services for Anglo Indians for a period of 10 years was conceded in due recognition of their Economic dependence on government service for long time.

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31.1. Madras vs Champakam Dorairajan
2, Jugwant Kaur vs State of Bombay. The Decision on above two cases led to the first amendment of Constitution in- corporating clause for in Article 15.

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40.Extracted from Ch.XII, Mandal Commission Report.

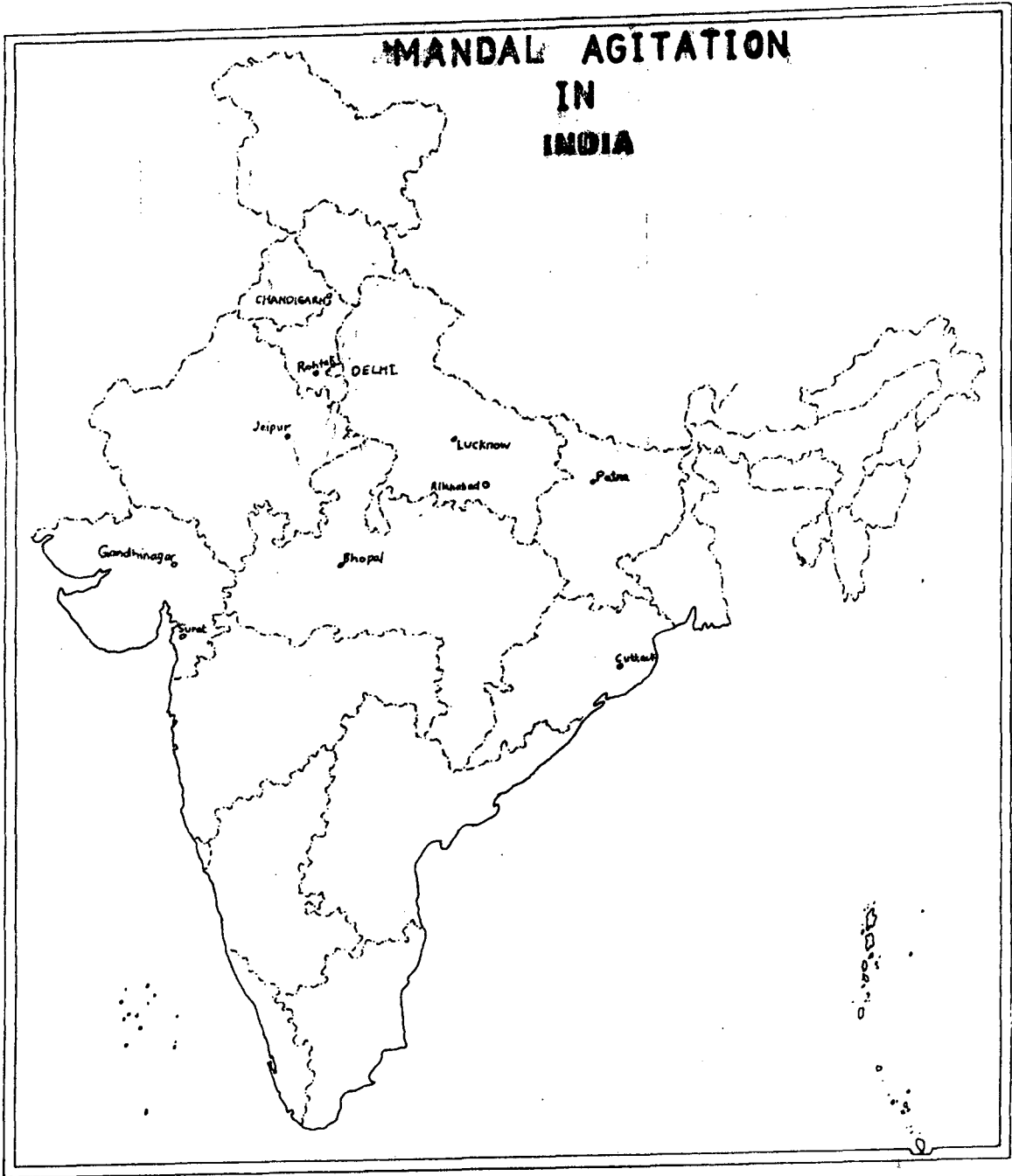
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42. After Hearing both parties the Suprem Court in its historical judgement on 15th November 1992, endorsed job reservation formula and upheld the union government's decision to reserve 27% jobs for the backward classes but struck down the Narshima Rao Government's decision to reserve 10% of vacancies in the government's Civil posts and services for other economically backward section of the society who are not covered by any of the existing scheme of reservation.

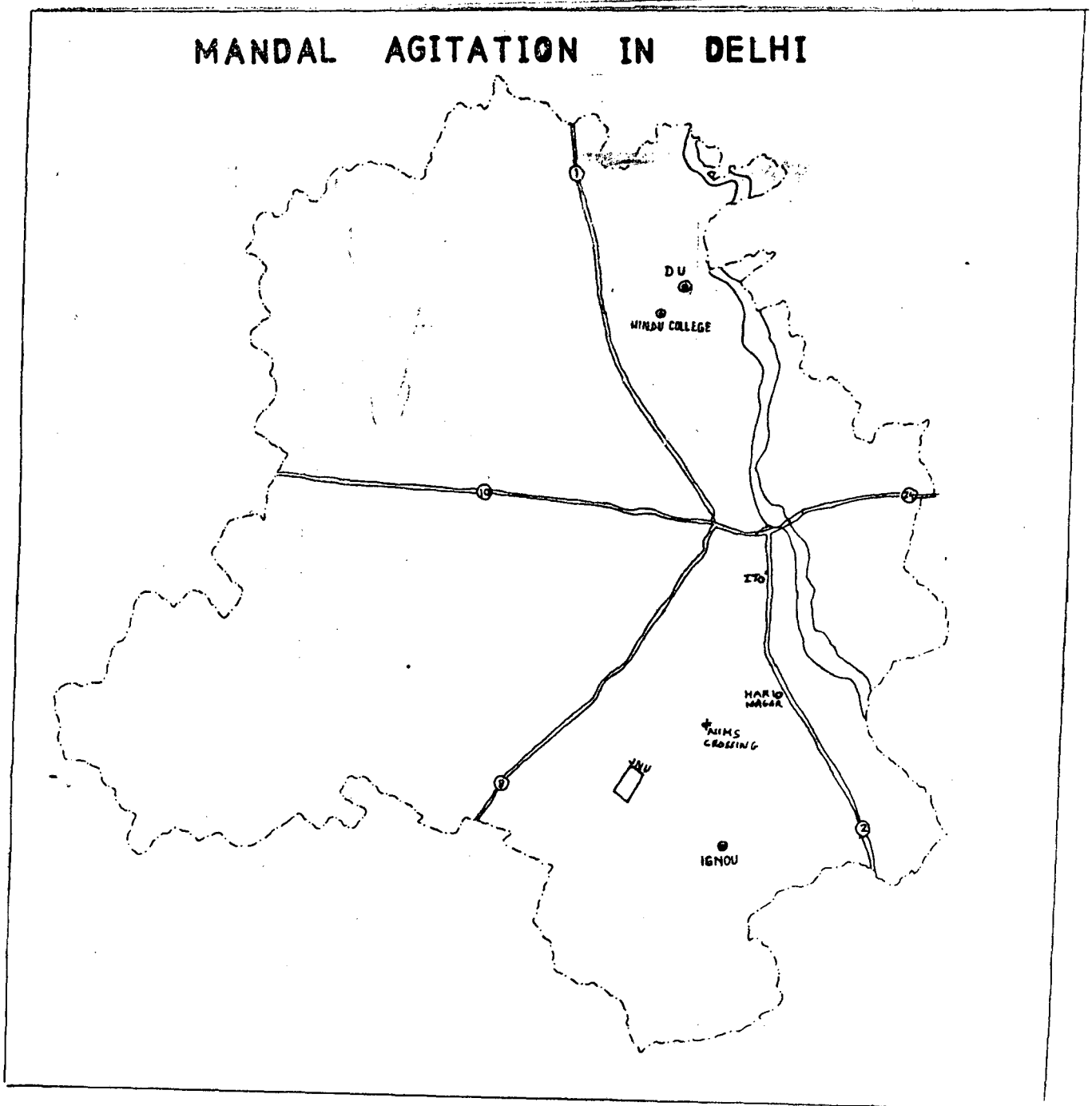
Chapter III

Mandal Agitation in Delhi

MANDAL AGITATION IN INDIA



MANDAL AGITATION IN DELHI



(a) Life in Delhi-:

The national capital Territory of Delhi¹ shines with the reflected glory of a metropolis that functions as the capital of country.

Area : 1,483 Sq.Km;

Capital : Delhi

Languages: Hindi, Punjabi and Urdu,

Population : 9,370,475;

Males : 5,120,733;

Females : 4,249,742;

Growth rate (Percent) 1981-91 : 50.64;

Density : 6,139;

Urban Population : 89.93%

Sex ratio; 830/1000;

Literacy : 76.09;

Males : 82.63;

Females : 68.01

Per capita income : Rs.5,315.00;

Source : Monorama Year Book 1995.

(b) History of Delhi² -:

First reference to Delhi has been made perhaps for

first time by A.D. Ptolemy, the Alexandrine geographer who visited India during I and II century A.D. and in his map of India has marked Daidala as place close to Indraprastha and midway between Mathura and Thaneshwar. According to another reliable source Delhi was founded in 736 A.D. by the Tomar Rajputs who ruled over the Haryana country with Dhillike as their capital. The name of Delhi, seems to have evolved from Diadale and Dhililka. Delhi was first constituted as a territory in 1803, when General Lake defeated the Marathas in a battle at Patparganj and captured Delhi. It was first constituted as District in 1819. In 1911 the capital of British India was transferred from Calcutta to Delhi. A new city - New Delhi - of imposing dimensions was laid out by the side of the old city - old Delhi by the British government. Independent India has retained this historic capital.

Location³ -:

It is situated between the Himalaya and the Aravali ranges in the heart of Indian Subcontinent. It is surrounded by the state of Haryana on North, West and South; (Sonapat, Rohtak and Gurgaon) and by East (Meerut and Ghaziabad) separated by Yamuna flowing in North-South direction.

Administration⁴ -:

Delhi became a Union Territory on November 1st, 1956.

Under Delhi Administration Act 1966 Delhi got a Metropolitan council consisting of 61 members, five of whom are nominated by the president of India. The Lt. Governor is the administrator, assisted by four executive councillors appointed by president of India on recommendation of the Union Home Ministry. Now it has legislative assembly comprising of 70 seats along with 7 member council of ministers headed by C.M. The Territory of Delhi made up of three census Town Delhi, New Delhi and Delhi Cantt. and 214 villages. It is represented by 7 members in the Lok Sabha and 3 members in the Rajya Sabha.

