

NDA decides to oppose reservation Bill

Government stand on minority institutions queers the pitch

Special Correspondent

NEW DELHI: The National Democratic Alliance decided at a meeting here on Monday that it would oppose the Constitution Amendment Bill proposed by the Government to provide for reservation in unaided private professional colleges.

However, there were indications that the Janata Dal (United) was a divided house on this issue.

Although the Government had claimed that it had drafted the Bill after a "consensus" arrived at an all-party meeting of leaders organised by the Human Resource Development Ministry, the agreement fell apart after the Bill made clear that minority institutions would be kept out of its purview. Under the Bill there would be no obligation for minority institutions to provide reservation for scheduled castes and tribes and the socially and economically backward classes.

While all the major political parties favour restoration of the reservation pattern that stood abolished by a Supreme Court verdict recently, the parties of the NDA have expressed the view that reservation must be made obligatory for all private aided or unaided educational institutions, including minority institutions.

Bharatiya Janata Party spokesperson V.K. Malhotra said that the NDA favoured reserva-

● **Proposed legislation exempts minority institutions**

● **Definition of minority institution not clear: BJP**

● **Janata Dal (United) a divided house**

tions for scheduled castes and tribes and backward classes from among the minorities in the minority institutions.

'Definition not clear'

The BJP has also pointed out that the definition of what was a minority institution was not very clear.

In many States educational institutions run by linguistic minorities had the "minority" status. Mr. Malhotra insisted that the NDA's opposition to the proposed legislation was not because the NDA was opposed to overturning the Supreme Court verdict but because it wanted the reservation policy to apply to all educational institutions without exemption.

The Government's draft bill exempts minority institutions.

The Akali Dal was notably absent at the NDA meeting. The Dal is opposed to the extension of reservation to private institutions run by the Sikhs.

JD (U) position

Although Mr. Malhotra

claimed that the JD (U) leaders Prabhunath Singh and Digvijay Singh — who attended the meeting — stood by the NDA's opposition to the Bill, JD (U) president Sharad Yadav told *The Hindu* that his party's position on the matter was different from that of the BJP.

...He said that the JD (U) was "not in favour of stalling the Bill" though the Government has made it clear that the JD (U)'s concerns could not be taken on board.

Mr. Yadav explained that his party would have liked to see that the backward classes among the minorities are given the benefit of reservation in minority institutions, whether aided or unaided.

Demand rejected

This demand was turned down by Union Law Minister H.R. Bharadwaj at a meeting convened at the Prime Minister's residence on Sunday to address the concerns expressed by the backward class MPs from various parties.

Monday's NDA meeting was chaired by BJP president L.K. Advani and attended by BJP leaders Jaswant Singh, Murli Manohar Joshi and Sushma Swaraj, besides Mr. Malhotra. The Janata Dal (United) was represented by Prabhunath Singh and Digvijay Singh, the Trinamool Congress by Dinesh Trivedi and the Biju Janata Dal by B.J. Pande.

20 DEC 2005

THE HINDU

Reservation Bill shelved for fear of Oppn trouble

Our Political Bureau
NEW DELHI 14 DECEMBER

A day after the BJP dropped the first hints of trouble to come, the Manmohan Singh government's efforts to push through a Constitutional amendment Bill providing for reservations for SCs, STs and OBCs in unaided private educational institutions ran into rough weather because of an across-the-board Opposition.

The Bill was slated to be introduced in the Lok Sabha on Wednesday but had to be deferred after Union HRD minister Arjun Singh, sensing trouble looming ahead, put in a specific request to that effect with Speaker Somnath Chatterjee, arguing that he wanted to undertake "wider consultations."

After the BJP had earlier made it clear it would oppose the Bill in its present form, as it had kept the minority-run educational institutions outside its purview. It was then the turn of the OBC Parliamentary forum to put a spanner in Arjun Singh's project.

A meeting of the forum, which comprises members from almost all major political parties, held on Tuesday evening had flayed the government for its failure to keep the interests of the OBC in mind before formulating the Bill.

The meeting was attended by some 50 members, including Sachin Pilot (Congress), former Union minister Santosh

Gangwar (BJP) and Ram Gopal Yadav (Samajwadi Party). It ended up warning the government against pressing ahead without incorporating specific provisions for reservations for the OBCs in these institutions.

Caught between a rock and a hard place, even the CPM was forced to concede it was not entirely satisfied with the exclusion of minority institutions from the purview of the amendment.

However, the party — which has been negotiating with the HRD ministry for over a week now to have the clause excluding minority institutions scrapped before the amendment was tabled in Parliament — was forced to take a wishy-washy stand due to the fear of making common cause with the BJP.

Even as the party's student wing, SFI, takes a different line in Kerala, CPM leaders were unable to come clean on their stand, wary of making an argument that sounded strikingly similar to that put forth by the BJP.

CPM leader Nilotpal Basu said he supported the bill since Article 30 of the Constitution provided right to establish minority institutions. However, the emerging reality of the large number of non-minority students taking admission in such colleges and universities "cannot be glossed over."

He said his party had not taken a definitive view on the issue but said new realities should be debated. "We have not drawn our final conclusion," he said.

The party has been put in predicament over the amendment, with its party and students

wing in Kerala holding agitation over the need for regulation in minority-run unaided institutions.

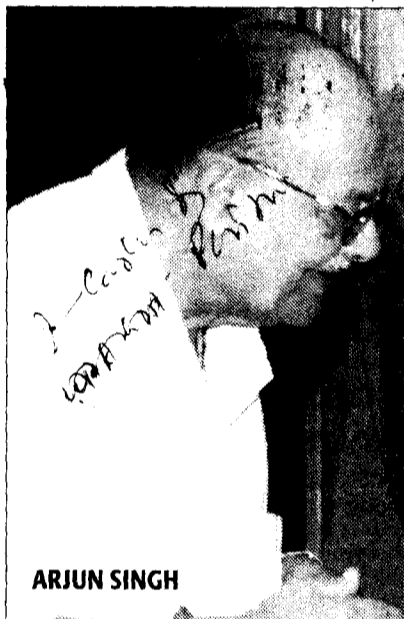
"I cannot take responsibility of SFI or the BJP," the CPM leader said, when questioned whether the party had a different position from its student's wing.

Faced with growing opposition to its plans, the government found it prudent to put off the Bill's introduction. Going by the strident voices emanating from various quarters, it looks highly unlikely the government would be able to secure the passage of the Constitutional amendment Bill during the winter session.

The Congress, late on Wednesday afternoon, was forced to walk a tightrope. Even though it exuded confidence the government would be able to push through the Bill during the winter session itself, hopes of pulling off such a feat were receding fast.

"The UPA government is committed to ensure the provisions of the Constitution with regard to affirmative action — especially with regard to the welfare of the SCs, STs and the OBCs — are implemented properly," said Congress spokesman Anand Sharma, adding: "The Bill will be brought in a form that is mindful of the interests of all sections of the society and stands the test of judicial scrutiny."

The Union HRD minister, he said, was engaged in holding wider consultations. "It'll be introduced after the exercise is over," he said.



ARJUN SINGH

PVT RESERVATION ■ Amendment will reverse an SC order that declared quotas unconstitutional

Quota bill put off, new clause to be put in

15/12
J. Lakshmi S. Krishna 95

VARGHESE K GEORGE
NEW DELHI, DECEMBER 14

THE government today deferred the introduction of the constitutional amendment bill that will enable reservations in unaided private educational institutions. The bill was to be moved in the Lok Sabha, but concerns raised by MPs belonging to the Other Backward Castes (OBCs) and the Left parties forced HRD minister Arjun Singh to defer its introduction. The bill is likely to come up next week.

The amendment will introduce a new, fifth clause to Article 15 of the Constitution. In effect, this will reverse an SC order that declared as uncon-

stitutional quotas in educational institutions not aided by the government.

The forum of OBC MPs suspected that the amendment would not provide for OBC reservations where as the CPI(M)'s concern was the exempting of minority unaided institutions from reserving seats for SC/STs and OBCs. The Marxists are locked in a running battle with various religious bodies in Kerala over the question of reservations in educational institutions run by them.

"The concept of minority has regional variations and we would like this to be considered while making the amendment," said Nilotpal Basu of the CPI(M).

The BJP has already declared its opposition to the bill's provision to exclude the

Andhra moves SC on reservation for Muslims

► **NEW DELHI:** The Andhra Pradesh government today moved a petition before the Supreme Court challenging the High Court verdict quashing an ordinance providing five per cent reservations for Muslims in government jobs and educational institutions.

The Special Leave Petition (SLP) against the Andhra Pradesh High Court judgement was filed in the apex court registry.

A five-judge Constitution Bench of the High Court on November 7 had pulled up the state Backward Classes Commission, whose report had formed the basis for the quota policy, observing that the Commission had given "defective advice" to the government and had failed to evolve reasonable criteria to categorise Muslims as backward class. The HC had said the Commission did not do its job properly and could not produce sufficient material to suggest that the entire Muslim community was socially and educationally backward.

—PTI

The OBC MPs were mollified after Parliamentary Affairs Minister Priya Ranjan Dasgupta explained the workings of the proposed fifth clause. The clause says: "Nothing shall prevent the state from making any special provision, by law, for the advancement of any socially and educationally backward classes of citizens or for the SCs or the STs in so far as such special provisions relate to their admission to educational institutions including private educational institutions, whether aided or unaided by the state, other than minority institutions referred to in clause 1 of Article 30."

The government has assured the OBC MPs that this provision is sufficient for any state government to declare any OBC as "socially and educationally backward", and reserve seats for them. Indeed, the present OBC quotas are protected by exactly the same wordings in clause 4 of Article 15, the MPs were told.

The CPI(M)'s concern is that many educational institutions plead they are minority-run in Kerala merely to deny reservations. It student wing, the SFI, has been opposing this. However, the party does not want to exclude the minority institutions altogether, as assembly elections are round the corner. "We are only saying there should be some clarity as far as the status of minority educational institutions are concerned," said Basu.

minority institutions. However, JD(U) and TDP Government sources said the BJP was still get the necessary two-third majority, given the support to the provision from NDA partners such as the

Bill on quotas deferred

J. D. Bhandari
castes & minorities

Ministry for wider consultations

Special Correspondent

NEW DELHI: Amid reservations from various quarters, the Government on Wednesday deferred the introduction of the Constitution Amendment Bill to provide for reservation for the socially and educationally backward classes, besides the Scheduled Castes and the Scheduled Tribes (SCs/STs) in private unaided educational institutions other than those run by the minority communities.

Given the issues raised in the week since the Cabinet approved the introduction of the Bill—particularly, whether the term “socially and educationally backward classes” covered Other Backward Classes (OBCs) — the Human Resource Development (HRD) Ministry decided to go in for wider consultations.

It plans to clarify the provisions vis-a-vis the OBCs. As not a single word in the Bill can be changed without the Cabinet's approval, the fresh draft will be referred to it at its next meeting on Thursday. The Government was hopeful of introducing the Bill next week, Parliamentary Affairs Minister Priyaranjan Dasmunsi told mediapersons. Listed for introduction in the Lok Sabha on Wednesday, the Government's decision to defer it was announced by Speaker Somnath Chatterjee. He said the HRD Minister had sought a postponement and he acceded to it. The Bill seeks to amend the Constitution by inserting a new clause (5) in Article 15 for the advancement of socially and educationally backward classes or SCs/STs.

The introduction was deferred after the Parliamentary Forum of OBC MPs sought clarifications whether the term “socially and educationally backward classes of citizens” included the OBCs. Chairman of the Forum V. Hanumantha Rao met Mr. Dasmunsi on Tuesday evening. After that he spoke to Mr. Singh and the matter was

also referred to Congress president Sonia Gandhi.