Economic life⁵ -:

Delhi is cultivated area is fast diminishing due to urbanisation. Wheat, Bajara, Jowar, Maize are the major food crops. It is the largest commercial hub in northern India. It is also the largest centre of small industries manufacturing T.V. sets, musical system, Electronic goods, Sports goods, Fertilizer, Medicine, leather goods, Soft Drinks etc. The handwoven textile of Delhi is popular.

Social life⁶ -:

The three principal communities inhabiting the Delhi Territory are Hindus(83.60), Sikhs (6.3) and Muslims (7.5). The Jains, Christians and Buddhists constitute small minorities. 36 castes are recognised as scheduled caste for UT of Delhi. They constitute 12.85% population of Delhi. The Delhi's

Society can be said to be mini India because it has man/women from every religion language and region.

There are three Universities in Delhi namely --JNU, DU, ZMU These institutions play active role in any movement. During Mandal agitation in 1990 Delhi was the centre of activity. Other centres all over India were imitating Delhi's activities. These premier institutions played a crucial role in agitation.

Political Life in Delhi' -:

Life in Delhi is very hectic. It is political nerve centre of India because central govt. has its all ministerial offices, of central govt., supreme court and presidential residence and other major educational institutions and Head quater of all national parties. Thus people are very sensitive toward national and international issues. Delhi is also inhabited by bureaucrate elites and students in educational institution hailed from this class and upper middle class. Their awareness toward their rights is very high. In modern era media dominate's every sphere of life and it give political colour to any happenings. On one hand this modern educated elite dominates the Delhi life in city Area.

While rural population of Delhi is not much educated. Literacy is less among rural population Rural Delhi is still stratified on basis of caste and religions. Their social life is dominated by caste panchyat. Everybody has to follow the rules and regulations of caste Panchayat. But rural Delhi is

dominated by Jats and Gujjers. These communities are highly political motivated and always play a crucial role in elections. Urban Delhi is economically and educationally dominant while rural Delhi is not that much Economically / Educationally strong. Thus there always remain tussle between rural and urban - rural nexus as visible in every happening. Exclusion of most dominant(Jats) from MCR and Devi Lal factor has played a crucial role in Mandal agitation.

The life cycle of Mandal Agitation in Delhi is divided into four

Stages -:

First stage -:

In this stage I will try to discuss the changing power matrix; from pre colonial to post independent period - how the hegemony of upper caste had existed in pre colonial period and how it get changed.

In India Caste stratification is an obtrusive factor of social organisation. People are grouped on basis of Caste, with a specific name, which cuts across and affects other mode of grouping, marking social differentiation among various group is very wide spread feature of her/his society. Caste is generally defined as "a hereditary endogamous and usually localised group and having a traditional association with a

occupation and a particular position in the local hierarchy of caste⁸. Caste assigns high to low ranks simply on the basis of birth. The division is deep rooted, fundamental and accepted as divinely ordained for both the upper and the lower castes. During British period with effort of social reformers have started asserting for their rights. The movement of bringing them into main stream has been fostered by reservation policy for SCs/STs through constitutional provisions.

Colonial Period :⁹

The British Raj created new educational opportunities where English education played a crucial role in getting jobs and achieving mobility. Social reformers and dominated personalities of various caste mobilised their people to have maximum benefit from existing system. Britishers communal award strengthened this movement to challenge the traditional social structure and occupational structure. Alongwith SC/STs the backward classes who suffered from different degrees of relative deprivation become aware of their status with the spread of new liberal ideas and alternate source of the legitimacy that more is shared in by British rule and Indian national movement. Many caste belonging to the OBC claimed a higher verna status through a reinterpretation and recasting of appropriate mythologies of origins.

Thus the power structure in colonial period was dominated by upper caste (Brahman, Rajput and Zamidar). The low caste still are denied basic amenities of life

Post Independence ¹⁰:

The leadership of the nationalist movement of Indian National Congress was in hands primarily of men from elite Hindu Caste especially brahmans, Kayasthas, Bania and other high class people. In between elite and lowest caste are a huge number of both agriculturist and artisans castes, of middle status, some of whom are economically nearly as disadvantaged as the low caste. The more disadvantaged among this broad spectrum of Indian society were called backward caste or backward classes.

Among both the elite and middle status castes, a process of caste succession had begun before independence and was intensified with adaptation of adult franchise by which in election after election new leader from previously unrepresented and under represented. Castes began to emerge. The intermediate caste acquired increased voting power through adult suffrage and increased economic power through Zamindari abolition. Intermediate castes with economic resources sought not political power but educational benefits and urban jobs for their children. As they acquired such opportunities, they came into conflict with persons from upper caste Groups represented in far

greater proportionate and often absolute number in education and political Institutions.

The loss of support from S.Cs and other disadvantage Groups was a major factor in the heavy defection of Congress party in the post emergency election. Janata Govt. was dominated by backward caste leaders again took up the issue of preferential treatment for the backward caste and appointed a commission for it. Due to personality clash Govt. could not complete its full term. AJGAR dominate combination broken down due to non inclusion of Jats, who have Charan Singh as their spokesman at national level. In the period between 1980-86 again politics was dominated by upper strata.

V.P. Singh's expulsion from congress was an important event and he formed "Janmorcha". On 11 Oct., 1988 Janta Dal came into existence (Janta Dal, Lok Dals) National front was constituted in August, 1988 which comprises of various parties) (Janta Party Lok Dal Janmorcha, Congress S, Telgu Desham, DMK, Assam Gana Parishad) .

They elected N.T. Rama Rao as a N.F. Chairman and V.P. Singh as a National Coordinator. After dormant stage backward class leaders again come on one platform to wipe out congress. They have given importance to two agendas 'social justice' and corruption abolition. On other hand BJP came into existence on 6th April, 1980. whose members mostly came from R.S.S¹¹. During 1989 election they forged a alliance with NF and captured power at the centre. BJP have 'Ram Mandir' issue on its main

plank. It started mobilising people in favour of it. On other hand in govt. V.P. Singh's ego clash became crucial, when Devi Lal planned to organise a rally to show his strenght at vote club. In this situation V.P. Singh's announcement of implementation of MCR triggered the voilence throughout India.

SECOND STAGE

V.P. Singh, then the Prime Minister of India, announced in Parliament on 7th August, 1990 the union Govts. decision to reserve 27% of jobs in the Central Govt. and Central Public Sector undertaking for the SEBCs. He described it as "a momentous decision of social justice¹²". Sudden announcement by the NF Govt. to reserve 27% of the Civil service under The Central Govt. jobs was received with shock, dismay, and misgivings. A severe criticism flowed from intellectuals and the print media. It shook and electrified the nation particularly the youth of the Hindi heartland. In Indian society, social status is derived from Govt. and people are not replaced if they go into buisness. Thus Govt. jobs for backward classes is seen as crucial shock of social justice. Students of schools, colleges, universities recieved it as threat to their carrier. They along with Urban elite, the organised monopaly, press and various forward castes association started nation wide agitation against new reservation policy. Thus agitation started in Delhi and spread in Bihar, U.P., Haryana, Punjab, Chandigrah, Rajsthan,

M.P., Gujrat and Orissa in next few days. Delhi become role model for other agitation centre. They were following same methods of protest as Delhites were using.

Students agitation gained momentum when they organised massive show against new job reservation announced by the Government. Nearly 5,000 students from Delhi University, JNU, and Maulana Azad Medical College, symbolically threw their degrees in the dustbin and made bonfire of them at university campus. They also burnt PMS effigy along with slogan " *Lathi, Goli ki sarkar Nahin chalegi* ". University was under the grip of antiresevationist who later on formed anti mandal Commission forum. They forced to close the various colleges at university. Since they had taken over the most important traffic intersection on the campus, most of the university part remained out of bounds to the vehicle traffic. With support of several teachers and their association(NDTF) agitation forum got more energy to carry out this agitation more effectively¹³.

AMCF has taken roots in JNU also in another form. They also followed same technique like dharna, torchlight procession through out the main campus at university.

The agitation against MCR was given further momentum by the intellectual elite of the country and as a result agitators have taken as granted their agitation as legitimise. JNU faculty flay the implementation of MCR. Prof. Yogender Singh on behalf of JNU stated that " We are at the considrate view

that reservation of ex-untouchables and tribals stands entirely at a different historical and social structural bases; than need for only SEBC. TO them try to define popularly the backward classes on caste line is perpetuate war. The abominable caste prejudices and discriminational evidence to the system. This is a clear ploy of ruling class to divide poor in thier struggle for socio- economic emancipation. They appealed the govt to suspend the operation of MCR and donot stand on false prestige". They asked anti- reservationist to stay away from violence. Mr. V.P.Singh's decision was also criticized as political move to counter damage caused by Mr. Devi Lal¹⁴.

The wave of violence was not the consequence of only reservation but, P.M's announcement has contributed to ignite once again the dormant passion of high caste in the Hindi Heartland. Normally the upper caste wrath tends to be directed at a socially backwards. This time however, public property particularly the unguarded Railway stations and rolling stocks has attracted malevolent attention.

But things got really nasty and bloody when Pro-reservationists i.e. Socially deprived masses joined the battle. The attack on the hospital attached to two educational institutions would indicate that caste war in all its frightening dimension is overwhelmed in Bihar.

A certain show of anti reservationists is by the upper castes against new reservation policy was illusionary and perhaps

they were hoping to repeat at the national level, what they were able to do at state level in UP, Gujarat and Bihar. In all the states they forced CM's to abandon reservation which the leaders had promised to BC's on the eve at state assembly elections in 1977. The then labour and welfare minister. Mr. Ram Vilas Paswan criticized the anti reservation stir in the country and said, whenever revolutionary steps for social and economic development are taken, violent agitations are incited¹⁵.

The student agitation against NF's decision to implement the MCR in toto entered in its ninth day. Hundred of students of North Campus went to South Campus colleges to mobilize support for call given to the students of various institutions to come to 'Kranti Chowk'. The agitators, then left for South Campus in seven different groups and sixteen buses not only to create awareness among students but they seek their support for the 'Kranti - Chowk chalo' call given by them. The support from the colleges like Bhagat Singh, Aurobindo, Dayal Singh, Lady Shri Ram, Kamla Nehru, women's Polytechnic, Gargi, Delhi College of Arts and Commerce, Lakshmibai, Shyamaprasad Motilal Nehru R.L.A., Inderprasth, Maitree, J.M.C etc., was tremendous and likely to give impetus to the agitation.

Though students of South campus, IIT, had been supporting agitation from beginning, the support was now coming from most unlikely sectors of DTC, DESU, R.B.I., and Airlines. Mr. Hari Ram Singh who was leading the agitation in North campus said that "representation of students of Patna, Ranchi,

Gorakhpur, Lucknow, Banaras, Allahabad, Jaipur, Chandigarh, Rohtak, had come to chalk out programmes which could transform this movement till now divided into bits and pieces into a national one". He also alarmed that after few days they will burn the copies of disastrous mandal report¹⁶.

By getting influenced from the speech given by Mr. Hari Ram Singh, the students of DU boycotted the classes and took out demonstration in protest against government's decision to extent reservation to backward classes¹⁷.

Apart from the angry youth demonstration, a powerful campaign has been launched in media and a good section at intellegentia. The spectre of nearly half of all the seats in universities as also posts in the Government and private sectors being taken away adds to full fear of ccommunity youth who are beset with the grim prospect of getting employment.

On 27th August, agitation has taken roots in higher institutions. Research scholars and scientists from Indian Agriculture Research Institute marched to Indiatgate from their Institute to protest against the implementation of MCR. The co-ordinator of Anti Reservation Forum Mr. T K. Mishra said that they will boycott the classes and drop their surnames.

DUTA's former president Mr. S.S.Rathi on behalf of National Forum of Teachers presented a memorandum describing a

inflammatory statement of then Union textile minister Mr. Sharad Yadav and urged president of India to intervene to save the country from those measures of government which would divide the society through caste tensions¹⁸.

The students continued to boycott the classes and more students joined the agitation, slogans, posters, banners, street- corner meeting play, and gathering became normal activities of agitators. Agitators incited by the remarks of labour and welfare minister Mr. Ram Vilas Paswan and Union Textile minister Mr. Sharad Yadav. Student delegation went to president and submit their memorandum saying "you are the highest authority on the land you should not sit quiet while country is heading towards civil war. President pointed out that he is only head of state not a head of government, therefore he had no constitutional authority to take stand on the issue¹⁹ " This did not pacify the student who wanted him to come out and meet the students demonstrating at Boat Club. President's inability to have resignation of two union minister also incited the student. They found themselves helpless at this juncture.

They thought that they have to resort path of violence to show their resentment. The police came down heavily on students at Boat Club.

At several places in the city a large number of students were arrested and many of them received injuries, while a number of cases were fabricated against them. President

assured them he would look into the matter. They warned that student agitation against reservation might snowball into a storm; the 'Kranti Chowk' would turn into a "Tiananmen square" if government fails to listen their voices". The student who directed and vitally affected have a right to protest. This protest has been peaceful, dignified and disciplined on the whole. The Delhi Anti Reservation Forum has conducted itself from admirable restraint we support it. Apart from angry students agitators people in media and good section of intelligentsia was supporting it. Journalist, editors and academician became part of systematic disinformation campaign making a flood of exaggerated alarmist statements so that it looked as if country was on the brink of an unprecedented disaster.

The FICCI and ASSOCHAM said in a statement that founder of constitution, never expected that reservation would last forever or that it would be extended to other classes. This would divide the society on caste line keep the backward classes backward and would never motivate them to be equal to others²⁰.

THIRD STAGE

In this stage the agitation entered into the crucial phase. People from various backgrounds, all over the country, jointed the agitation. On very first day of September, experts on Mandal Commission disown the report. Prof. Yogendra Singh, in an interview with ENS told "it will only ignite the dissension

in the society and reinforce casteism²¹".

In addition, the central government pleader in the Delhi High Court, Mr. O.P.Saxena has resigned from his post in support of agitation²². These stalwarts has given the legitimacy to agitation which resulted in more intensified agitation. Moreover Vishwendra Pratap Singh a M.P. of J.D. from BharatPur constituency has resigned in protest against implementation of MCR. Mr. J.K.Jain, a BJP leader sat on hunger strike against the implementation of MCR²³. He also claimed the support of RSS also to him. Narendra Tandon former president of DUSU on ABVP ticket, has been issued show cause notice for having decided to lead a newly formed, Anti Reservation Front in the capital²⁴.

A. Ph D student, Jagdeesh Prasad (28 years of age), from Lal Bahadur Shastri Sanskrit Vidya Peeth tried to immolate himself in protest against the implementation of MCR, after having burnt, he was taken to the hospital. After this incident the students of this college organized a rally which was addressed by BJP general secretary Mr. K.L.Sharma²⁵.

On the other hand, students of AMCF had spent whole day for mobilizing several sections of society mustering support for their rally at Boat Club. They also launched, door to door campaign visiting the villages in the outskirts of Delhi. According to forum spokesman teacher bodies, Bar association,

Delhi Administrative employee's association and other were also to join their rally at Boat Club. AMCF also set up a National co-ordinating committee of different student groups from all over the country. A national steering committee, was to make out action plan for the agitation, further intensification. In the evening torch light procession under the direction of teachers took place against the implementation of MCR. Meanwhile, as a result, classes in colleges had poor attendance of student; and teachers were also showing a poor attendance in institutions due to their involvement in agitation.

On the other face of the situation, this getting 'intensified' by agitation resulted in the emerging support from a particular section of intellegentia . Mr. Ayub Sayed in support of implementation of MCR holds the view that "the stench of upper caste bias in editorials and front page articles has exposed those 15% who have been an obstacle in the way to the progress of 85% have nots. The stagnancy in the society had to be shaken by root and branch, and V.P. Singh exhibited a rare courage in deciding to implement the MCR. As expected it has sent a shock wave throughout the country. The privileged classes and caste led by their editorials in the big business news press has hit the ceiling. They have been spiting fire and brimstone giving the impression that the heaven are about to fall. The castotropic, disastrous, ruinous and much more hair raising editorial heading have hit their editorial page²⁶".

Scholar like Ayub Sayed, contributed a lot in

organizing pro-mandal masses. The opposition stalwarts like, Sitaram Kesari, Janardan Pujari, Chokha Rao have whole heartedly welcome the decision of the govt. to implement the MCR²⁷. Christian Dalits from all over India organized a rally at Boat Club demanding reservation like SCs and STs for them. But Niar Society alarmed the govt. that if it provides reservation to Dalit Christian they will launch a all India protest movement against it²⁸. Supporting MCR, the SFI asked for broader unity on the basic issues and said that none of the organizations can dare to speak publically against MCR but are instigating the youth from the behind²⁹. All India Youth Federation (AIYF), and All India Student Federation (AISF), supported the implementation of MCR and they held a rally at the Boat Club of 6th of September. Pro-quota Forum, from JNU, held a rally at Boat Club, where speakers congratulated Mr. V.P. Singh and later on a delegation of Proquota Forum met Union Minister for Labour and Welfare Ram Vilas Paswan and to extend the reservation to private sector and educational institution³⁰. In addition the president of Gujjar Vikas Parishad Manch. Avtar Singh has welcome the implementation of MCR and asked for economic criteria³¹. Sharad Yadav speaking in a pro-rally said "don't let for job reservation restricted to the universities bring it out to the street; in markets; in the fields and in the slums. it concerned crore of you, not just a handful students. Die for your cause but brook no insult and don't give up³²". In addition, Mr. Paswan said that "no one raise the question when we raised the issue before parliament to implement the report. Reservation had existed in our country since the foundation of caste system

which granted upper caste (Brahmans) 100% reservation in religious field ". Mr. Ram Jethmalani said that "reservation would destroy visible casteist indignities, if a low caste man became a sub-inspector of police, a Brahmin constable will have to salute him. This is the only way to make amends for the centuries of degradation³³."

In this way, society has been divided into pro and anti reservationists. That's why the all party meeting called by Mr. V.P.Singh failed to arrive at any consensus and showed actual demarcation between pro and anti reservations³⁴.

Normal life in Delhi has been dislocated as never before in the course of last few days. 50 hours bandh would start from today and leaders of BKU extended their support to this bandh and promised not to let any traffic come from sides of neighboring states.

AJGAR and MAJGAR are dead now which had been a dominant force since 1967 in Hindi belt. Now this get reduced to only AG (Ahir and Gujjar) which can not be a reckoned force, because other constituents have not been enlisted as backwards in MCR. So there is resentment among these communities, as a result of that they joined the anti mandal agitation³⁵.

Now anti-mandal agitation entered into 35th day. In a massive show on 15th september in south campus of DU; student burnt the effigies of V.P.Singh, Paswan and Sharad Yadav and

shouted casteist slogan against this leaders. These students were wearing T-shirt with written slogan on them 'down with the Mandal Commission Report'. The strong crowd of 500 hundred students was addressed by former president of DUTA Mr. Rathi "who claimed that 90% of the teachers are with them. If they want to try and put us under National Security Act or Essential Services Maintenance Act; then we will not hesitate to start 'A Jail Bharo Andolan'³⁶".

The agitation got much more intensified when scientists from ISRO, NAL, IVRI, IIHR, ADE, and other institutions joined it; and they asked to the government, "not to extend reservation to Science and Technology where nothing can be substituted for merit and sheer competence. In this way the agitation was rooted deeply in all sphere of our society"³⁷.

Third Stage

The worst form of agitation came into being in the form of 'self immolation' by the agitators. On 19th september, anti Mandal agitation reached its peak when two students of Desh Bandhu College made a serious bid to immolate themselves. Earlier it was announced that 45 students would immolate themselves, but there was a lot of confusion among students and police that who was going to immolate himself and when. Out side the college,

where immolation was to take place; over 1000 students gathered around three small pyres of woods. As students and police personal and media persons gathered around the pyres; mob frenzy grew; Rajiv Goswami, somewhere at the back calmly poured out a glass of Kerosine from a bottle, doused himself and lit himself with a match stick. This bone chilling scene sparked a riot on the street just out side the college as students started pelting stone on policemen, shouting that they have sabotaged their immolation. some where in back- ground a voice over microphone was urging students to stand up and die for their cause³⁸.

On one side toward the college, a woman stood sobbing quietly, the students introduced her as Mrs.Nandavati Rajeev's mother; besides her grief and anxiety, she said that cause of her son fighting for, was correct and just³⁹.

This incident made the people of country sobbing and mass media highlighted this incident on front pages as martyrous one. It has paralysed academic life besides resulting in violent clashes repeatedly between police and students. Now the agitators were enjoying overwhelming sympathy from every section of society. But agitators at some places forced the government offices educational institutions, local shops to be closed. Antisocial element in this situations infiltrated the rank of agitators and started extorting money from the truck drivers and motorists. And because of eveteasing by such element at some places; girl students started keeping away from the agitation.