In view of the clarifications sought by the Forum — which met Mr. Dasmunsi and the HRD Minister on Wednesday — Mr. Singh felt the need for more consultations with the Law Ministry to “suitably address” their concerns in the existing draft. Added to this were the reservations expressed by the Bharatiya Janata Party (BJP) and the Communist Party of India (Marxist). The BJP is opposed to minority institutions being kept out of the ambit of this amendment and the CPI(M) has also expressed apprehensions about this. Minority institutions have been exempted as they are covered by Article 30 (1) of the Constitution which provides them the right to establish and administer educational institutions.

BJP stance

Clarifying the BJP stance, party spokesperson Sushma Swaraj said: “We want to ensure that the term socially and educationally backward classes includes the OBCs. We favour reservations without exceptions. If minority institutions are left out of this amendment, it would mean denial of reservations to backwards within minority communities.”

At a separate briefing, CPI(M) spokesperson Nilotpal Basu -- while welcoming the Bill -- said Article 30 (1) was introduced by the framers of the Constitution in a particular perspective. The context has had changed and so it should be discussed, he said, maintaining that the party had not taken a definite view on whether or not minority institutions should be exempted from the provisions of this amendment.

The Congress, for its part, was confident that the Bill would be passed in this session. itself. Stating that the Government was committed to affirmative action, Congress spokesman Anand Sharma said the Bill's introduction had been deferred for wider consultations.

15 DEC 2005

MINORITY ISSUE I Says proposed amendments should not include minority educational institutions BJP backtracks on pvt institution quota

EXPRESS NEWS SERVICE
DELHI, DECEMBER 13

Braking the political consensus on the Constitution amendment bill to provide reservations for SC/ST and OBCs in unaided private educational institutions, the BJP today declared that it would not support the bill if minority institutions were exempt from the provision.

BJP leaders Sushma Swaraj and Arun Jaitley said the party had offered support to the bill—aimed at overturning the August 12 Supreme Court order declaring quotas in unaided colleges “unconstitutional”—in its earlier meeting with government representatives.

However, the BJP would not support the bill in its current form because minority institutions will be kept out of its ambit. The BJP leaders took pains to emphasise that the party was not against the bill per se but wanted quotas to be extended to

all unaided colleges. “We want the bill but this provision (quotas in minority institutions) has to be there,” Swaraj said.

Since the proposed legislation is a constitution amendment bill, it requires to be passed with a two-thirds majority. In other words, the government will be unable to get the bill through if the BJP does not cooperate.

The BJP’s backtracking on the bill today took political circles by surprise since the government had made it clear last week itself that the proposed amendment would not include minority institutions.

On December 8, the union cabinet had decided to go in for a constitution amendment to “enable the states to make reservation for the socially and educationally backward classes of citizens or for the SC/STs in unaided private educational institutions.”

Briefing the media after the cabinet meeting, Information and Broad-

casting minister P R Dasmunshi had said the decision had been taken in view of “an overwhelming consensus among political parties” that quotas

The BJP leaders took pains to emphasise that the party was not against the bill per se but wanted to quotas to be extended to all unaided colleges.

should continue in unaided colleges. Significantly, Dasmunshi had also clearly stated: “Minority institutions already enjoy special status under the Constitution to enable their educational advancement. Hence, they are exempt.”

Since the BJP’s objections could be seen as an attempt to scuttle a pro-OBC, pro-Dalit legislation, Jaitley repeatedly underlined that the party was, in fact, battling for the weaker

sections. “According to me, exempting minority institutions from the purview of the bill is an anti-Dalit, anti-OBC move,” Jaitley said, pointing out that the exemption would encourage more institutions to seek minority status in order to avoid providing reservations.

Minority institutions, he said, included institutions run by both religious and linguistic minorities. Thus, a Kerala-run institute in Karnataka or an Assamese college in Arunachal Pradesh were also minority institutes. Besides, a large number of private medical and engineering colleges in the country enjoyed minority status. None of these would provide quotas for SC/ST and OBCs—thus harming their interests.

The BJP is trying to convince its allies such as the Janata Dal (United) that the party’s stand is not anti-minorities but stems from its concerns for the OBCs and Dalits. However, given the acute political sensitivities

on issues concerning both OBCs and minorities, any stand that alienates one or the other may not find too many supporters outside the BJP.

Meanwhile, the BJP also had problems with the Taxation Law (Amendment) Bill to replace an existing ordinance. At the party’s parliamentary party meeting, Gujarat MP Kashiram Rana said provisions of the bill affected exporters and MPs had not been given enough time to scrutinise it. Jaswant Singh also agreed that matters dealing with taxation should never be brought through an ordinance.

The parliamentary party then appointed a three-member team comprising Kashiram Rana, Harin Pathak and Santosh Gangwar to meet the Speaker to convey the BJP’s misgivings. The Speaker agreed to defer the bill and asked union finance minister P. Chidambaram to speak to the members, BJP spokesperson Sushma Swaraj said.

98-5

P. Chidambaram

INDIAN EXPRESS

Plea for quota ban review dismissed

NEW DELHI, Nov. 30. —

The Supreme Court has dismissed a petition filed by the Tamil Nadu government seeking a review of a judgment quashing reservations in private unaided educational institutions, including engineering and medical colleges.

TN sought a review of the 12 August ruling of the seven-judge Constitution Bench which had held that the policy of reservation could not be enforced by the states and no quota could be carved in a minority or non-minority unaided educational institution that the state could appropriate.

In the review petition, the state submitted that the Tamil Nadu Backward Classes, Scheduled Castes and Scheduled Tribes (Reservation of seats in Educational Institution and appointment of posts in the service under the State) Act, 1993 obliged every educational institution, even if it is unaided, to provide reservation up to 69 per cent. — PTI

01 DEC 2005

THE STATESMAN

Dalit Christian quota under court scanner

R. VENKATARAMAN

New Delhi, Nov. 28: The Supreme Court will begin hearings in February to decide whether the Constitution allows reservations for Dalit Christians.

The court today asked the Centre to submit the relevant "information" collected by the National Commission for Religious and Linguistic Minorities, so that the bench can decide the issue.

The "information" relates to the commission's findings on the "socio-economic status" of Dalit Christians, and must be submitted by the third week of February.

The interim order comes on a petition by the Centre for Public Interest Litigations, headed by apex court counsel Prashant Bhushan.

"Dalits among the Hindus, Sikhs and Buddhists are given the SC/ST benefits but the same is deprived to Dalits among Christians," Bhushan argued. "This is violative of the provisions of the Constitution guaranteeing equality before law and also (that) citizens would not be discriminated (against) on the basis of religion."

A Dalit Christian from Kerala, D. David, has joined

the battle as a separate petitioner and an organisation calling itself "Hindu Dalit Association" has opposed the petition.

At the centre of the controversy is a 1950 presidential order "excluding" Dalit converts to Christianity from the benefits of SC/ST reservations, which mainly apply to jobs, education and promotion.

David told the court: "The British Parliament, in 1936, passed a resolution that nobody in India converting to Christianity would be treated as untouchable and on that basis denied reservation to Dalit converts.... (This) continues in the country with the 1950 presidential order."

Additional solicitor-general Gopal Subramanian, representing the government, said the commission was formed last year under former Chief Justice of India Ranganath Mishra. "Till the commission comes out with its report and recommendations, no action could be taken as the Supreme Court itself had held in a case that reservation in any form should not exceed 50 per cent," he argued.

The three-judge bench

told Subramanian: "We have to hear the matter in detail after (the) information (collected by the commission) is submitted. We are not expressing any opinion as on date. We would examine, if necessary, the question (of reservation for Dalit Christians)."

The commission is hearing NGOs, Dalit and non-Dalit Christian organisations and individuals, as well as Hindu Dalit organisations opposed to reservation for Dalit Christians.

The matter comes up again in the third week of February before the bench of Chief Justice of India Y.K. Sabharwal and Justices C.K. Thakker and Raja Varadrajulu Raveendran.

Center of Education

Should there be reservation for minorities in IITs & IIMs?

It's not conducive for creating leaders and IITs/IIMs are meant to do that

Reasonable presence of minorities in State-owned institutions is a must

G.V. 18



Tahir Mahmood
Member
National Commission for
Religious & Linguistic
Minorities

The State has an obligation to ensure a sizeable presence of minorities in its institutions of professional and vocational learning. The UN Declaration on Rights of Minorities 1992 mandates the States to "ensure that persons belonging to minorities may exercise fully and effectively all their human rights." The Universal Declaration of Human Rights 1948 recognises the right to education as a basic human right.

In India, the Constitutional provision on equality of citizens clarifies that this requirement cannot "prevent the State from making any special provision for the advancement of any socially and educationally backward class of citizens." A Directive Principle of the Constitution clearly says that the State "shall promote with special care the educational and economic interests of the weaker sections of the people." Both these provisions of the Constitution refer to Scheduled Castes and Tribes but they by no means

restrict the ambit of "weaker sections." The Apex Court has emphasised that "our mission is to satisfy every interest and to safeguard the interests of all minorities to their satisfaction." As for reservation, the court ruled that a whole community may be regarded as "backward". Under the National Education Policy (1986), the government had described two minority communities as educationally "most backward". And there certainly are backward sections among the other minorities as well. Interpreting the Constitutional provision on the right of minorities to establish and administer their own educational institutions, the SC has restricted minority institutions in such a way that a sizeable presence of the majority community is necessary for national integration. By the same yardstick, reasonable presence of minorities in State-owned institutions too must be seen as imperative for national integration. Judicial curtailment of the Constitutionally guaranteed right of minorities has to be rationalised by ensuring their presence in non-minority institutions.

In Kerala, the minority population is much above the national average but this de-

I am against all kinds of reservation. It should be caste-based or religion-based. Instead, students should be empowered through coaching centres and training institutions of higher learning to compete. After all in-



R S Sirohi
Vice Chancellor
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like the IITs and IIMs, are supposed to produce leaders, not workers to carry out orders. Therefore, they should have the best students, best teachers, best infrastructure and the best support staff. IITs have devised ways to meet the constitutional obligation of reservation, but they have largely been unsuccessful. Perhaps that is why so many reserved seats remain vacant every year. There is also no evidence that those who availed of reservation in these premier institutes ultimately became leaders in their chosen field. In the list of names IITs so proudly display, not a single one is that of a person who entered through reservation. Fortunately, so far these institutes have been free to select their faculty. They follow a merit-based induction system. That is why they have successfully attracted the best brains.

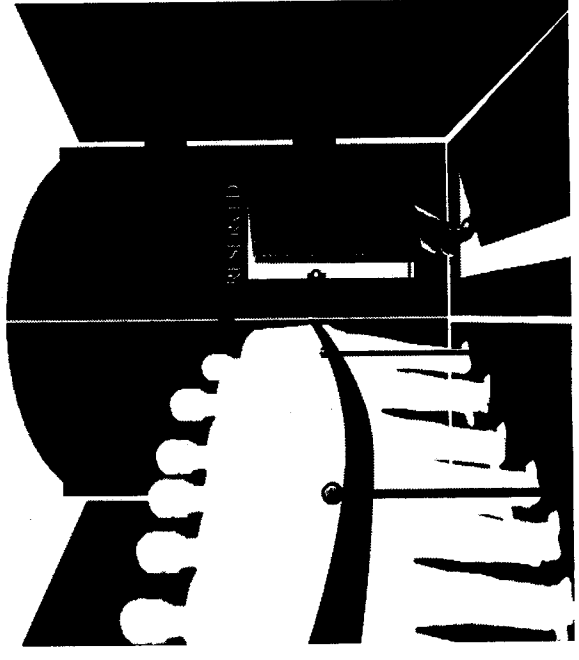
Reservation for religious minorities may lead to conversions. It could also lead to a different kind of corruption. For example, certificates could be forged or obtained illegally. In fact, economic considerations or material benefits have driven many individuals to forge certificates.