The pressure on government from various parties, organizations and associations was mounting to hold a dialogue with agitators. The *Sarve Khap Panchyat* of 360 villages of Delhi, Rajasthan, UP and Haryana decided to give the central government an ultimatum regarding the withdrawal of MCR unconditionally and immediately. They have given time till 27th September to withdraw recommendation made by Mandal Commission Report. If it does not respond, the Panchayat will declare Delhi Bandh on that day and prevent entry of Atta, Milk, and vegetables into Delhi from surrounding states. This gharao will continue till the government accede to Panchayat's demand. They also were to join the rally of 2nd October at Boat Club. It was also to start a Jail Bharo Andolan from September 27 onwards in Hindi heartland. They paid tribute to Mr. Goswami. In this Panchayat Mr. Vishvendra Singh was unanimously declared as a leader to propose gherao and subsequent agitation. In this rally V.P. Singh was described as a Vinash Singh (destruction) and Inderdhanush Singh who denounced his different colours⁴⁰. In further additions to anti-Mandal agitation; M.L. Khurana said that "BJP will hold a rally in Delhi if V.P. Singh does not come to his senses, then blood will flow in the streets of Delhi and he will be responsible for it⁴¹." In this way it can be said that political parties like BJP, Congress and others were giving covert and overt support to anti-reservationists.

It seems that the pro-reservationists were not having base level support as anti-reservationist were having. That is why anti-reservationists were dominating. On 22nd September,

pro-reservationists got a new lease of breath because the pro-Mandal leaders decided to come on a common front. Bala Saheb Vikhil Patil, the convener of this pro-Mandal forum along with K.R. Ganeshi, and Chandrajit Yadav, asked the pro-Mandalist forces to intensify their pro-Mandal agitation to counter the anti-Mandal agitation⁴².

The lawyers filed a petition against the implementation of the MCR, which was rejected⁴³ by the apex court; but on the other hand implicitly it strengthened the anti-Mandal agitation. The fuel to the fire was added by V.P. Singh's statement at Trivendram: "The process of social justice and equality will not be given up⁴⁴".

In the last week of September anti-Mandal agitation went upto its highest peak, marked by violence, pelting stones on police, making bonfire of public properties and vehicles. Anti-Mandalists were sitting on dharna at AIIMS Crossing, New Delhi, from last five days. Surender Singh Chauhan⁴⁵, other student, set himself on fire at AIIMS Crossing while ablazed he was shouting anti-Mandal and anti-V.P. Singh slogans. He was rescued by other students and was brought to the hospital in a car of foreign news agency. Dr. Srivastava, Head of the Burn Ward, Safdarjung Hospital said that there is zero percent chances of survival, not even a miracle can save him. Later on when Chauhan got conscious he told the media persons "*agar mujhe pani milega to mai Mandal ke khilaf aur bolna chahauga*". He also blamed all those who think reservation is going to serve vote for them like

V.P. Singh, Shard Yadav and Ram Vilas Pawan. Tension got mounted suddenly when a rumour of another self-immolation was spreading. A jeep full of students came through rushing upto the police barricade, panicked the police, and police started beating the students. Many students laid down on the road and told the police; "Cane us as much you want but we will not move". They also said that they were ready with hockey sticks and lathis too, to confront them. The students went on rampage, damaging more than 100 DTC buses and blocking traffic at various places. Police had used teargas and lathi charge to dispersed the crowd at several places. A group of students rushed to Dayal Singh College and set the office of the Vice-Principal on fire.

About two hundred students gathered out side the office of BJP at Ashoka road and asked the BJP leader Mr. Kedar Sahni to withdraw support from the government. When he refused to talk to them they tried to jump into the office, the police used tear gas and lathi charge to disperse them

In south Delhi the anti reservationists blocked the traffic at Munirka. A group of student had entered into Chanayaka Cinema Hall when morning show was on and forced viewers to come out and joined their agitation; when police intervened the agitators started pelting stone on them and damaged the portion of the hall. Anti reservationists also staged a demonstration outside the Police Head Quarter at ITO against police excesses. In this way whole Delhi was burning and anti reservationists were having their sway in every nith and corner of the Capital of

India .The casteist remarks were in the air such as : "we don't want Rickshawalas, Sabjiwalas as our husband". Parents were saying that now we have to marry our daughters to Churas and Chamars because they will only be able to get the jobs". Noted Jcurnalist Khuswant singh says about "OBC's that they should be given the job of Peon and drivers and at the most clerks; but should not be given the offer of higher post like IAS, IPS and others". It shows that how the privileged classes wants to retain their monopoly over the administrative machinery.

Castewise Representation in Bureaucracy

Category	High Caste	OBCs	SC/ST
1.Population	25.3%	52.1%	22.5%
2.Ist Class	89.6%	4.7%	5.7%
3.Embassy	90.9%	0.00%	9.1%
4.Manegement Maneger	98.8%	00.8%	00.4%
Teachers in University	84.3%	04.0%	00.4%

Source : Pratipaksh , Ishwari Prasad, Sep-Oct, 1990.

Brahmins Constitute about 3.5% of the total population.Their domination over high posts is shown in the following table.....

Secretaries of Cabinet Ministers in Centre	70%
Joint Sec.Additional Sec.	62%
Chief Sec. of States	54%

Governers	50%
Secretaries to the Governors	54%
Justice of Supreme Court	56%
Justice of High Courts	50%
Ambassadors	41%
Vice Chancellors of universities	51%
High Administrator in Central Government	57%
High Administrators in State Govt.	82%
IAS Officers	61%
Loksabha Members	36%

Source : PratiPaksh , Sunil Sep-Oct, 1990.

Chetan Gautam⁴⁶ a fourteen year old boy of Shakurpur in trans Yamuna area attempted self immolation near I.T.O flyover at 10.50 am and says "I set myself on fire because PM V.P.Singh refused to change his decision about implementation of MCR." He said that he was inspired by self-immolation by others in country. My sacrifice may bring some sense to V.P. Singh and he may change his decision over MCR.

Ravikant a twenty year old boy was shot dead on the evening of 26 september, when police opened fire on the rampaging crowd at Shakurpur chowk at Vikas marg. The mob pulled down hoarding and the iron railings on the road the reiterating crowd made bonfire of the every available combustible material in sight.

At Hari Nagar, the trouble erupted when local resident demanded that dead body of Pawan Kumar Sahani who died in police firing on 26 september. But police refused to hand over the dead body. The crowd swelled to nearly 3000 and went on a rampage and burnt a bus which was moving towards Ghantaghar. Various vehicles at myriad places like Jail road, Sarojini Nagar, Munirka were set on fire. In this way law and order situation deteriorated in the wake of repeated violence. This situation became more grim when BJP along with other parties called "Delhi Bandh."

The MCR set the city ablaze, passion being up whipped as never before⁴⁷. They were making fun of Mr. V.P. Singh, Sharda Yadav, Ram Vilas Paswan, "main hoon Chamar pehenu jooto ka haar". Among women colleges especially Mirinda House and I.P. colleges support was overwhelming. Ranjita Bansal, the president of Mirinda House, told that eve teasing was totally stopped in the campus; chivalry is no longer a thing of past; the agitation cemented a strong bond among the students community and boys have become very protective about us. She also told that they act as a buffer in protecting the boys from police and discouraged them from pelting stones and antagonising the police⁴⁸.

Thus the picture that is gradually emerging from the course of anti Mandal agitation is quite sickening and

horrifying. Socio-comic exhibition ranging from self immolation to shoe polishing, sweeping the road and selling vegetables were at the core of agitation. Thus, the people from privileged classes who earlier retained the hegemony over the pure occupation, but now felt threatened to be dislodged from that status.

Due to emergence of grave situation, all political parties, sociologists, journalists, lawyers and professionals, etc. pressurized the government to hold a dialogue with the students. Mr. S.R. Bomai and Jnaneswar Mishra were appointed for mediating between both the students and government.

1st october 1990 was a historical day, when Supreme court stayed the August 13 notification of MCR. A five judge constitutional bench headed by then chief justice Ranganath Mishra declared that till it decides the constitutionality of the August 13 , 1990 notification of N.F. government, no job will be given to the SEBCs under this notification. This decision was taken on petition moved by Mr. M.K. Venugopal on behalf of Supreme court Bar Association.

All said that the law and order situation would immediately improve and both party would take appeal seriously and restore peace, so that the hearing of matter can be taken up by the court in the appropriate atmosphere. Prof. Bhim Singh, president of the Panthars Party hailed the Supreme Court Judgement and described it as a " historical landmark⁴⁹".

It was also welcomed by noted sociologists, political leaders and members from various professional groups. This decision was also significant in light of proposed rally at Boat club on 2nd october.

FOURTH STAGE

Anti Mandalists were mustering support for their rally on 2nd october at the Boat club. People were invited from all strata of society. National Steering Committee of AMCF, with help of its state units were trying to make it final show down. They were using slogans like

*Hind ke noujabano utho shan se
Aapani hasti mita do watan ke liye
Jara hind main rukh hawaon ka dekho
Jo mumkin ho to waqt ki nabaj parkho
Woh ho jail, goli ho, phansi ho jo ho
Yeh inqalab aaya , aaya hi samjho
Yeh samar hae kranti ke dewano ka
Yeh samay hae julm ke virodh mein
balidanon ka.⁵⁰*

To muster sympathy and support from public. They were saying to every parents to send their children to pay tribute martyrs. Life in Delhi was hectic on the eve of 2nd Oct⁵¹. Rally. The students from various states belonging to anti Mandalist groups and their sympathizers were sitting at Boat

Club and shouting slogans against V.P. Singh, Shard Yadav and Paswan. Their strength increased tremendously. Among people there was feeling of apprehension that political and lumpen elements can exploit a vast gathering of youth for their ends. The rallists got poured in Delhi carrying all sorts of weapons from staves, iron rods to guns. Since early morning they were getting indulged in violence through out the city. Ultimately rally was hijacked by B K U leader Mahendra Singh Tikait and his acolytes. Addressing the rally Takait said "if you want to die do something before you die. Go back to your district and village tell your M.Ps, M.L.A.s to quit, as the govt. is not working the way you want. If they don't agree douse them with kerosin and set them on fire".

After a while, violence has been started at large scale, the Green Brigade members present in rally without their uniform added fuel to this fire of agitation. They took on police in front of India Gate, killing a constable and critically injuring a Sub-Inspector, the force struck back and killed two agitators and injured in large number. The agitators looted the street vendors, rickshaw pullers took out the railings of India Gate. Violence spread throughout the Delhi, police were forced to use force at various places.

This rally was solely the rally of students which was hijacked by anti-social elements for their own benefit. And it shows the real face of agitation, exposing each and every group

who was supporting it.

After this rally, people came to know about various interest groups' intention and the role played by the media in highlighting the agitation. Now, the whole North India was showing the symptoms of coming back to normalcy. In such a situation it, became duty of every patriot, irrespective of his/her party, caste, class, religion to make youth understood about positive aspects of reservation. People who were deprived of their basic rights for centuries have rights -now rights to have their legitimate share in power.