To identify these irregularities, a stringent verification machinery has to be put

in place. I see this as unproductive work. Reservation has robbed certain communities of their pride. I know of very bright people from reserved categories who are unwilling to admit their background simply because of the psychological pressure it puts on them. Almost all government jobs are performance-based. But reservation has encouraged a caste-culture in India. Often, caste considerations prevail over merit. Most top organisations follow a strict recruitment policy. They pick up the best who eventually become good leaders. Even the Mughal emperors followed this policy. They chose Rajputs as army commanders because they were the best warriors even though they belonged to a different religion. Religion has no place in a performance-based activity, its a personal thing and should remain that way. IITs/IIMs should be allowed to function with a clear vision. Indeed, they should be monitored so that the vision is not dimmed. Reservation may be desirable for social considerations but it's not conducive to create leaders. Premier institutions should therefore be spared the agony of a new kind of reservation.

SUNDAY DEBATE

Neelabh



Caste & Religion

Whither caste politics

8/11

UP and Bihar will remain a prison house of caste conflict until and unless a new culture, based on modern science, technology and industry transforms the existing social relations based on caste, says C P Bhambhri

19/11

THE 1990s had witnessed a political upsurge in UP and Bihar because the direct beneficiaries of V P Singh's dramatic announcement in August 1990 on the Mandal Commission report on backward caste reservations came to occupy the seats of political power on the slogan of 'social justice for the hitherto neglected backward castes.' For the first time in India, the new backward caste leaders became crucial in the making and unmaking of coalition governments at the Centre. This new phenomenon of backward caste assertions was hailed as the empowerment of the backwards who had succeeded in displacing the high caste political leadership of UP and Bihar.

A few questions deserve to be answered about the real meaning of post-Mandal politics of UP and Bihar as actually witnessed during the last one-and-a-half decade of backward caste rule in these states. The limitations of backward caste and Dalit politics deserve to be stated because it seems that Lalu, Mulayam, Mayawati, et al, the champions of 'social justice movement', are all struggling to keep themselves afloat. What has happened to the formidable social constituencies of these 'leaders' who felt politically invincible?

Mulayam Singh Yadav and Mayawati have experienced electoral victories and defeats from 1990 to 2005, the golden period of backward-Dalit rule in Uttar Pradesh. Mulayam Singh Yadav came to power in 2003, not on the basis of his formidable Muslim-Yadav (M-Y) social constituency but by engineering a split within the BSP and also with the outside support of the Congress. Mayawati has been CM and has also faced political challenges in spite of her claims of majority support of the Bahujan Samaj along with a section of Muslims in UP.

Lalu Prasad Yadav is fighting a grim political battle for his survival in 2005. His ruling RJD was decisively defeated in the February 2005 Bihar assembly elections in spite of his boastful statements



BONNY THOMAS

that "there are 16% Yadavas and 17% Muslims in Bihar. That is 33% votes for me." This is the solid M-Y support on the basis of which he ruled over Bihar. Lalu Yadav is facing an uphill task to regain power in the October-November 2005 elections in Bihar.

Not only this. Every casteist political leader in UP and Bihar is experiencing the complete fragmentation and hierarchisation of the backward, most backward and Dalit castes. This has compelled these caste leaders of yesterday to secure alliances with other 'caste groups' to win elections in UP and Bihar.

The hysterical pro-Mandal Commission movement and the euphoria of the agitation have died down. Now the basic and antagonistic contradictions between the backward caste peasantry and the untouchable Dalits have come back into politics and the Yadavas find it difficult to win elections on the basis of M-Y vote bank. That is why Lalu Yadav needs the Congress party to get the support of higher castes, since Bhumihars, Rajputs and Brahmins had completely abandoned M-Y led alliance. It is not only Lalu Yadav, even the Janata Dal

(United) led by Nitish has aligned with the BJP counting support from upper caste voters who are aligned with the Sangh Parivar in Bihar.

THE self-appointed messiahs of social justice have realised that elections cannot be won on the basis of "pure" segments of divided castes and this has led them to form alliances with other castes. But even this exercise has created a situation of fragmented electoral verdicts as witnessed in Bihar and UP. The argument is that the post-Mandal casteisation of politics led by intermediate backward caste parties of Lalus, Mulyams, Nitishes and Ajit Singhs has reached a plateau and its potential to win elections is quite limited. Mulayam, like Lalu, has brought along with him Rajput leaders like Amar Singh, criminals like Raju Bhaiya to win upper caste support without which he cannot win an election in UP.

Mayawati of the BSP has also realised that she too has to make caste alliances between untouchable Dalits and high castes in UP. That's why she organised a Brahmin Mahasammelan at Lucknow

on June 9, 2005 where she publicly admitted that her slogan against Manuvadi forces "was to keep the upper castes away from the BSP". She announced that henceforth the BSP will nominate Brahmin and Bania candidates. The BJP has also realised that its upper caste Hindu constituency is not adequate to win elections in UP and Bihar.

The whole post-Mandal phenomenon of caste versus caste and sub-caste versus sub-caste has led to the emergence of caste and sub-caste based assertions in UP and Bihar. The politics of divided and fragmented caste hierarchies has led to the fragmentation of parties: every caste leader is competing against another specific-caste-based leader. Mayawati versus Mulayam or Ramvilas Paswan versus Lalu Yadav is a testimony to the fact that caste divisions and caste-based assertions have led to sectarianisation and complete casteisation of politics and every institution of governance in UP and Bihar.

The virus of caste-based politics has spread like a killer disease in the body-politic of UP and Bihar and the slogan of social justice for the oppressed, suppressed Dalits and backwards has remained just a slogan. The backward caste peasantry has wielded its power to protect its landed property rights and any talk of land reforms for the benefit of the poor in UP and Bihar is taboo. The only hope against hope is that a modern economy at the national level will help in the creation of modern productive and social relations which will make people transcend caste.

An industrial culture of modern science and technology is a necessary condition to transform the existing social relations which are based on medieval categories of caste. Politics has solidified caste identities, and a modern science-based economy can create the material and social situation necessary to bury the caste structure of India. Till then UP and Bihar are in a prison house of 'caste versus caste' and 'sub-caste versus sub-caste' public life.

Now, Bihar may see revival of caste war

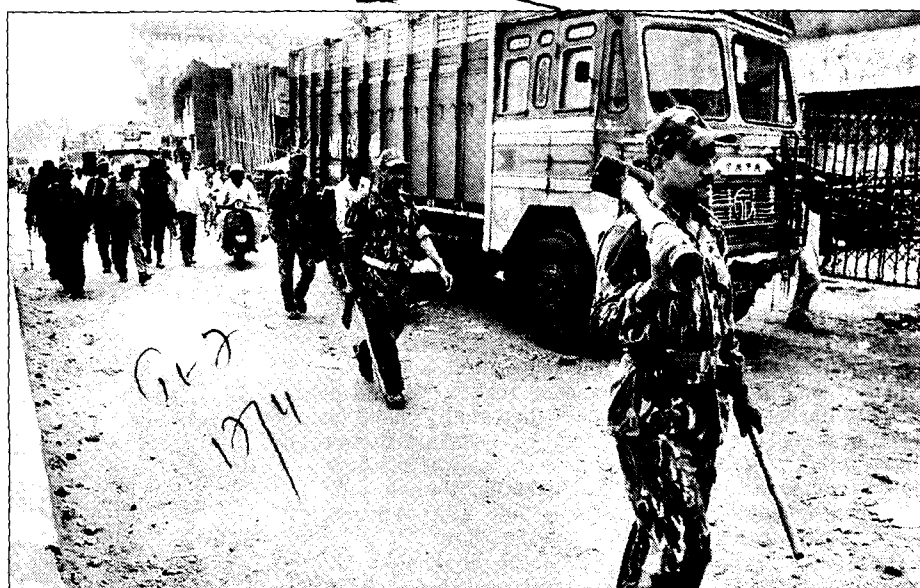
of Caste & Brahmin

By Anand Soondas/TNN

New Delhi: Jaat is a scary word in Bihar. It kills. And for all the dung of ideology that people spew while talking about the high-sounding and romanticised class wars, the truth is that everything now is down to a blatant and blase caste war. Had it not been so, poor upper castes and rich lower castes would not be anyone's target. But they are. Everyone dies. Rich, poor, brahmin, yadav, bhumihaar, harijan, adivasi.

The Jehanabad raid by Maoists on Sunday, in which they tore open the jail and freed their comrades while—frighteningly—dragging away about 40 men aligned with the upper caste private militia called Ranvir Sena, has once again animated the spectre of a spiralling caste war. The raiders have already killed nine of the Ranvir Sena men and the latter has publicly threatened “unprecedented retaliation”.

Not that the past is less soaked in blood. Bihar has witnessed some of the most barbaric and blood-curdling crimes against humanity. On December 1, 1997, a marauding horde of 250 Ranvir Sena men crossed the Sone river from Bhojpur and swooped in on neighbouring



Special Task Force jawans conduct a flag march on the Arwal-Jehanabad road during a bandh in Jehanabad on Tuesday

Laxmanpur-Bathe. In an attack that would have shamed Ghengis Khan, the army of higher caste landlords then shot, stabbed, bludgeoned and raped an entire village. The orgy of violence left 61 dalits dead. Most were woken up from their sleep just to be killed. Eight of the 33 women they murdered were pregnant. They also snuffed out the lives of 16 children.

On January 25, 1999, as villagers were getting ready to celebrate another Repub-

lic Day, the Sena massacred 21 lower caste men, women and children in Shankarbiga, Jehanabad. What was ironical—and more cruel than the murders—was the fact that the local police established a camp in the village after the killings bang in the middle of a higher-caste landlord neighbourhood, strengthening suspicions about police tolerance of Ranvir Sena activities. No one responsible for the rapes or murders was arrested. The Maoists—

then Naxalites, PWG activists, Maoist communist centre men and CPI(M-L) party unity workers—have along the years retaliated in equal measure. The MCC on March 18, 2000, lined up 34 Bhumihars in Senari village and killed them in cold blood. Earlier, on February 12, 1992, Bara village in Gaya saw the chilling killings of 37 Bhumihars. Before that, on May 29, 1987, the MCC murdered 42 Rajputs in Dalelchak-Baghaura.

Naxals butcher 8 kidnapped Ranvir Sena members

Costis & Sen's 15/11

Jehanabad: The bodies of eight Ranvir Sena men kidnapped during Sunday night's massive attack on the district subjail here by CPI (Maoist) Naxalites were found here on Monday. They had been butchered in cold blood.

A number of imprisoned men belonging to the Ranvir Sena, a banned militia of upper caste land owners locked in a feud with Naxalites for over a decade, were taken away from the jail by over 1,000 armed Naxalites, who killed four persons during the attack. District magistrate Rana Avadhesh said while three bodies, believed to be that of kidnapped Ranvir Sena men, were recovered from the railway track near the jail, five more were found near the railway station at Belagang in adjoining Gaya district.

During Sunday night's attack, a sentry, a warden and Ranvir Sena leader Bade Sharma were among those gunned down at the overcrowded sub-jail.

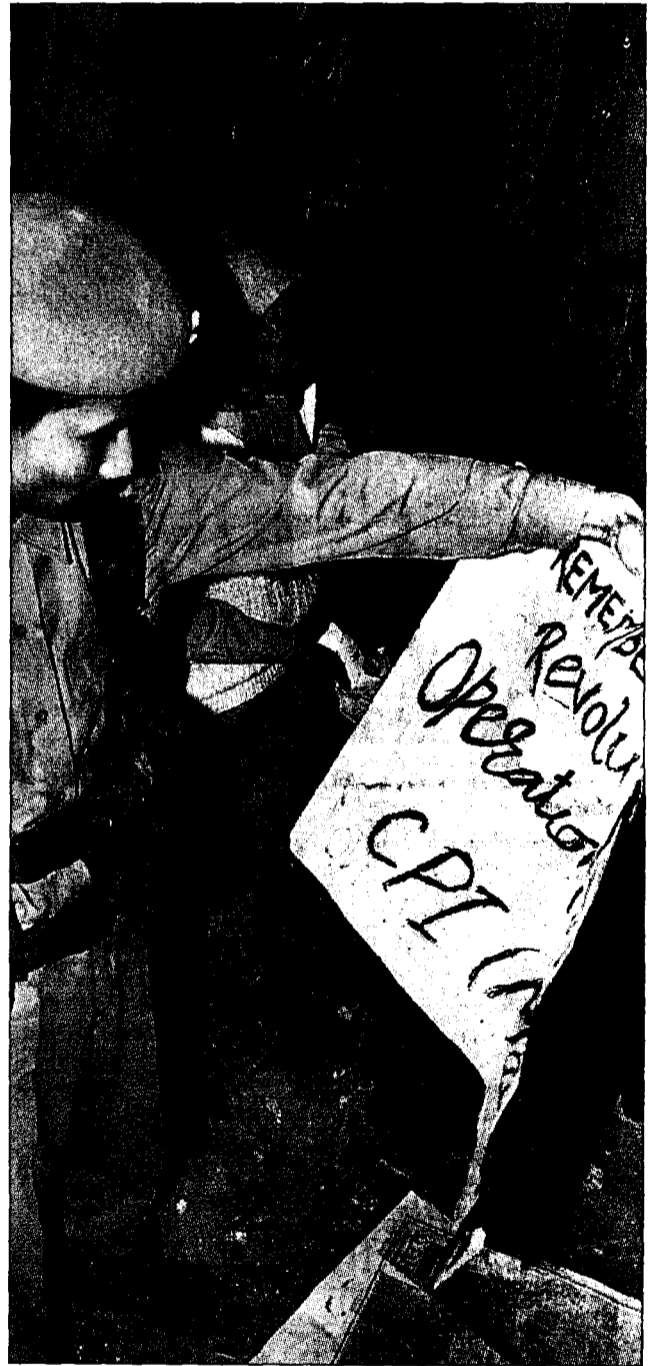
Union minister of state for home Sri Prakash Jaiswal said in Delhi additional central paramilitary forces had been rushed to Jehanabad and the situation was under control. "The district authorities have asked for 20 more battalions which we hope to provide soon," he said, adding that there were only about ten personnel at the prison when the Maoists struck.

"The main reason is that a big part of the force guarding the jail had been deployed for poll duty," he said.

The district magistrate said Manoj Kandhu, a Naxalite, wounded in retaliatory fire by the police, had given vital clues about the meticulously planned attack. He said ten mine devices packed in tin containers which could have been detonated by remote control were found from the collectorate, railway tracks, police lines and the jail. He added that dreaded Naxalite leaders Ajay Kanu and Murali, who had been imprisoned and had plotted the operation, had escaped.

The district magistrate said three of the 341 inmates, who were reported missing after the attack and were believed to have escaped or kidnapped, had returned. "The Naxalites asked them about their castes, and since they did not belong to a particular caste they were let off," he said. IG (central zone) A S Nimbran said the top priority was to rescue the Ranvir Sena men kidnapped by the rebels.

It took the police about 15 hours to regain control of the jail after the attack. IG (prisons) A B Prasad has suspended assistant jailer Anil Kumar for dereliction of duty and announced a compensation of Rs 10 lakh for the next of kin of the slain warden. Agencies



A pamphlet left behind by suspected Naxalites who stormed the Jehanabad subjail on Sunday night warns of a revolution

Dalit woman set ablaze by poll 'rivals'

Press Trust of India

MIRZAPUR, Oct. 22. — A Dalit woman, contesting local elections on a BSP ticket, is battling for life with 90 per cent burn after she was allegedly set ablaze by her rivals for refusing to withdraw from the fray.

Police said three per-

sons, named in an FIR, went to a shop run by Prabhavati Devi's husband in Mujehra Khurd village in the district last night, threw petrol on her and set her ablaze.

She has been admitted to the district hospital with "90 per cent burns and is battling for life", doctors said.

9- Cases & Prison
Prabhavati Devi, who contested the Kshetra Panchayat poll on Thursday, had a heated exchange with her rivals during polling day, police said.

They have launched a hunt for the three assailants.

The former district BSP chief, Mr Ashok Bharti,

accused a former MLA, who was stripped of his Assembly membership on a High Court directive, of having masterminded the attack.

He said since the woman was a BSP nominee and stood a "good chance of winning, her opponents resorted to such tactics".

Dalits line up mega conversion

Event To Mark 50th Anniversary of Ambedkar's Embrace of Buddhism

By Subodh Ghildiyal/TNN

New Delhi: Encouraged by a very impressive turnout of Hindu Dalits from across the country at the show of neo-Buddhist strength in Nagpur last week, Dalit activists have chalked up an ambitious plan to organise a mega-conversion event next year to coincide with B R Ambedkar's embrace of Buddhism 50 years ago at the same venue.

Not many noticed when lakhs of people, a good number of them Hindu Dalits, visited 'Deekshabhoomi' in Nagpur last week to mark the anniversary of Ambedkar's conversion to Buddhism on Dassera Day in 1956 in what was essentially a protest against entrenched caste-based discrimination.

The calculation of the Dalit activists is that the mainstream indifference would give way to close attention—even concern—next year when they plan to turn the 50th anniversary of Ambedkar's 'deeksha' into a mega-conversion event. Just as many Blacks took to Islam in the US to protest discrimination and rouse Christian conscience, the activists here feel that Dalits would also shake Hindu caste complacency by embracing Buddhism.

As Vivek Kumar, who teaches sociology in JNU, said after his return from Nagpur: "This year's interest shows it could be a massive event next year and may kick up a new wave of 'deeksha'. Y S Alone, an art historian from Kurushetra University and hailing from Chandrapur, the twin 'deeksha' town, said, "Dal-



its are again viewing conversion as a cultural act to establish their identity in society. The desire to do so is very much there and on the rise."

Dalits have steadily been converting to Buddhism in large numbers. While conversion of just over a hundred of them at Meenakshipuram in Tamil Nadu in late '70s sparked a furor, provoking VHP to expand its reach among the category it had so far neglected, conversion to Buddhism is not frowned upon similarly, perhaps because of the belief that it does not represent a complete break from the larger Hindu fold.

As a result, the community has swelled from 0.2% in 1956 to 0.7% today. With Dalits from UP making up a good chunk of the October 14

of the non-Dalits whom it is trying to woo.

Dalit activists feel that notwithstanding this and despite resistance from Congress and BJP, the appeal of conversion as a mark of socio-political protest against the upper caste-dominated order will remain undiminished. "There are strong undercurrents," said a Buddhist preacher not wishing to be identified. "It has increased in five years."

Recently, many in the capital were taken aback when United Dalit Students' Forum in Jawaharlal Nehru University, known to be a stronghold of faith-averse Marxists, celebrated the anniversary of Ambedkar's conversion to Buddhism by erecting a replica of 'deekshabhoomi' on D-day and celebrated it like a religious festival. "It has become a teerth (pilgrimage) for Dalits, a parallel cultural alternative," said Vivek Kumar.

Paradoxically, while caste oppression was the main reason behind the attraction for Buddhism—the faith that was seen becoming virtually extinct in the land of its origin—continues to gain numbers even after the condition of Dalits has improved.

Y S Alone puts this down to Buddhism being more suited for the new hunger for education among Dalits. "In Maharashtra, gods have paved the way for education. You have to see that Buddhists of the state are as educated and meritorious as any community. The secret lies in Buddhism's stress on education as enlightenment."

Dalit debate in US may raise Delhi's hackles

By Bisheshwar Mishra/TNN

New Delhi: A resolution addressing the problem of "untouchability" in India that is proposed to be tabled in the US Congress in November is likely to raise strong protests from New Delhi.

The resolution, prepared by the US House Committee on International Relations and US Human Rights Committee, seeks to provide job reservations to Dalits and tribals (SCs/STs) in US business ventures in India. It also highlights the "atrocities" and "discrimination" against SCs/STs in

India and seeks to influence World Bank loans to India on that basis.

The resolution says, "It is in the interest of the US to address the problem of the treatment of groups outside the caste system in the Republic of India in order to better meet our mutual economic and security goals." The resolution is the outcome of the first-ever meeting of 'Dalits' at Capitol Hill organised by the "Dalit Freedom Network". The meeting was organised at the behest of Chris Smith, Republican Congressman from New Jersey. Smith even arranged a Congressional hearing

and justice for 200 million victims of the caste system", the US House Committee on International Relations heard several Dalit leaders, including Udit Raj of the All India Confederation of SC/ST Organisations. Speaking to TOI, Raj said, "I was forced to seek US intervention to uplift Dalits." He claimed that those in power here were simply not responding.

Remarking that Dalits in India were worse off than even African Americans in the US, he said, "Dalits are not getting the benefits of globalisation of India's economy. The jobs created required flu-

ency in English, an area where Dalits faced a major handicap."

Nevertheless, the proposed resolution is likely to raise a strong protest from New Delhi. Even after the Congressional hearing, a spokesman of the Indian embassy in Washington denied that there was any discrimination against Dalits in India. Countering him, Raj said, "If many Americans can accept that there is some kind of discrimination against African Americans in the aftermath of Hurricane Katrina, why can't Indians accept that there is discrimination against SCs/STs?"

Quota demand

New Delhi: All-India Confederation of SC/ST chairman Udit Raj on Tuesday again voiced the demand that US companies in India should give reservations to Dalits in India. "We also want Indian businesses to follow suit... In the US, the private sector was the first to give reservations to blacks," he added.

on the subject last Thursday. During the hearing titled "India's unfinished agenda: Equality

Dalits seek US help to end plight

S. Rajagopalan
Washington, October 7

A FIRST of its kind, the US Congress on Thursday held a hearing exclusively on the plight of Dalits in India. And the occasion prompted some lawmakers to train their guns on New Delhi for not doing enough to end the "discrimination, exploitation and persecution" of the community. Several Dalit leaders, specially flown in from India to testify, virtually pleaded for an American intervention to end "this deplorable state of affairs". They also mooted job quotas for Dalits in the private sector and asked US firms in India to take the lead on this.

"To keep nearly a quarter of one's population in subhuman status is not only a grotesque violation of human rights, but it is a formula for economic and political stagnation as well," commented Christopher Smith, Republican chairman of the sub-committee on human rights.

He went on to say that India, as the world's largest democracy, must "radically improve this terrible situation". And Washington for its part "must not lose sight of India's human rights problems" while forging a strategic partnership with New Delhi.

Smith also pointedly referred to the targeting of Dalit

BIAS CHARGE

Christians, alleging that the violence against them goes unpunished. He claimed that adoption of anti-conversion laws by many states is in violation of India's constitutional protection of religious freedom. Democratic lawmaker Barbara Lee noted that as an African-American, she could easily relate to many of the issues, sufferings and atrocities of Dalits in India. She even proposed a dialogue between representatives of the black American and Dalit communities. The subcommittee hearing was titled: "India's unfinished agenda: Equality and justice for 200 million victims of the caste system."