In the mean while, L.K. Adwani was on his Rath Yatra⁵², for the sake of construction of 'Ram Temple', which on the other hand mounted pressure on govt. from particular section of society to stop the Yatra. As a result, Adwani was arrested⁵³ in Samastipur (Bihar) on 23rd October, and BJP withdrew its support from the govt. Finally PM failed to win vote of confidence on 8th November. Thus govt fell down⁵⁴.

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Chapter IV

"IDEOLOGICAL CONTEXT OF THE MANDAL COMMISSION REPORT"

The declaration of the implementation of Mandal Commission report partially¹ on 7th Aug, 1990 led to a massive hue and cry throughout North India in the form of agitation. As a result, there came arguments against and in favour of the Mandal Commission report. In this chapter, I will discuss the opinion of anti-mandalist and promandalist briefly. It will be worthwhile to analyse the ideological underpinning of the Mandal Commission report first. Then this chapter will be juxtaposed to underline the logical context, ideological implications of this agitation. The discussion is presented after the details of movement. Most of the debates came into being during and after the agitation

Analysis of the Mandal Commission report :-

(a) A Political Move :

Those opposing the implementation of the Mandal Commission report, who were termed "Anti Mandalist" felt that this was a move to counter the demonstration of V.P.Singh's political strength by Devi Lal at the Kisan rally to be held at Boat Club on 9th August. Although the report earlier had been referred to state governments, the government at the centre did not wait for their response. Further, the whole process was totally different from V.P.Singh's 'Consensus' style". The Manifesto of Janta Dal (a Constituent of N.F.Govt.) pledged the implementation of the Mandal Commission report and ever since, the new government comes to power, these have been instances

within and outside the parliament which indicated that, the report would be implemented. This may be because of the belief that electoral promises are not taken seriously or that a decision of this magnitude should not be taken without focussed national dialogue on the matter of principle and policy². But the sudden unilateral move questioned the very motive of the National Front Government.

On the other hand there was support for the National Front Government's decision to implement the Mandal Commission report, from those who argued that the decision to implement the Mandal Commission report is not an abrupt one. About 46 years ago in 1950 the constitution of India made a special provision for the SEBCS. As a consequence the first backward classes Commission was appointed in 1953 under the Chairmanship of Kaka Saheb Kalelkar. The Commission submitted its report in 1955. Its recommendations remained unimplemented³. The reasons were many and complex. The Kaka Saheb Kalekar Commission was a divided house. The division pertained to the question whether the Constitution permitted organisation of State Policy on the basis of Caste rather than class as criterion of backwardness. After 30 years of independence when the Janta Party came to power, the second Commission on SEBC was appointed under the Chairmanship of B.P.Mandal,⁴ which submitted its report in 1980. The Janta government was replaced by the Congress Govt., which did not implement the Mandal Commission's recommendation. As a result on 7th August 1990, the NF government took the decision to implement a part of the report. Hence, the decision could not

be called an abrupt one. It was long overdue as Constitutional obligations.

(b) Methodological Error :

Besides, being a political move the critics of MCR point out technical flaws. There are certain methodological error. The report is a hotch-potch based on census of 1971 and 1931. The population percentage for the SCs and STs, non Hindus (22.56 and 16.16 respectively) as per the 1971 census and the percentage for 'forward Hindus' (17.58) as extrapolated from the incomplete 1931 Census are added and the sum 56.3 is subtracted from 100. The resulting percentage (43.7) which is only a derived figure, along with about one half of the population percentage for Non- Hindus(8.4) has been presented by the Commission as estimated population of OBCs. By arbitrarily considering certain castes as "forward Hindus" and then treating the remaining castes as backward classes, the Commission overlooked the strata immediately below the so called 'forward Hindus' and treated them also as backward classes.

The report also does not contain any substantive data on the socio-educational and occupational conditions of the different communities⁵.

The Commission's socio-educational survey of two villages and one block from each district, supposedly the most comprehensive of its inquiries was certainly an improvement over

the Kaka Kalelkar Commission's Report. But main task of the Commission was to identify the SEBCs other than SCs and STs and enumerate them. Thus, survey ought to have been sufficiently comprehensive to cover each and every communities⁶.

The Commission has used the list of OBCs prepared by the State government to identify the OBCs. But there is no clearcut criteria for identifying the OBCs laid down by either the Constitution or the government of India. Thus, there are wide inter State variations in the criteria adopted and in the composition of the OBCs listed⁷. The commission has claimed that all the data collected through socio- educationally survey were computer processed into 13 tables. But these tables are not presented any where in the report or in its appendix.

Volume - 5 is supposedly on these tables. But all that it contains is one page index of these tables, while the data base of the report itself defective that the criteria used for deciphering the data are more so.

For identifying Hindu OBCs the Commission formulated 11 indicators four supposedly on caste-basis, social backwardness, three on educational backwardness and four on economic backwardness giving weightage of 3 points each of four social indicators, two points to each of the three educational indicators and one point to each of the four economic indicators, and applying all the indicators to all the castes covered by its survey. The Commission arbitrarily classified these castes which scored 11 points or more as backward and the

rest as advanced.

As the term of reference of Kaka Kalelkar Commission and the Mandal Commission are examined, it is found that unlike Kaka Kalelkar Commission, the Mandal Commission did not have mandate to prepare a list of OBCs. Hence, apart from the fact, that the list of OBCs prepared many incompatibilities.

It is to be treated only as a suggestive document. It can not be given greater weight because of lack of specific mandate.

The Mandal Commission report has given an estimate of the OBCs as 52% by a process of elimination of the percentage of SCs/STs, no Hindus, a few listed mainly in North India as formed caste as in 1931 census and another two percentage consisting the proportion of unlisted formed castes to the total population. As a conciliatory gesture one can ignore the social mobility that has taken place during the last 6 decades, but unless the list of forward castes is furnished, one cannot check the validity of the estimation made by commission.

(c) The Controversy about the composition of the Mandal Commission :

Some of the Anti-Mandalists questioned the very composition of the commission. It was called "all backward Commission" as it consists of size persons including the

chairman, five of them belong to the backward classes and the sixth Mr. Naik to a scheduled caste.

The president was adamant in not appointing even a single member to the commission belonging to the forward castes and reduced it to an "all backward Commission". Thus the Mandal Commission was deprived of an opportunity to have the opposite view within its ranks and the exercise turned out to be a tame affair⁸.

(d) Caste Versus Economic Criteria

The Mandal Commission is criticised on the ground that it has taken caste as criteria to identify OBC which is as communal criteria. That may lead to the further division of society on caste line. But it is argued that Caste exists as an important social reality in India. It permeates life at all level. "When in Lok Sabha discussion, Rajiv Gandhi in a long tirade against V.P. Singh's policy accused him of maintaining caste, Sharad Yadav, rose to ask if any one in the house (beside from Gandhi) had made an inter caste marriage no hand was raised⁹ Sociologically caste is an indicative instrument for identifying such SEBC; Caste being a clear recognisable social entity is only a method or device to identify SEBC¹⁰.

The Commission has adopted a multiple approach for preparation of comprehensive lists of OBCs for all states and

UTs. There are socio-economic surveys, census report of 1961, personal knowledge gained through touring and the list of OBCs modified by various state governments. The Commission has used social, Educational and Economical indicator for determining social and educational backwardness in which separate weightage is given to indicators of each group because these groups are considered not of equal importance in identifying socially and educationally backward class." only those castes/classes which has a score of 50% (i.e 11 points out of 22 in all) or above listed as 'advanced'. Hence, not only social but educational and economic criteria were also included for purpose of identifying OBCs. Above all, position in the caste hierarchy is given only 3 points out of 12 points for the social criteria and 22 points in all. So it can not be said that criteria based on factors dependence on manual labour, age of marriage, female participation in work, children attendance at school, drop out rate at school level, proportion of matriculates, value of family assets, residence in Kuchcha house access to the source of water, drinking water and amount of consumption of loan; are casteist. It is a fact that SEBC belong to the lower caste for which the commission do nothing but enlist the whole caste as backward.

In case of identifying OBCs the Central government services the commission used two criteria for both Hindus and non-Hindus communities in which apart from low caste origin, the education of father and grandfather is considered as criteria for identifying the SEBC. Among non-Hindus the commission

treated as OBCs all 'untouchables' converted to any non-Hindu religion such communities known by their hereditary occupation whose Hindu counterparts were included in the list of Hindu OBCs.

It is therefore, wrong to say that the Mandal Commission report is casteist because it has used a multiple approaches for the identification of OBCs.

(e) The Mandal Commission process of modernisation and social change

The Mandal Commission is also criticised on the ground that it has ignored the process of modernisation and social change in the Indian society since independence the urban population had increased from 12% in 1931 to about 24% in 1981. And it is a fact, that the level of income of a person determined his social status in urban centre. Caste hierarchy play little role in cities. Industrialisation and urbanisation has changed the occupational structure of India. It is no longer based on caste hierarchy. Now principle of role allocation has changed from ascriptive(fixed by birth) to achieved criteria. It is true that with modernisation the traditional caste hierarchy is getting diluted but still castes do exist in the consciousness of the urban citizens. The consciousness can be seen in the institution of marriage. This could be substantiated by a table study of matrimonial advertisement in the 'The Times of India' in a metropolitan cities like Delhi.

Attitude towards caste as indicated in the matrimonial advertisement in the Times of India of November 1983¹¹.

Sl.No.	Category	Total Advs.	Percentage
1.	Caste Mentioned	984	75.34
2.	Caste not mentioned	184	14.00
3.	Other religion Chiristan, Sikh, Muslims, Sindhhis	130	9.95
4.	Others (Arya Samajis) Bohra, Foreigner	8	0.61

5.	----	1306	100.00
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Source : Times of India, Nov.1983.

The table clearly indicates the importance of caste factor even in a city like Delhi ofcourse. Caste is dominating factor in a issue of marriage which is very personal, yet marriage is social issue and it indicates the consciousness of the Indian masses.

The other argument regarding the increase in urban population is genuine, but this is only one side of argument the other part of the argument is the fact that in 1981 when 24% of the population was urban majority still living in villages in a environment where caste pervades not only in social but also economic political and education life.

Thus, one cannot deny the fact that despite growing modernisation, urbanisation and industrialisation caste has not ceased to exist. It is still a dominant factor in the rural area and it is still dominant in the consciousness of Indian masses.