The Dalit leaders who testified included Udit Raj, chairman of the All India confederation of SC/ST and Kancha Ilaiah, professor of political science at Osmania University.

Besides, cataloguing the harassments to which Dalits have been subjected in different parts of India, the leaders called for earmarking of funds for Dalit welfare in projects aided by US, WB and the IMF. They wanted special visas for Dalits to travel to the US for higher education and jobs.

Cong embraces casteing couch

Details Caste/Creed Of Each Of Its Candidates In Bihar Assembly List

By Abhay Mohan Jha/TNN

Patna: One Musahar, a Pasi, a Kayasth and a Bania, two Dhobis, two Chamars, two Paswans, three Yadavs, four Brahmins, eight Bhumihars and ten Muslims. This is the caste/creed break-up of the Congress nominees for the Bihar polls.

India's oldest party is breaking new ground in its secular-democratic battle for Bihar. In its list of candidates for 42 (later reduced to 41, to reconsider its Majorganj candidate) constituencies, released by AICC general secretary Ambika Soni, a copy of which is with TOI, India's grand old party has indulged in a path-breaking courtship with caste.

The list mentions the caste/creed of each nominee.

"This is unprecedented," BPCC spokesman H K Verma said while refraining from explaining this blatantly casteist tilt to the party's secular fabric.

"*Bhool ho gayee hogi* (it must be a mistake)," Bihar Congress chief Sadanand Singh said. However, he conceded that caste considerations had always been a factor in picking candidates in order to eschew caste imbalances in ticket distribution. "But it has remained an internal arrangement within

the party. It was never for public consumption," he said, adding that the nominee caste list should not have been released to the media. Not that the Congress is the first party to display caste colours. BSP leader Mayawati is considered to be the trendsetter and other parties are merely seen to be following suit.

In the case of the Congress, however, it's being viewed as the dumbing down of the Lalu brand of politics, more so since the national party heading the UPA government at

the Centre has tied itself to the apron strings of Lalu Prasad, RJD chief and brand ambassador of subaltern politics in Bihar.

"The Congress, which was an upper caste organisation earlier, now wants to show that it can incorporate the backward and subaltern upsurge in Bihar by indicating the caste of a nominee,"

► Supreme court puts Bihar candidates on edge. P 12

Shaibal Gupta, member-secretary of the Patna-based Asian Development Research Institute, told TOI, saying it was a strategy for the Congress' reinvention.

Whether the Congress bosses have actually taken to blatant casteist politics as a political strategy could not be ascertained.

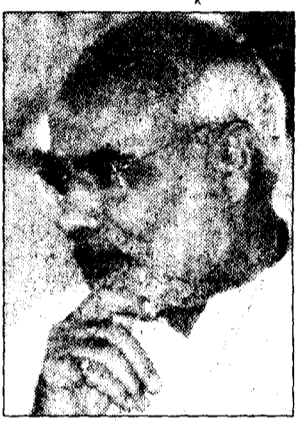
| | |
|------------|------------|
| MANI | SC-I |
| K.P. SINGH | Muslim |
| MANDI | Bhumihar |
| K.DUBEY | Muslim |
| | SC-Musahar |
| | Brahmin |
| | Baniya |
| | Rajput |
| | SC-Pasi |
| | Bhumihar |
| | Muslim |
| | SC-Chamar |
| | Brahmin |
| | Muslim |

Dalit rally targets Modi

Statesman News Service

GANDHINAGAR, Sept. 26. — Thousands of Dalits took out a rally in Rajkot yesterday to demand a separate state for Dalits, Dalitsthan, to be carved out of Gujarat. What was significant was the separatist leaders, including some BJP MLA's, held rifles in their hands at what was dubbed as *bandook uthao* (take up arms) rally.

The idea behind the creation of a separate state for Dalits has come up in the background of demands for a better deal for the community. The target at the Dalitsthan rally was chief minister Mr Narendra Modi. Rajkot (rural) MLA Mr Sidharth Parmar, a supporter of the Gujarat BJP dissidents' leader, Mr Keshubhai Patel, hit out at Mr Modi and called on him to change his policies towards Dalits in Gujarat. "Otherwise, we will not allow him to address any public meeting in future," Mr Parmar threatened.



Detractors galore for Mr Modi?

Vithalbhai detained

AHMEDABAD, Sept. 26. — Police today detained Mr Vithalbhai Pandya, father of slain BJP leader Haren Pandya, during a function where Mr Narendra Modi was present, police said. Mr Pandya, a vocal critic of Mr Modi, was detained for creating a commotion during the function at Vasna area of the city, police said. — PTI

The rally was organised by Rajkot Dalit Mahapanchayat Samiti.

Ensuring equal rights to all Dalits

Archbishop A.M. Chinnappa
and A. Philomin Raj

IN AN article titled "Where Caste oppression mocks the Constitution" published in *The Hindu* (June 24, 2005), D. Raja, a Communist Party of India leader, tried to draw our attention to the failure of the Constitution to ensure that Dalits could become panchayat presidents in some villages in Tamil Nadu. That is not the only area where the Constitution has failed Dalits. It continues to fail a section of Dalits because they follow a religion of their choice — a right guaranteed by the same Constitution. For more than five decades, the demand of Dalit Christians for equal rights on a par with other Dalits has gone unheard.

The usual argument posed against the extension of reservation to Dalit Christians is that there is no caste system in Christianity. This is right. Christianity does not preach any caste discrimination. But the situation in India is different. Our society is based on the caste system. From cradle to grave, caste considerations rule the roost. Dalits of all religions live in the same society ruled by caste values. A change of religion does not alter the socio-economic status of Dalits. The social stigma and ostracism in society continue to haunt them wherever they go. A Dalit is considered untouchable, irrespective of the religious faith he or she may profess. As for atrocities, there is no discrimination between a Hindu Dalit and a Christian Dalit.

The point in contention is an order by the President of India. The third paragraph of the Constitution (Scheduled Castes) Order 1950, popularly known as the Presidential Order, stipulates that "no person who professes a religion different from Hinduism shall be deemed to be a member of Scheduled Caste." Even a cursory reading of the Order reveals its discriminatory nature. By restricting the benefits to a particular religion, the Order has divided the entire Dalit community on the basis of religion. Instead of caste and socio-economic backwardness being the criterion for reservation, the linkage of caste and religion is treated as the crux of the problem.

The Order violates the letter and spirit of many articles of our Constitution. Article 15

The failure to extend reservation to Dalit Christians, despite resolutions and promises, means dividing the most oppressed on the basis of religion. It means ignoring caste and economic backwardness as the determining criteria.

says: "The State shall not discriminate against any citizen only on grounds of religion, race, caste, sex, place of birth or any of them." But here we see the state itself discriminating on the basis of religion within a given caste group. Article 25 reads: "... all persons are equally entitled to freedom of conscience and the right to freely profess, practise and propagate religion." But the Order denies the freedom of religion to Dalits. In fact, it amounts to forced inducement or allurements by the state by offering constitutional protection and privileges to Dalits in order to stay in a religion and by punishing them by withdrawing the same benefits if they dared to profess a religion of their choice.

Again, this discrimination deprives Christian Dalits of the right to seek civil protection and safeguards provided to all Dalits under the Protection of Civil Rights Act 1976, the Untouchability (Offences) Act 1955, and the SC/ST (Prevention of Atrocities) Act 1989. That is, if a Dalit Hindu woman and a Dalit Christian woman are both molested in caste or communal violence, these laws will come to the help of the Dalit Hindu woman, but not of the Dalit Christian woman. Thus the Order is a blatant violation and denial of human rights of a citizen under our Constitution as well as under Article 2, 3 and 18 of the Universal Declaration of Human Rights of the United Nations, to which India is a signatory.

Supreme Court ruling

The Supreme Court has categorically established the fact that a change of religion does not

change caste and that the disabilities of the Scheduled Castes converted to Christianity continue even after conversion, on a par with the Dalits in other religions. Some of the passages are worth noting:

"... to deny them [Dalit Christians] the constitutional protection of reservation solely by reason of change of faith or religion is to endanger the very concept of Secularism and the *raison d'être* of reservations." (Art. 271 of the Mandal Case Judgment. Cfr. Page No. 367, Vol. 6. No. 9, Nov. 30, 1992, *Judgment Today*.)

"So sadly and oppressively deep-rooted is caste in our country that it has cut across even the barriers of religions ... The caste system has penetrated other religions and dissenting Hindu sects to whom the practice of caste should be anathema and today we find that practitioners of other religious faith and Hindu dissenters are sometimes as rigid adherents to the system of caste as the conservative Hindus. We find Christian Dalit, Christian Nadars, Christian Reddys, Christian Kammas, Mujibi Sikhs etc..." (Art. 469, Mandal Case Judgments. Page 450. Vol. 6, No. 9, Nov. 30, 1992, *Judgment Today*.)

"... The change of religion did not always succeed in eliminating castes. The converts carried with them their castes and occupations to the new religions. The result has been that even among Sikhs, Muslims and Christians casteism prevails in varying degrees in practice, their preachings notwithstanding. Casteism has thus been the base of entire Indian society, the difference in its rigidity being of a degree varying from religion to religion." (Art. 400, Mandal Case

Judgment Vol 6, No. 9, Nov. 30, 1992, *Judgment Today*). All these observations directly point to the discriminatory nature of the Order.

Besides the Supreme Court, the Minority Commission recommended extension of reservations: "... since the Christians, Muslims and Buddhists of Scheduled Caste origin continue to suffer from social and economic disabilities even after their conversion, there should be no objection to their availing of the concessions admissible to them before conversion." (*Third Annual Report of the Minorities Commission*, New Delhi 1980 Page 31.)

Although Christians form a minority (2.4 per cent) in India, the majority among them (about 65 per cent) belong to the Dalit communities. Their socio-economic status is not different from that of the general Dalit population in India, and their demand for equal rights is not without precedence. It should be noted that the Presidential Order was amended twice: in 1956 to include Sikh Dalits, and again in 1990 to include Neo-Buddhists.

In 1990, Parliament pleaded with virtual unanimity for equal justice to Scheduled Caste Christians along with Scheduled Caste Neo-Buddhists. During the budget session, a Bill to amend the Order and include Dalit Christians was introduced along with the Bill to include Neo-Buddhists. On an assurance by Ram Vilas Paswan, then the Union Minister for Welfare, that a Bill to extend the statutory benefits to Scheduled Caste Christians would be introduced at the next opportunity, the Bill to extend statutory benefits to Neo-Buddhists was passed unanimously.

On June 17, 1992, during the National Convention on Socio-economic and Political Status of the Scheduled Castes and Scheduled Tribes, the Parliamentary Forum of Scheduled Castes and Scheduled Tribes unanimously resolved to demand that the Government of India should put an end to the discrimination against Scheduled Caste Christians by introducing a Bill during the monsoon session of Parliament.

Persistent requests from the Christian community through rallies, dharnas, and delegations finally led to the preparation of the draft Bill for amendment in March 1996, when Sitaram Kesri was the Welfare Minister. But owing to some procedural lapse, the Bill was not taken up for discussion. After the United Progressive Alliance Government came to power in May 2004, requests have been made to the Prime Minister to revive the bill and amend the Order.