(f) Misconception of the homogeneity of the OBCs

Prof.Yogender Singh¹² points out one of major flaws of MCR. "The report does not take into account the internal differentiation between backward castes and treats them as a

homogenous category. The fact is that some of them are quite well off and constitute the dominant section in some areas". This point was raised by Mr L.R.Naik¹³. who was one of 6 members of the commission. He raised objection to identifying the SEBCs as homogenous and demanded that they should be classified into sub-classes, the intermediate backward classes and the depressed backward classes. But his suggestion was turned down on legal ground. Though the commission was aware of the fact that such kind of division was existing in Bihar state. In 1978 the Bihar govt. issued an order of reserving 12% posts for the most backward classes and 8% for the rest of the OBCs. This giving rise to two classes within SEBCs. The order had been enforced for about 2 years when the commission submitted its report and its and its legal validity had apparently not been challenged successfully¹⁴. The commission's excuse of legal validity is thus, not genuine. Had it been a real problem the recent report of Chinnappa Reddy commission¹⁵, on the OBCs of Karnataka would not have been classified SEBC into 3 categories.

Indeed the MCR needs a systematic revision. The Chinnappa Reddy Commission's report has brought this fact into light. Against the 333 OBCs within a indefinite number a backward groups (64) have been listed Chinnappa Reddy. Also in view of Anthropological survey of India¹⁶. Identification of only 1051 OBCs as against Mandal's 3743 OBCs. The revision of the Mandal list would become necessary Mandal has overlooked the fact that in Indian society OBCs do not exist as a homogenous group. This by considering 3743 OBCs as homogenous group, Mandal

has provided enough opportunities to the elite sections of the OBCs to corner all the benefits provided to them under the compensatory discrimination programmes. This fault is however, is repeated by either the Karpuri Formula in Bihar or the report of the Chhinnapa Reddy Commission of Karnataka. Thus, it is necessary to review all these factors so that an objective report could be prepared.

(g) No in built Mechanism for Dereservatioin¹⁷.

The most serious flaw in the currently proposed reservation is that there is no exit principle inbuilt into the scheme. There are no review procedure for determining at what point a caste group must be out of the reservation scheme and how the progress of beneficiaries will be monitored. This despite of the experience of state like Karnataka and Andhra where OBC reservations have brought new elite group into dominance who refuse to give way to others. For example Vokalingas and Lingayats in Karnataka have consolidated their hold over administartive machinery in a big way and have successfully reserted all attempts to take off the reservationist and include the groups lower down in the economic and caste hierachy. Since, they are ruling elite at the state level wresting these concession out of their hands is proving to be a difficult as if is from the traditional upper caste elite in the north. Had this exit principle been carefully worked only the opposition to reservation in the north may have been less hysterical.

Women and Mandal Commission Report ¹⁸.

Women, are real Dalits especially among these castes and have not benefited from the clout these castes have acquired through their political mobilisation because they are disallowed any role in the social and political arena. MCR is curiously silent on how these women will be benefitted. Moreover, culture of most North Indian OBC groups is far more oppressive for women than among their Southern counterparts. These women are compelled to live under crippling reaction on their mobility and social interaction and kept in the virtual purdha among many castes. The literacy rate among OBC women is much lower than among OBC men. These castes systematically excludes women from all decision making processes. Thus women should be treated as separate category for giving reservation benefit.

VARIOUS DEBATES

CASTE SYSTEM

Indeed Caste is the fundamental reality of Hindu society. It is not the case with Hindus but Muslims and Sikhs also Exhibit certain characteristics like caste for practical purposes although, as far as theory is concerned they do not recognize any stratification based on religious principles. There is no any scarcity of scholars who believe that the caste

system will wither away with modernisation, urbanisation and westernization. There are several social scientists who think that the growth of capitalism would bring an end to the caste system. The expectation of number of intellectuals nation will become free from the that the evil of caste system, were revised by democratic set up after independence. Thus, their favour is visible for programmes under the policy of compensatory discrimination which should be based on criteria other than the caste criteria.

On the other hand, there is also a group of thinkers who consider caste as a fundamental reality of Indian life. They believed that despite of modernization, urbanization and industrialization; "Caste consciousness" has not been diluted. We are brought to the psychological aspects of caste system which is real and distinguished people from 'me' to 'they' by this consciousness. A consciousness of this kind exists in our structural disadvantages.

Advantages of government sponsored programme are appropriated by the backward elites, and poorer among the backward classes do not get the advantages of such programme launched by government. In brief, criteria based on group, paradoxically, benefit only individuals, not entire groups. And this type of individual often cut off from the social basis, except, when they are politicians. Therefore caste based reservation can not be said perfect, "An important condition for a sound classification should be internally homogenous where as

groups classification themselves lack homogeneity, the classification will be weak and defective¹⁹. " For them the way out is to opt for objective criteria applicable to individuals and not hereditary or other group. That way the poor from every category are helped. "Criteria" such as parental income, level of education, occupation, place of residence and asset structure can be used to determine the level of backwardness of a person"²⁰.

Whole situation is looked differently by those thinkers who favour caste criteria. Supporting caste based reservation S.S.Gill says that, "our caste system was the most effective, water tight and self regulating system of reservation by both ever created by man only brahman had access to Vedic Knowledge, only Kshatriyas could take up arms. When Shambhuk, the Shudra went into deep meditations in the forest of Uttarakhand, Sri Ram the great up-holder of moral law, chopped off his head for transgressing on an area reserved for upper caste²¹. Further, D.L Seth criticises the view that 'Caste criteria would lead to casteism. He says that casteism is not merely the collective consciousness of different castes. It has also to be recognised as a concept that has perpetuated the system of dominance of uppercastes over the lower castes if only the lower castes are liberated by providing them special privileges, the hold of casteism on society weakens automatically²².

They also give following arguments in favour of caste

criteria :-

(i) Only economic backwardness is not the backwardness as a whole but the problem of backwardness in India has arisen out of a long history of social injustice.

(ii) The direct implication of the reservation system is social diversification of middle class and change in traditional form. It will be a step toward creating a much larger middle class which will help to dilute the caste structure, if reservation system is also extended to OBCs.

(iii) The various programmes like reservation etc. will help in disintegration of caste structure. The concurrent relationship between caste and occupation is broken up with help of job reservation. Taking of those occupation by individuals which are not related to their caste is started. A modern section among these castes is created by the higher level of education. Participation of backward classes become possible in secular social life.

The criteria that reservation should be made only on the basis of economic backwardness is criticised by the scholar who favours caste as criteria for reservation. But little or no regard was given by them to social and educational backwardness. The constitution of our country very clearly mentions that the state shall make special provisions for advancement of SEBCs of citizens²³. In the same way articles²⁴ of the constitution

gives authority to the president of India to appoint a commission -to investigate the conditions of SEBCs. The intention of the framer of our constitution indicated clearly by these articles that there must be emphasis on that social and educational criteria to determine backwardness and not on the economic criteria.

To define OBC another line of opinion suggests that there should be the applications of economic criteria within the caste criteria, so that the section which is well off does not corner the benefits. But there is certainly a practical problem regarding the exclusion of well off section of OBC, if the exclusion of economic well off, and ofcourse educationally advanced section of the OBC takes place, the remaining section would be consisting only poor and illiterate, to take benefits of the programmes like job reservation etc.,but practically this could not be possible due to their educational backwardness. Thus, the upper castes would again occupy the reserved seats and the condition of SEBCs would remain unchanged.

Thus, a number of controversies have been raised by the debate of caste/economic criteria. The report of Chinnappa Reddy commission²⁵.And the Karpuri Thakur formula²⁶. has tried to solve this different categories. Although the efforts made by these reports are not full proof, but undoubtedly a nice effort to solve the puzzle with a good understanding of social structure of India society.

Caste Vs Economic Criteria

There are divergence of opinion with regard to the programmes under the policy of compensatory discrimination besides the differences of opinion related to the criteria to determine backwardness.

Reservation is a means to achieve access valued positions or resources. Extension of the policy of reservation is done to the field of :

(i) district councils, state legislatures, Parliament and other such elected bodies.

(ii) the Civil services(both union and state government's services)both in selection and promotion.

(iii) educational institutions - particularly the modified high technical, medical and other professional colleges.

Our Consitution gurantees reservation of seats in the Lok Sabha²⁷. And the Vidhan Sabha for²⁸. SCs and STs according to their proportion in population. There is no reservation of seates in Rajya Sabha or Vidhan Parisahds. No reservation also for OBC or any minority groups in legeslatives²⁹. Because it is out of our purview (as this programme can not be aplicable to the SEBC or OBCs) we would go to an other field.

Job reservation is the central theme of the programmes for compensatory discrimination. Marc Galanter writes :

"Government in India is regarded not as just another employer, but as one that afford a degree of security prestige and authority not obtainable elsewhere. For a broad sector of the Indian population, including both established middle classes and many aspiring groups government employment is the prime focus of ambition"³⁰.

Merit, Efficiency and Social Justice

In this regard, there are different opinion. The job reservation on the ground of merit and efficiency is reflected by some social thinkers altogether Minoo Masani, in his article, "Abolish reservation, promote Meritocracy"³¹. analyses that reservations are equally bad for the privileged classes as they are for underprivileged classes. He writes that reservations "have acted as a crutches which have a habit of becoming permanent unless they are discarded in time"³². The reservation is looked by him as political issue which is misused by politicians to caste banks. He suggested that the solution is in bringing about meritocracy and providing equality of opportunity for granting freeship and scholarship to students who suffer from handicapes or poverty.

Proreservationist says, withable uppercaste domination in medical profeesion, we have one of poorest health delivery systems resulting in one of highest infant mortality and maternal motrality rates in the world. Even the most elementary health care is not available to the vast majority of India and

people especialay in rural area more than four decades after independence. Doctors with fancy degress function as licensed killers, for there is no system of account ability in medical profession.

Further, they say, that they have never protested against mushrooming of capitation fee college which routinely give admission to the children of the rich who perform poorly in exams³³. They also cite the example of "A large no of Delhi teachers who went on strike three times in last eight years to oppose among other things, the introduction of the principle of "Merit" in their promotion ; suddenly became champions of merit wothinss for jobs³⁴.

We have two groups - one of those who suppiort job reservation based on caste, another one of those who are for certain groups but do not support caste based reservation in general. M.N Srinivas by giving emphasis on this, writes in the letters column of 'Anthropological Today³⁵, "I am against caste based reservation for jobs except for the scheduled caste, scheduled tribes for a temporary periods because of the institution of untouchability in the case of sex and isolation from the mainstream in case of STs. Being actually aware of the negative effect of caste based reservations, I did propose a limited amount of reservation on the basis of criteria as parental income, poverty, illiteracy, rural residence, performance of manual skilled labour etc. applicable to individuals and irrespective of caste". Prof. Beteille supports reservation for SCs and STs but he does not favour the policy

for OBCs. A Majid criticises Prof. Andre Beiteille for his dual standard. "This is the dilemma Beteille faces. He obscures that while reservations for SCs and STs were directed towards advancing social and economic equality, reservation for OBCs is directed towards maintaining a balance of power³⁶ The favourer of reservation based on caste have their own pleadings and arguments. Anti-reservationists stand is referred by them that a caste based reservation would lead to casteism. The proreservationist extends their arguments that a reservation based on caste is an attempt to homogenization of the class structure of various castes that will annihilate caste, for caste then will cease to influence one's class position. In response to this the reservationists that reservation is a means to transform feudal social structure to capitalist social structure. The annihilation of class can not be done by reservation in job, but only establishment of the capitalist class structure will be done in more democratic manner by eliminating the feudal traits. Marixists says, that by giving some low caste reservation in the institutions of elite the bourgeoisie try to dilute the intensity to maintain its own class.