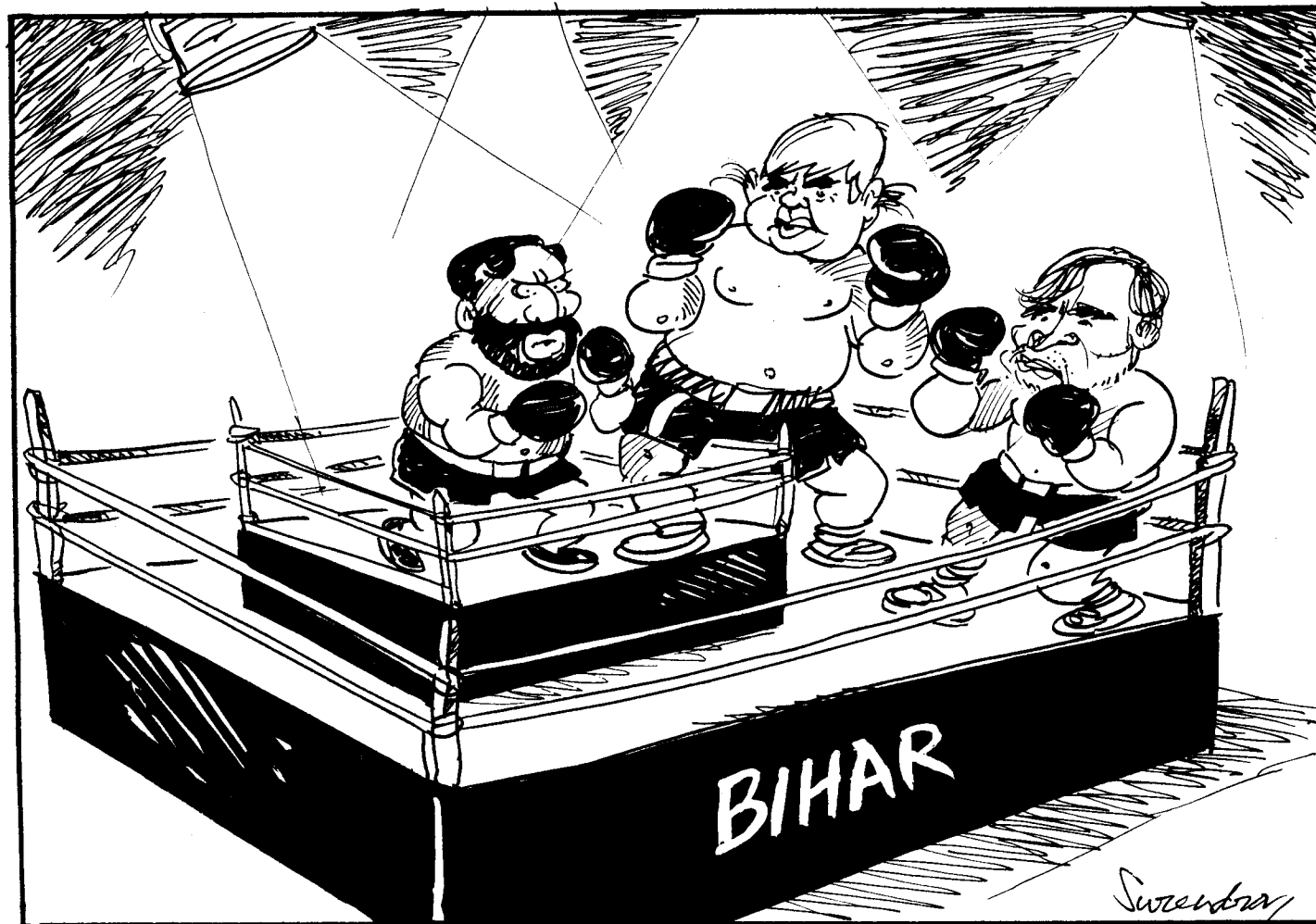
In reply to the Supreme Court (August 23, 2005) on the current PIL seeking the deletion of the discriminatory third para of the Order, the Attorney General said the Government had instituted a Commission to study the issue. But several Commissions appointed by various governments have already studied the issue and recommended extension of statutory benefits to Dalit Christians. Any further Commission on this issue is unnecessary, unwarranted, and clearly an attempt to delay a decision. Instead, the UPA Government headed by the Congress Party has the moral obligation to complete the task initiated in 1996 by immediately tabling the Bill in Parliament and rendering justice to the suffering Dalit Christians.

Economic development and social oppression cannot go together. A welfare government should aim at the development of all sections of the people of the nation. Excluding a section, Dalits, from the process of development, just because they are Christians, will be a drag on the process of development and a stigma on the whole nation.

The demand for equal rights to Dalit Christians was forcefully raised at the first meeting of the reconstituted National Integration Council in New Delhi on August 31, 2005. It was subsequently supported by several party leaders and eminent jurists. We earnestly hope that good sense will prevail over the Government and this historical anomaly will soon be corrected.

(Dr. A.M. Chinnappa is the Archbishop of Madras-Mylapore and Chairman of the Catholic Bishops Conference of India's Commission for SC/ST/BC. A. Philomin Raj is the National Secretary of the Commission.)

CARTOONSCAPE



Mayawati's clarion call to fight injustice

'Dalits, Muslims, Sikhs, Christians must unite'

20-11-84
H.D. 5
9/10/84

Staff Correspondent

BHOPAL: The Bahujan Samaj Party president Mayawati on Monday accused the Centre as well as the Madhya Pradesh Government of neglecting the interests of the weaker sections of society. She also asked Dalits to unite for their economic and social advancement.

The BSP leader was addressing a mammoth public rally at the Lal Parade Police grounds here on Monday afternoon.

M.P. Govt. under attack

The rally was especially targeted against the Madhya Pradesh Government's "failure" to fill the posts reserved for the Scheduled Castes/Scheduled Tribes and Other Backward Classes. She said the Bahujan Samaj could not solve its problems without attaining political power. For attaining power, all sections of Dalits should come together, she said emphasising the need for Dalit and the minorities, including Muslims, Sikhs and Christians, to unite.

Conspiracy by Centre

Ms. Mayawati said Dalits should use unity as their weapon against exploitation. She said



READY FOR BATTLE: *The Bahujan Samaj Party president Mayawati with a bow and arrow presented to her by party workers during a 'maha rally' at Lal Parade ground in Bhopal on Monday. - PHOTO: A.M. FARUQUI*

Babasaheb Ambedkar had guaranteed constitutional protection while ensuring reservation of jobs for the economic uplift of the Bahujan Samaj. It was due to

the conspiracy of the "Manu-wadi" forces, that this constitutional right had not been fully protected.

Blaming the Centre and the State Government for neglecting the cause of Dalits, the BSP leader said that by handing over the public sector companies to the private sector they have blocked the chances of employment of those belonging to the weaker sections.

This is aggravating the problem of unemployment and adding to the woes of Dalits.

Direct threat

Ms. Mayawati said her party is not against any ideology, religion or caste but was determined to create an equal society. Issuing a direct threat to the Centre and the State Government, she said if they failed to honour their commitments on filling the posts reserved for Dalits, her party would make this an election issue.

BSP supporters and activists had started arriving here from Sunday evening onwards and began gathering in large numbers at the Lal Parade grounds from early on Monday. The main roads in the city were decorated with BSP's blue festoons and bunting.

The Empire Strikes Back

Gohana represents ongoing reaction to Dalit assertion

By CHANDRA BHAN PRASAD

Nay, there was no Black Wall Street in the US. Really? Greenwood Avenue in North Tulsa, Oklahoma, earned the distinction of being called Black Wall Street. With racial segregation at its zenith, Greenwood Avenue was a blacks-only locality. Blacks had created their own economy and institutions. Many of them had prospered, built beautiful homes.

The visible prosperity of Greenwood Avenue Blacks was admired, and envied. Washington T Booker, a black thinker and reformer, had in his visit to the town, named the locality Black Wall Street, though it didn't have a stock exchange. It, however, became a symbol of black pride. But it was also a disaster waiting to happen.

On May 31, news spread that a black man had 'raped' a white girl, a charge proven wrong later. A huge mob of white men, armed with guns, stormed the black locality and burnt it down. Many died.

The recently burnt-down Gohana Dalit locality was exceptional by Indian standards — a Dalit locality with all pucca houses, many two-storied, sounds more like a work of fiction. Most households had a combination of a colour TV, fridge, LPG connection, steel almirah, sofas and a two-wheeler. Indeed, Gohana's Dalit locality was India's Greenwood Avenue. By countryside standards, Gohana's Dalits lead a flamboyant lifestyle, to which many in India, or at any rate Jats, would not be reconciled.

Like Greenwood Avenue, it was a disaster waiting to happen. It just required a spark. The killed Jat youth provided that critical mass. The killing of Jat youth did not happen on a mandate given by any Dalit panchayat. The burning of Gohana, however, was mandated by a well-attended Jat panchayat.

Why was the 'Dalit Dalal Street' not burnt in the 1950s? 'There was none', one could say. But one which came up was burnt down. Will all prospective Dalit Dalal Streets be burnt down? In the Dalit consciousness defined by optimism, such

cynicism must have no space.

Gohana has occurred amidst other disturbing developments. The August 12 Supreme Court judgment is a hammer-blow for second-generation Dalits. More than the judgment, the response of society at large was unsettling. This too must be understood in a larger context. It is estimated that for every 10 Dalits retiring from government jobs, less than two are getting in. At this rate, by the year 2025, the Dalit story may well be



over, with the private sector as hostile as Gohana's Jats.

The same Indian society, over five decades back, had the moral strength to accept B R Ambedkar as the Constitution-maker. The Constitution enshrined Dalit rights in legislature, government jobs and facilities in education. No one went to Supreme Court or led a mass movement on the streets. Had the Constituent Assembly mandated Dalit rights in the private sector, including media and the Bollywood, society would have accepted it. India, then, was prepared for a transformation.

Then came V P Singh's Mandal, the flash-point of the counter-revolution. By 1990, a small Dalit middle class had become visible. A Dalit could be seen driving a Maruti, or a Bajaj Chetak in the countryside. The occasional Dalit civil servant would zip by in his white Ambassador. This was too much for caste society to accept.

Despite a warning from L R Naik, the sole Dalit member in the Mandal Commission, who refused to sign the recommendations, the Dalits led by mindless politicians joined the pro-Mandal brigade. When the Mandal report was submitted in 1980, Naik had foreseen a Gohana. While refusing to sign the report, Naik wrote in his note of dissent: "During the course of my extensive tours throughout the length and breadth of India, I observed that a tendency is fast developing among intermediate backward classes to repeat the treatments or rather ill-treatment they themselves have received from times immemorial at the hands of the upper castes, against their own brethren".

The Mandal counter-revolution set an altogether different agenda — replacing Brahmin hegemony by a new hegemony of intermediary castes, OBCs to be precise. Dalits failed to understand the Mandal logic: In challenging Brahmin hegemony, OBCs present themselves as victims. Dalits as landless were a handy tool.

No wonder then, the first massacre of Dalits in north India occurred in Belchi in May 1977, immediately after the Janata Party came to power. The first massacre of Dalits in Tamil Nadu occurred in December 1968 immediately after the DMK came to power. In Kilvenmani village, 44 Dalits were burnt alive. Since then, in south and north, such massacres have evolved into a new form of social assertion.

Seeing Dalits keeping company with the OBCs during Mandal, Brahmins abandoned the post-Independence transformation agenda and decided to punish Dalits.

One cannot unleash economic liberalisation in a closed social set-up. Society too must open to integrating Dalits and tribals in the mainstream — its institutions and the economy. Belchi, Kilvenmani and Gohana are no way to go.

The writer is an ideologue on Dalit issues.

There's a much larger house on fire

P. Sainath

Burri nazar walle, theri ghar mein ladki paida ho (You evil-eyed people, may girls be born in your homes).

SCRAWLED ON the back of a lorry in Gohana, those words capture the soul of casteism in Haryana. Even while taking a crack at Dalits whose houses they had reduced to rubble, their oppressors couldn't fail to proclaim women to be a curse. (A view many of them clearly act upon. You can see that from Haryana's appalling sex ratio of 861. That was the worst among major States in the 2001 census.)

About the time 50 Dalit houses were set ablaze in Gohana, the country marked 50 years of a law giving effect to the Constitution's abolition of untouchability. As if to rub in the irony, 25 more Dalit homes have been torched in the same week. This time in Akola, Maharashtra.

Of course the Constitution banned untouchability. It was to give effect to Article 17 that Parliament passed the Untouchability (Offences) Act, 1955. This was later made more stringent and renamed the Protection of Civil Rights Act, 1955. Still the crimes went on. So, along the way, we brought in quite a few other vital laws. Like the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act of 1989. Crimes under this Act invite harsher penalties than similar offences would under the Indian Penal Code. Half a century into the process, we grapple with the very crimes the first of these laws sought to end.

Was Gohana 2005 a one-off aberration? We could then say: awful, but these things happen. And get on with life. The catch of course is that they happen every so often. And to the same people. Even a show of mandatory anguish — "what an atrocity" — doesn't begin to meet the problem. Not when the crime is systemic, societal, and structured. Not when a state disables its own citizens.

The countless reports on the subject over the

About the time 50 Dalit houses were set ablaze in Gohana, the country marked 50 years of a law giving effect to the Constitution's abolition of untouchability. As if to rub it in, 25 more Dalit homes were torched the same week in Akola, Maharashtra.

years do not show discrimination against Dalits to be dying away. The many volumes of the National Commission for the Scheduled Castes and Scheduled Tribes make grisly reading. Crimes against Dalits and Adivasis have risen by the decade. By as much as 25 to 28 per cent in some periods. Yet the number of such cases ending in conviction of the criminals is dismal. Less than one per cent in some courts.

The events in Gohana and Akola are just a part of an ongoing crime against humanity. For that's what caste-based discrimination is. (But I'm still sure you'll see editorials that tell us these things are wrong because "they send bad signals to investors.")

In Gohana, the dominant castes, the police, the state, all did their bit in bringing terror and ruin to the Dalit *basti*. (The police say that after a Jat died in a clash with some Dalits, the Jats 'retaliated'.) Fearing an attack, over 1,000 Dalits fled the *basti*. The police steered clear of the village while a mob of some 1,500 people burned around 50 Dalit houses to the ground. A thousand people had fled knowing an attack was coming. Yet the police claim they were clueless about it.

The Dalits here are Balmikis. That group is possibly the worst off within the Scheduled Caste fold. More so in terms of the humiliation it bears. In caste society's eyes, the Balmikis embody the worst forms of "impurity." They are

'manual scavengers.' They handle and dispose of "night soil." (That's polite society's term for human excreta.)

Gohana's Balmikis had tried to climb out of that caste-imposed rut. They had educated their children. Got jobs outside their traditional role. Some even landed low-level government posts. And over years the Balmikis fought off the efforts of the Jats to extract *begar* — or forced labour — from them. Their relative improvement was itself a major provocation. This is consistent with attacks on Dalits in other parts of the country too. Doing better is a crime.

The mob in Gohana did not kill any Dalits. Partly because they had already fled. The focus, though, was on looting and on destruction of property. Dalits owning decent houses? With fridges and television sets? They had to be shown their place. Houses having gas connections were destroyed using the absent owner's LPG cylinders. The relatively good houses of the Dalits were an eyesore to their enemies.

Gohana's Balmikis had, against daunting odds, emerged from the depths of deprivation. They had created these houses and assets over decades. With a kind of effort that much of society might never understand. In these, they invested not just their money but their emotions, passion, dreams, and the future of their children. The death of those dreams, the destruction of those assets, was achieved in hours. Petrol cans

and police connivance were all it took.

The State now offers each home Rs. 1 lakh as compensation. A fraction of its losses. Forgetting to the trauma. Note the manner in which the Dalits were 'punished.' In true feudal tradition, an individual offence became a collective crime. A Dalit is alleged to have killed someone. All Dalits in his *basti* must pay the price. The due course of law gets dumped. The caste panchayat reigns higher than the courts.

It was in the same State a few years ago that police battered little Usha, also a Balmiki, in Jind. The girl, not yet in her teens, was helping her mother clean a local school. The school headmistress accused her of stealing a gold chain. Not content with thrashing the frail child herself, she called in the Haryana police. Meanwhile, the chain was found. The headmistress had merely mislaid it. The family got the girl back, unconscious, badly bruised and with teeth broken.

We could, of course, say "that's Haryana." And there would even be an element of truth in it. Except that the same prejudices work in many ways across most of the country. Chundi Lal Jatav, a survivor of the Kumbhar massacre in Rajasthan, once put it famously. "All the judges of the Supreme Court do not have the power of a single police constable. That constable makes or breaks us. The judges can't re-write the laws and have to listen to learned lawyers of both sides. A constable here simply makes his own laws. He can do almost anything." With state and society winking at him, he pretty much can.

And those committing crimes against Dalits know they have a great chance of getting away with it. State Governments have dropped countless cases filed against upper caste offenders under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act of 1989. Kalyan Singh's BJP Government in Uttar Pradesh dropped such cases in thousands. A move quickly emulated by the Shiv Sena regime in Maharashtra. Later governments did not reinstate these cases.

In Tamil Nadu, Dalits have been forced out of elected office even in reserved panchayats. In Melavalavu, the Dalit panchayat president's head was severed and thrown into a well. *Dalits in Dravidian Land*, an excellent book by Frontline's S. Viswanathan, paints a powerful picture of Dalit life in that State.

Oddly, whether it's Gohana, or Jhajar before it, discussion on these issues seldom links up to those other, ongoing debates. For instance, that on reservation. No link is seen between any of this and the debates on social justice. On present SC / ST quotas. Or on the call for quotas in the private sector. Gohana actually has people who gained, if modestly, from reservation.

Against huge odds, Gohana's Balmikis snapped their chains. They educated their children. This is not easy. In schools, their boys and girls face the taunts of 'upper' caste peers. (Across the country, large numbers of Dalit pupils drop out of school to escape such humiliation.) First, society places them under inhuman handicaps. Then we demand a "level playing field" against them in jobs and education.

The children of manual scavengers and other poor people return each evening to homes without electricity. And so cannot study in the way other kids can. They go back to homes without good books. They cannot afford "tuitions." They have no "connections" to land them jobs or seats. In the face of these odds, their achievements are admirable. A true level playing field could actually tilt the balance in their favour. For it would start by ending their handicaps. But look at the fury stoked by the mere idea of private colleges setting aside seats for such people. (Never mind that the Supreme Court judgment allows such colleges to create quotas for rich NRIs.)

Yet, Gohana's Dalits have achieved something more. Dalits in Haryana are now stepping into the public space in a way not seen too often. And Dalit women appear to be in the forefront of the protests. There is a lot of pressure on the government to act. The Congress' own Dalit MLAs are in the hot seat. All this is good. Yet there is a much larger house on fire. If only we could see it.

CARTOONSCAPE



Gohana beeline, two days on

OUR SPECIAL
CORRESPONDENT

New Delhi, Sept. 2: Politicians of all hues today made for Gohana, two days after about 50 Dalit homes were torched in the Haryana town not far from Delhi.

Bahujan Samaj Party president Mayavati, a self-styled Dalit messiah, finally woke up to the political significance of the attack that has prompted a statewide agitation by the community, including a Haryana bandh today.

Having remained silent throughout the caste clashes — set off by a Jat's murder last Saturday and climaxing in Wednesday's panchayat-directed arson — Mayavati decided to rush to the scene today. She seemed to sense the gravity of the situation late last night.



BSP workers at a protest rally in Jalandhar on Friday. (PTI)

"We realise how sensitive the situation is. Our leader will go there tomorrow," a BSP spokesperson said last night.

Ram Vilas Paswan, Justice Party president Udit Raj and a five-member BJP team, too,

reached the town in Sonapat district, bordering Delhi.

In the capital, CPM Rajya Sabha member Brinda Karat met Union home minister Shivraj Patil to demand action against the police and admin-

istration for their "criminal connivance" in the attack on Balmiki Basti.

"We have asked for immediate action against the police superintendent and district commissioner who remained mute spectators.... We have also demanded a CBI inquiry," Karat said.

"All those affected by the tragedy will be provided compensation," Patil declared. "I will speak to the state government and the matter will be thoroughly investigated."

The BJP demanded a judicial probe. The controversy has singled its lone MP from Haryana, Kishan Singh Sangwan, whose brother and son are accused of plotting the arson.

Today's bandh witnessed stray violence, with a police motorcycle set on fire and a few buses and a car damaged.

Caste powder keg explodes

GAJINDER SINGH

Chandigarh, Aug. 31: At least 50 houses belonging to Dalits were razed in a town in Haryana in one of the worst instances of caste violence in the state.

Jats went on a rampage at Butana Barha in Sonapat's Gohana, 200 km from Chandigarh, to avenge the murder of a financier from the upper caste on Saturday.

The incident comes a month after the brutal Gurgaon beatings in which the role of Haryana police drew wide condemnation. Unlike the Gurgaon crackdown where the police were accused of displaying unusual zeal in baton-charging Honda employees, inaction by the law enforcers is being blamed for the caste flare-up.

"Some people of Balmiki Basti had murdered one Baljit on August 27," said Sonapat

superintendent of police Anil Rao. "We had sent teams to arrest the accused. But mischievous elements today inflamed passions."

The houses of seven of the accused were first torched. "Some others too caught fire due to the exploding cylinders," Rao added. Four Dalits have so far been arrested for the murder.

Baljit, a financier, was beaten to death at the shop of a photographer after a quarrel. The residents of the small town had demanded the arrest of the other accused and had called a panchayat today.

Close to 2,000 Dalits had fled their homes since Monday, fearing a backlash by the Jats.

The Dalits in the area have claimed that local BJP MP Kishan Singh Sangwan's son was involved in the attack and he was present at the panchayat.



Shops being ransacked in Gohana. (PTI)

Twelve shots were fired in the air to disperse the unruly crowd. The administration has imposed Section 144 in Gohana.

The police have registered a first information report against 23 persons. They are yet to be arrested.

A 51-member committee was constituted by the panchayat to meet the district administration. Top officials and a police team were present at a rest house in the town but they could not prevent the flare-up.

"The members of the committee had informed us that they wanted to submit a memorandum to the officials but some antisocial elements went to the crossing where the houses of the accused were located," an official said.

"Police intervention forced them to keep away but some elements entered the houses and set them on fire," he added.

Sangwan, however, denied his son's involvement. "A CBI probe will reveal the truth. Some politicians hostile to me are trying to drag me into the matter. They will not succeed," he said.

Inspector-general of Rohitak police range V.N. Rai, who is camping at the village, said the situation was under control.

Dalits groups ready defence on quota clash

By Akshaya Mukul and
Subodh Ghildiyal/TNN

New Delhi: As the UPA prepares to face the challenge of drumming up legislative action to get around the supreme court order doing away with reservation in unaided professional institutes, action has begun on another front where quotas are under attack. Dalit interest groups have begun to work to ensure that the legal challenge to four Constitutional amendments—77, 81, 82 and 85—which form the basis for service matters of SC/ST government employees, does not fall victim to a weak defence.

Tuesday's political unanimity on amending the Constitution over the apex court order on professional unaided colleges has added fresh teeth to the concept of legislating in favour of the marginalised.