They want to over throw the capitalist system as a whole and do not want reservation in such societies because for them reservation acts as a safety valve to diffuse mass mobilisation of low castes. Arguments of advocates of reservation policy is that by adopting caste action to abolish

casteism a broad based participation will be possible; more efficient system for determining merit will emerge and a homogenous social surface congenial for class foundation will be created³⁷.

In support of this view, Dr. Anand Kumar comments that "great champion for the welfare of backward classes, Lohia, demanded special opportunity for the five types of backward classes - Women, Shudras, Harijans, Muslims and the tribal people. He made further addition that the backwardness in India is five folds, while the present reservation programme is its only one dimension. This is a thoughtful and deliberate attempt to isolate Shudras from other four backwards. This is an attempt which would be suicidal and it will strengthen the class of "the twice born (Dviya). Because rest of the four groups would be deceived by both camps for the lust of vote and at last the whole country would be engulfed with the flames of opportunism and deceitfulness³⁸.

Pro reservationist hold the view that reservation helps in the redistribution of resources to the classes of the depressed. The feeling of integrity and self-respect associated with prestigious and responsible government's employment is also promoted by reservation.

But Anti reservationists argue that the elite section of the backward classes covers most of the resources and the position of masses does not change. They also held an argument

that the person who enter in the government services through reservation suffers from an inferiority complex and thus the programme does not achieve its objective to eliminate caste consciousness. But as a matter of fact that caste is ascriptive and would not go easy, that is why it is better to bet prestigioius jobs on the basis of caste reservation and then attempt to improve indual social status rather than to be helpless and waiting for any divine wonder which would annihilate caste system. Human beings create caste system and it could be removed from social sphere of life only by humanly efforts.

Proreservationists in reply of antireservationists says that reservation based on caste would create elite among them who would manipulate the resources for their personal interest, argues that it is better to give chance to the new class of elite to emerge from among the backward classes than the continued domination of uppercaste elite. The power equation would be forced by a competition for power to work for the welfare of masses.

Dr.Anand Kumar says that as the decision to implement 27% job reservation would be beginning of the decline of the political dominance of certain middle castes. Although, it is tragic but the control of the middle caste in political power, would be increased by new reservation and there would be a permanent national party of "Shudravad" in place of traditional congress party of 'dvijvad'³⁹.

* Meritocracy Vs Social Justice

Kaka Kalelkar the Chairman of first backward class commission (whose report recommended 25%, 33%, 40% of seats in the government services in class I, II, III, IV services respectively) in his forwarding letter to the President wrote "I am definitely against reservation in government services for any community for simple reasons that services are not meant for servant as whole⁴⁰. The common accusation is that the compensatory discrimination in government jobs is responsible for a decline in the efficiency of services. The antireservationists argue that reservation hurt morale of other workers that lowers the general level of administration low moral could stem from the inferior performance by the reserved candidates, unhappiness at the enforced contact with those group and the fear that their fellow workers would be their superior in the near future (by reservation in promotion). But they would easily raise the standard of their work, work on the job training. Therefore, inefficiency is not major problem.

Prof. Dipankar Gupta⁴¹. rightly points out that it is not new question of ignoring merit ; it has been a long history. To quote him "not just reservation but it has been established government policy all through to be pre disposed toward community and caste considerations. Merit had long been sacrificed as a result Universities were hit by caste and community based appointments and so were many other public institutions. Government programmes were launched keeping in mind, very specific

religious or caste interests. Many offenders were spared on ground of community and caste for serious crimes such as army desertation or the construction of substandard bridges, merit did not seem to matter then it was privileged classes that were indulging in

nepotism and skull duggery. Therefore it is not with Mandal Commission that merit has suddenly gone to pieces" He further writes, aslong as merit was being eroded from all walks of public life, there was no large scale consternation about it. But, the Mandal Commission by the sheer exaggeration of scale has forced question of merit out into the open".

B.K Banerji sees lack of merit among officials as a deteriorating factor. He writes, in reply of P.M speech, "The prime minister, point is obviously erroneous as officials from assistants to secretaries have often to perform duties that make rigorous demands on intelligence even drafting an important letter may be quite demanding. If 49.5% of officials come with a lesser intelligence, there would be severe deterioration in effeciency. Administration at every level is a totality, and if one half of it is slow the whole will be slow down in consequenece. In the technical sevices, particularly - doctors, engineers, scientists etc. officially usually do all the work ; ministers only take an overview and pass orders. Resevations will damage these services beyond repair"⁴².

It is beyond doubt that 'merit' is an essential quality for effective administration but it does not give a connotation

that low caste people (or depressed classes) are not having enough talent to tackle the problem. This fact, get proved when we bring bureaucracy of South India into consideration. Bureaucracy is much more effecient in south India inspite of larger percentage of reservation and as a result of large proportion of backward classes comprises the administration machinery. Pro- reservationists argue that in case of central government services the position of class I services are appropriated by upper caste majority (more than 90% day are upper caste officers). If the functioning in these services proves inefficient the blame goes to the overwhelming majority of above 90% Officials of general category. several sectors do not provide any reservation like the universities, but their functioning cannot be called better than the government department in any way⁴³. Thus reservation cannot be blamed for ineficiency.

Various arguments and counter agruments related to job reservation are coming in light. Reservation policy is aimed to distribute fairly the resources and power to the masses is an accepted fact. But "to provide reservation is not to provide jobs". Instead of it, that remain all dysfunctional to a family potential economy and perpetuates all illusion getting jobs, privileges, comforts⁴⁴. etc.

The cutting of importance of job reservation in government employment is shrinking in this era of economic liberalisation. In the near future the job reservation will become non issue. The need of society is not to reserve more

jobs but to create more job opportunities, welfare measures like poverty eradication programmes and educational facilities to the backwardness.

Mandal Commission Vs Education

The Mandal Commission Reports by criticising the present educational system as elitist and a colonial heritage mention its limitations in suggesting any reforms in educational system as it was not within the jurisdiction of this commission. The commission recommended 27% seats for OBC students in all scientific, technical and professional institutions looked after by central as well as state government, besides various other recommendations regarding educational development of OBCs. On the other hand 70% of seats were recommended to be reserved for qualified students of backward castes, by Kaka Kalekar commission, till such time as recommendation is provided for all the students eligible for administration. The remaining 30% should go to the rest of the students as also seats unutilised by backward classes. Reservation for OBCs are larger than the SCs and STs, in many seats and they never go unfulfilled. They represent a major claim on a much coveted and scarce opportunity"⁴⁵. Reservation for OBC in professional colleges become a focus point of conflict between putative OBCs and other groups⁴⁶. Reservation in technical and professional institutions is a matter of state policy decision for SEBC. The central government does not provide any such reservations.

Different state governments have provided different percentage of reservation in technical institution for OBC/SEBC.

Antireservationists says that the scare opportunities are being wasted on persons who are hardly qualified to benefit from these facilities. But the table⁴⁸ mentions that as compared to those selected on the basis of open merit, the reserved categories of selected students certainly have lower percentages of marks. In their HSC Examination which is the basis for deciding admission. But those having lowest percentage, come through reservation, has remarkably improved⁴⁹. Therefore, it is incorrect to say that student came from reserved categories do not have potential of intelligence. It is found that there is little difference between OBCs and the open merit candidates among those admitted to these institution. This is correct that resevation policy excludes those college students, from admission who belong to unreserved categories and having much higher percentage of marks. But it never means that those who are admitted on the basis of reservations are inadequately qualified.

Proreservationists argument in favour of reservation is related to the fact that the student from well off families, even with much lower percentage are being admitted to professional and technical institution on basis of same amount of money in form of donation. A student from poor family cannot effort even though he is better qualified. In this way reservation is desirable for the backward classes in this field.

But it is correct that the advantage of reservation goes mostly to the upper class of the backward castes. H.K.Paranjape's conclusion from survey⁴⁷. indicates this fact. To quote him, a tendency for the benefit of reservations mainly going to the sources what already better off families can be already noticed. The fact that OBCs students do not fare much worse than the open category. One only suggests that a large proportion of those who benefit from reservation are those who came not only from such families but from certain castes which are either largely urbanised or whose land holding are larger than those of the SCs". It is true and a fact because the OBCs are not as backward and as depressed as SCs and STs. There is a social stigma attached hindrance in their development OBCs donot suffer from the stigma of untouchability nor they are economically torn like SCs.

Science and Technology Vs Mandal Commission

Mandal Commission new reservation policy kept out field of science and tecnology from reservation. This decision raised the eyebrows of pro-reservationist. Prof. Rajani Kothari says in this regard. "The biggest shortcoming of the announced measures for implementing the Mandal Commission, i.e. refusal to the extend the new rights of the newly on practised (the OBCs, following SCs and STs) to the educational arena. Lacking raising the educational levels, of the educationally backward, there is little chance that they can paritcipate effectively in the

system of governance through occupying jobs and positions in government. The key to emp-powerment of the under privileged lies in assuring to them the real service of power and privilege in our society, namely education⁴⁸". Rajani kothari further adds by suggesting to throw other technical institutions and vocational schools for the OBCs and backward classes, that "the decision of exempting 'science and technology' from reservation policy should be reserved right way"⁴⁹.

In 1992⁵⁰. A judgement by the Allahabad high court on 22nd June, by challenging the view of Rajani Kothari declares that, "There can be no compromise in the field of science and tecnologia". In its judgement the court declares that the reservation based on caste in scientific field, whether for admission in educational Institutions including medical and engineering colleges or for appointment in the science department of school and colleges, were arbitrary and violantion of acticle (14) of the constitution ⁵¹.

The Judge of the court in his judgement says!. The policy of reservation, as contemplated by article 16(4) and article 15(4) of the constitution is basically a compromise between the needs for excellence on one hand, and the need for making special provision for advancement of SEBC or SCs/STs on the other hand⁵².

New Debates :

Liberalisation and Reservation policy

N.D.Nalpat in his article says that, "The displacing of public sector by private industry as the main engine of growth and employment has reduced the significance of the Mandal, formulations in middle class lines. With the share of the state shrinking in the total employment pie, the disadvantages caused by reservation will also be reduced. Thus those communities which do not enjoy the benefit of reservation may find their position improving; in that they will tend to avoid the declining state and sector and flock to private sectors"⁵³.

Now it is limited to government sector but pro-reservationist say that, it should be extended to private sectors also because of its vast infrastructure. It can provide more jobs to employment youth. Share of SC/ST/OBC in private sector is below 5%. Our Economy is controlled by upper caste which help them in retaining their hegemony over politics. Thus to bring them impar with upper caste it should be extended to these people. J.D is advocating for its extension for Pvt. sectors.

But Antireservationist says that now it is limited to govt. sector, but can be extended to Pvt. sector. The negative effect abort the country's nascent attempt to enter the economic major league"⁵⁴.

Affirmative Action in India

V.P. Singh, former PM of India delivered a lectured at the Harvard University on September 29, 1995 on Affirmative Action in India. During the lecture he shared his views on the implementation of The Mandal Commission Report by his Govt. on 7th August, 1990 as a step towards achieving "social justice"⁵⁵.

When he implemented the MCR he was well aware of the fact that he had challenged the age old social set up and this could cost him his chair and probably even his life. All hell broke loose when the decision of his govt. was made public. The media branded him a Villain and a casteist, upper caste youths all over the country went on a rampage distroying public property and a few cases of self immolation by college students were also reported. The appeals to restore peace by Mr. V.P. Singh fell on deaf ears.

However, his decision to provide 27% reservation in govt. jobs to the backward classes was welcomed by the members of the backward classes and the Dalits. Many young boys belonging to these sections of the society met him and expressed their gratitude to him, he defends his govts decision by saying that "democracy is about giving a voice to the mute." He then directs his attack at the caste system of India which he says has divided the society into "the hated Shudras, the tolerated vaishyas, the respected Kshatriyas and the worshipped Brahmins: social groups have been stratified in a framework of hierarchical hatred."

Democracy, according to him, is not just a ballot box and a govt. Democracy should restore human dignity, equality and fraternity. However, governmental action alone cannot put an end to the deep rooted cultural divide caused by the caste system. He says, "Once we remove reservations from our hearts, the need for governmental reservations will vanish."

He praises Gandhi, who tried to bring about a change of hearts and Dr. Ambedkar who sought the constitutional route to achieve "social justice". Mr. V.P.Singh is highly critical of the ruling party after Independence, which abstained from taking policy measures to improve the lot of the backward classes : The various dimensions of the social power structure are reflected in the political power structure. Although the ruling elite gave various kinds of governmental benefits to the deprived classes, they were not given a share in the power structure.

However, a process of transformation is taking place although very slowly and today all the major political parties are making use of the Mandal plank in electoral politics. Gradually the members of the deprived classes are being made part of the power structure. They are actively involved and being represented in the local bodies, state legislatures and also the parliament. Mr. V.P.Singh, predicts the emergence of an alternative ruling elite. Another important development is the sense of unity which has gradually begun to unite the deprived sections. Even the Muslims, who are the largest minority in India having been let down by the congress party and facing a threat from the BJP, are joining hands with the backward classes.

Mr. V.P.Singh says that the rich legacy of affirmative action in USA through the pronouncements of its Judiciary are highly commendable and have contributed towards providing justice to discriminated social groups.

Affirmative action is important in achieving the goal of removal of "past discrimination". In India past discrimination has been both institutionlised and sanctified. He upholds the pronouncements of the judiciary but says that ground realities are different. He attempts to draw a comparison between affirmative action in India and the USA. In the USA, affirmative action is directed primarily towards minorities which is justified where as in India, the majority i.e., 85% of the population is disadvantaged. Hence, their struggle is not for

claim of power but the throne itself, which is their rightful share.

He tries to counter the arguments of his critics who say that affirmative action leads to social segmentation and that it is a vote catching device. He says that when affirmative action has been upheld by the courts of law how can it be merely for votes : further, issues like women's suffrage, common schooling, abolition of slavery have been polarising. But only through a series of polarisation democratisation and equity can be achieved social justice, ultimately, is a unifying process because it involves all sections of society who were hitherto to kept away from power sharing.

He also counters the arguments that affirmative action will reinforce caste and race distinctions. In India the ultimate criterion for benefit of affirmative action is social and educational backwardness. But it so happens that the socially and educationally backward class is generally a caste. Further, the analysis of affirmative action would indicate that it is not actually violative of the principles of equality before law because equality exists only among equals. To bring about equality between the unequals, measures have to be taken.

Mr. V.P.Singh does not advocate reservations forever because that would be wishing inequalities to remain forever. In practice, although seats are reserved for the deprived classes they generally go unfilled. The concept of

"creamy layer" who form the better off among the deprived classes being kept out of reservations ensures that the better off do not reap all the benefits of reservations. He points out that job reservation is not an employment scheme but an empowerment scheme.

He observes that even for the reserved seats there is keen competition among the backward class students and over a period of time the difference between the backward class. Students and the upper ones will level off positive reservations in favour of those who have been deprived of the right to knowledge for thousands of years because it had been monopolised by the Brahmins and the right to rule which had been monopolised by the kshatriyas, is just and fair. However, he stresses on the need to strike a balance, even when reservation is being implemented because he says, "We do not want to create new victims in the process of removal of past victimisation".

Now a days our country is facing its worst picture ever since in our history of 6000 years. Until and unless we now adopt the scientific way and scientific outlook, nations across the border will not hesitate in dominating us. Therefore, science is the only means to solve the problem of our country. Thus for him, no reservation can be valid in the field of Science and Technology.

The new trend of thought which is emerging after

political manipulation of the notion of social justice, is symbolized by judgement of Allahabad high court. The manner in which the Mandal Commission's report was used by NF govt. clearly exposed the dirty political calculation behind a noble policy of social justice. No country can afford a regressive policy in this competitive world social and economic infrastructure stand on their backbone of science and Technology. If science and technology becomes the victim of dirty politics, the nation will collapse in a moment. As a matter of fact only a strong nation can protect the weaker section of society. Thus a new approach is needed to be evolved to provide social justice to the backwardness of people. If modern era demands introduction of certain changes in the policy of compensatory discrimination, the makers of the policies should think of it. All the eminent sociologists, thinkers and scholars, Political leader should work together to find out workable solution for acceleration of national progress by modifying the policy of compensatory discrimination."

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22. D.L. Seth, "Caste, Class and Reservation", in H. Mehta and H. Patel, (eds), Dynamics of Reservation Policy, New Delhi, Patriot Publishers, 1985, p.135.
23. The Constitution of India, Article 15(4).
24. Article 340 of the Constitution of India.
25. The Chinnappa Reddy Commission Report, it was 3rd Backward Class Commission of Karnataka Govt. and submitted its report on 4th Apr. 1990. This report has received wide acclaims and appreciations.
26. Karpuri Thakur was C.M. of Bihar.
27. The Constitution of India, Article 330,
28. The Constitution of India, Article 332.
29. The Constitution of India empowers the President of India for nomination of two Anglo Indian in the Lok Sabha, Article 331, and empowers governors to nominate one member of this community.
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CONCLUSION

Mandal agitation clearly brings out in the light, the fact that government services in India are attributed, a glorified status. On the one hand, Mandal agitation shows the reaction of status quo forces in our society to ongoing changes, on the other hand, it shows the dominant middle class mentality pervading over politicians, professionals, student politics and media.

Mandal agitation was a response of upper caste - upper class to retain their centuries old hegemony over political and economic resources which they were gradually losing since last forty years due to state's initiative in the context of promoting social justice through compensatory discrimination. On the one hand their social hegemony was threatened by the constitutional provisions providing that no discrimination shall be made on the ground of caste, creed, race, religion, language, place of birth etc. On the other, their political and economic hegemony was threatened by Green Revolution, which raised the status of backward classes and by the changing power matrix, which made backward classes more united and politically dominant. Their hegemony in bureaucracy had also been threatened by the reservation for SCs and STs but the reservation for OBCs threatened it more severely as they hadn't been the object of untouchability like SCs and STs. Thus, discontent due to losing monopoly and Relative Deprivation due to increasing job quota for OBCs led to agitation.

In the Mandal agitation Delhi, being the capital city presented a centrifugal structure. Other parts of the country following strategies and drawing inspiration from Delhi. Thus by following Delhi model whole country was immersed in violent agitation which resulted in several killings.

Anxiety and suicides incidents compelled parents to get involved in the agitation. Further, the role played by media was also provoking as it projected the deceased agitators as martyrs.

Major section of intelligentsia, even the experts on Mandal Commission denounced the report. Intelligentsia, at that time were showing only the negative aspects of MCR and declared it as disastrous for the whole country. They did not even think of its beneficiary effects on the OBCs, who had been the objects of discrimination for centuries.

Anti-Mandal agitation was not organized because all political parties were cooking their food separately. Leaders were busy in exploiting the opportunity for their benefit. Major national parties, like Congress, BJP and some leaders from Janta Dal also indirectly supported the agitation by providing them with money, cadre and status. Particularly in Delhi, exclusion of Jats from MCR and the Deval factor played in crucial role in Mandal agitation. Because Delhi is solely surrounded by Jats their active participation intensified the agitation.

The Mandal incident has motivated a rethinking on the role of state in removing social inequalities and the model of social change as such. There is no doubt that no social institution containing so large an element of inequality and discrimination towards the majority of people can survive for a longer period in a purely social context. The Indian constitution sets forth a programme for reconstruction and transformation of a medieval hierarchical society, emphasizing equality in a modern egalitarian society based on individual achievement and equal opportunity for all regardless of one's caste, race or religion. But this ideology of egalitarianism did not come about suddenly, it is culmination of a long process of change in the traditional pattern of our caste ridden society. These changes were affected mainly through reformers, religious thinkers, national leaders and the intelligentsia of country, who consistently challenged the dominant values legitimizing inherited inequalities based upon the doctrine of Karma and rebirth.

The reservation policy was the method contemplated by the Indian political leaders to compensate with the centuries long disadvantaged position that the depressed classes had to face. It is not true that the supporters of job reservation are motivated solely by the calculation to gain something for themselves for their own community. Job reservations is coming to be viewed sympathetically by more and more people who have nothing to gain personally from it. The moral impulse behind it is the commitment to the spirit of social justice and equality.

As the arguments of both the anti-reservationists and pro-reservationists oscillate, there arise certain fundamental questions. Firstly, must the reservation be scrapped? If preferential discrimination is required what form must it take? Upto what level must there be reservations? How long must it continue?

The question of reservation must also include the question of de-reservation. Job reservations can attend only to the problem of middle classes and leaves the overwhelming majority of the Indian people outside this class and will remain outside it for the several next generations. This issue is a big question mark before our social policy makers. There is lack of able leadership, committed and efficient political ethos in India. An overall revolution is required to bring about changes in educational, administrative economic and political setup in order to meet the constitutional mandate for transformation to eliminate age old caste based disadvantages and create a conducive environment for democratic institutionalization beyond the barriers of caste and class.

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