Legal experts and law ministry officials say the best recourse to tide over the SC's August 12 order would be to amend Article 19(G) of the Constitution.

This provision gives citizens the right to practice any profession, carry on any occupation, trade or business. Though the explanation for the clause allows the State to put reasonable restrictions, law ministry officials say government would have to specify through amendment that private unaided educational institutes would have to follow reservation principle.

While the clear picture on the fresh imbroglio would emerge later, action is hotting up on tackling the legal challenge to four earlier constitutional amendments. National Commission for SCs has decided to implead itself in the case. The Writ Petition 61, M Nagaraj and others versus Union of India, will be heard by a nine-judge bench.

Sixty-three pleas were filed in 2002 questioning the constitutionality of the amendments that allows quota in promotions, clears backlog vacancies and relaxes promotion standards.

Speaking to TOI, chairman of NCSC Suraj Bhan said, "This case will impact the future of all government employees and there should be legal expertise from all sides.

We will press our own advocate for this case. This will be for the first time that NCSC will put its lawyer in the case".

It is felt that amendments should not fall victim to poor legal defence. As a consequence, Suraj Bhan has written to the law minister H R Bharadwaj the case be defended effectively and recommended former attorney general K Parasaran.

"There may not be any grievance from any quarter that the government has not engaged the services of best talent.

You may remember that Mandal case was argued by him in 1992 before the nine-judge bench", the letter said.

All-party panel to draft legislation on reservation

SNS & PTI 248

NEW DELHI, Aug. 23. — An all-party meeting tonight decided to set up a political committee to draft a central legislation on government quotas in private unaided colleges. The meeting came in the backdrop of the Supreme Court expressing anguish over criticism of its ruling on the issue.

This formation of the committee was announced by human resource development minister Mr Arjun Singh after the three-hour meeting witnessed a strong demand for a Constitutional Amendment to ensure continuance of quotas for Scheduled Castes and Tribes. Several participants described observations of the Supreme Court as "unfortunate" and made it clear that they did not want any confrontation with the judiciary.

Similar sentiments were expressed by the minister who said the Supreme Court had the right and privilege to make any assessment and that political parties were not willing to make any observation regarding it.

When asked whether the legislation would be brought during the winter session of Parliament, Mr Singh said "efforts will be towards that". He said: "I have been authorised by political parties to state

that an attempt should be made to frame a central law to provide social justice, eliminate commercialisation of education and protect minority rights as enshrined in Article 30 of the Constitution."

The meeting was attended by ruling UPA constituents, its supporting parties CPI-M and CPI, BJP, JD-U and TDP besides several Union ministers, including Mr Ram Vilas Paswan, Mr Kapil Sibal and Mr Praful Patel.

In a related development, the Congress denied that there was any "confrontation" between the government and the judiciary.

The party, however, maintained that the role and jurisdiction of executive, judiciary and legislature were "clearly demarcated" in the Constitution. "It is imperative that all these three major wings of our democracy acknowledge and respect this constitutional framework and function under it," the Congress spokesman, Mr Anand Sharma, said.

Responding to questions over whether the Centre was going ahead to bring in a legislation to circumvent the court's recent judgement, Mr Sharma said the government has not taken a final view. As regards the Congress stand on the matter, Mr Sharma said the party will go by the "collective view".

THE STATESMAN

Dalit situation in Tamil Nadu

Painstaking chronicle of the deprivations, discriminations and atrocities faced by the Dalits in a progressive State

K. Nagaraj

The press in India has rarely documented, in any detail and with any sensitivity, the grinding poverty, the day-to-day deprivations and discriminations and the all too frequent atrocities faced by the Dalits in this country. The fortnightly published by The Hindu group, *Frontline*, has been a rare exception in this regard. For more than a decade now, one of its Correspondents, S. Viswanathan, has painstakingly chronicled these dimensions of the Dalit situation in one of more modernised, progressive States in the country, Tamil Nadu.

The articles written by him on these issues — sympathetic and sensitive — have now been put together as a book by Navayana Publishing in Chennai, a novel publishing effort in highlighting the Dalit situation in the country. It has been a very worthy enterprise. These chronicles, in their totality, bring out a number of important aspects of the Dalit situation in Tamil Nadu today.

Discriminations

The first thing that strikes a reader is the depth and range of deprivations and discriminations Dalits have to face today: these are intense and acute, multiple and overlapping. And these are deprivations and discriminations a Dalit has to face in every aspect of his or her life. The Dalit condition is unique in this sense: such 'cradle to grave' deprivations and discriminations have rarely been the lot of any other community in India.

The articles painstakingly document these deprivations and discriminations in terms of livelihood issues: Dalits are denied access to land; their legitimate and traditional fishing rights in ponds are taken away; they are denied access to roads and often their living space, the Cheri on the outer fringes of the village, is encroached upon by the 'caste Hindus'; their access to clean drinking water is virtually non-existent and their wells are often poisoned during anti-Dalit riots; the majority of Dalits are agricultural labourers with low wages and long stretches of unemployment — the list appears to be unending.

Social, political reprisals

However, these deprivations and discriminations are not

just economic; they are also social, cultural and political. Illiteracy among Dalits is very high and this is exploited in more ways than one. There are subtle — often not so subtle — types of discrimination a Dalit student has to face in school; untouchability is widespread, including the use of 'two glasses' — one for Dalits and the other for 'caste Hindus' — in tea shops. There is a delicate line of social behaviour, transgression of which brings in immediate and often brutal reprisals. Smoking in front of 'caste Hindus' or walking in the main part of the village wearing chappals can invite violence. But the most brutal forms of reprisal — including 'honour killings' of the couple by 'caste Hindus' — seem to be reserved for inter-caste marriages involving a Dalit.

The discriminations are also political in nature. Often their right to vote is taken away through violent means; in some cases there is violent reprisal — by the police — because Dalits decide to boycott elections in protest. In elected panchayats with reservations for Dalits, elections are either not allowed to be held, or, when held elected Dalit panchayat members are not allowed to function. In some cases, the denial of these rights has taken the form of murder of Dalit panchayat members. Political rallies by Dalits are not allowed to take off or severely restricted.

There is very little solace for a Dalit in religion or even in death; various types of discriminations continue in these spheres. The religious rights of the Dalit — to worship — are often severely restricted. And the burial grounds for Dalits often lack proper approach roads and attempts to reach these grounds through land belonging to 'caste Hindus' often invite reprisals.

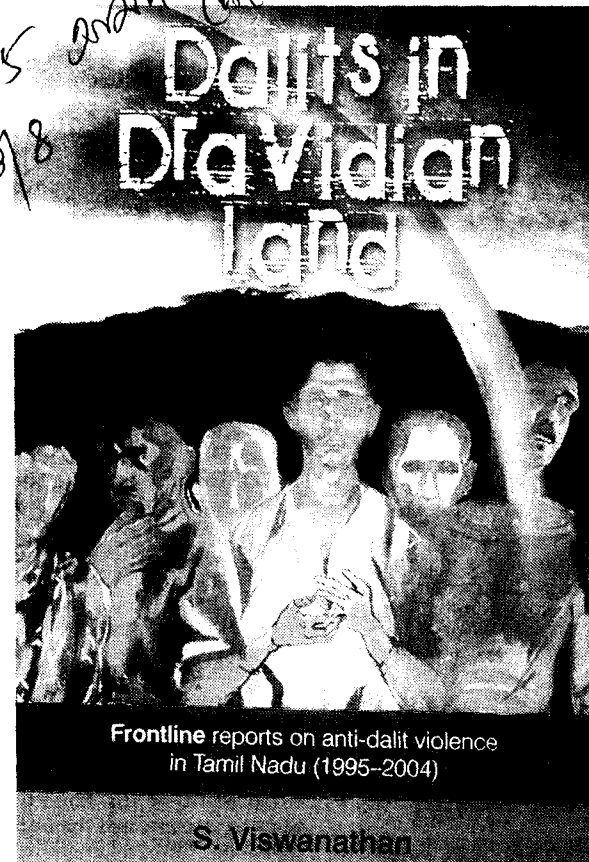
The fact that Dalits have to face such deprivation, discrimination, and violence — in all their intensity and range — from 'caste Hindus' is perhaps explicable in terms of the central role caste plays in our society. But these articles also bring out the role — more often than not, nefarious — played by various organs of the state in this. The police have often been brutal in their dealings with Dalits — the articles document heart-rending accounts of such brutalities. The administration has been insensitive, to say the least. Atrocities against Dalits and instances of

Dalit assertion are treated essentially as law and order problems, not social ones. Viswanathan also records the devious ways in which the administration tries to scuttle various programmes and measures instituted by the State for the benefit of Dalits — such as reservations in jobs and poverty alleviation programmes. The inquiry commissions set up by the State often end up blaming the victims: perhaps the most notorious example of this is an inquiry Commission that did a complete white-wash of police brutalities against striking workers, mostly Dalits, of the Manjolai tea estate in Tirunelveli in July 1999.

While deep-rooted caste prejudices and practices provide the basis for these discriminations and atrocities faced by Dalits, the *Frontline* articles also document another side to the picture. While the story has been one of deprivations and discriminations, it is also a story of Dalit assertion. And such assertion often has invited reprisals — often brutal — by 'caste Hindus' and the State. The bases and forms of such assertion by Dalits have been varied and many. It has often been the result of out-migration, particularly to the Gulf countries, by Dalits in search of skilled jobs. It has taken the form of land struggles; struggles for better wages and working conditions, as by the Manjolai estate workers. It has often taken the form of conversion to Islam. Perhaps most importantly, it has taken the form of political mobilisation and involvement.

Dalit politics

Viswanathan documents in considerable detail the trajectory of Dalit politics in Tamil Nadu, and his assessment is sober and reasoned. While recognising the specificities of the Dalit situation — or even the uniqueness of it in terms of the depth and range of deprivations and discriminations faced by Dalits — he constantly attempts to situate the Dalit problem within the larger socio-economic and political contexts. He recognises the fact that the 'caste Hindus' who are often in the forefront of violence against Dalits — like sections of Thevars in southern Tamil Nadu and Vanniars in the northern regions — hardly belong to the ruling classes and have only a marginally higher socio-economic status than Dalits. And it is the poor be-



DALITS IN DRAVIDIAN LAND — Frontline Reports on Anti-Dalit Violence in Tamil Nadu 1995-2004: S. Viswanathan; Pub. by Navayana Publishing, 1 Floor, 12/293, Ahmed Complex, Royapettah High Road, Chennai-600014. Rs. 300.

longing to all the communities and castes who suffer during episodes of violence. Given this reality, isolating the Dalits from the rest of the deprived is hardly a solution. Viswanathan's attempt in these *Frontline* articles is to identify the foundational basis of deprivation in general and unite all the deprived sections on such a basis even while recognising that the Dalits are the most deprived in every sense of the term and hence, their problems would need special emphasis and attention. He constantly keeps going back in these articles to the foundational role played by the land question, the question of livelihood, and the need to have a socio-cultural movement against the caste system. In this he is squarely within the Marxist tradition and highlights the positive role the Left parties have played in the Dalit politics in Tamil Nadu. So, the diatribe against the Left parties in the introduction to the book by Ravikumar, one of the publishers of the book, appears particularly incongruous.

Role of the Dravidian movement

What about the role of the Dravidian movement and the Dravidian parties, the DMK and the AIADMK? The title of the book, 'Dalits in Dravidian

Land,' as well as large parts of the introduction seem to indicate that the Dravidian movement and the Dravidian parties have to share a large part of the blame for the situation of the Dalits in the State today. The Dravidian parties certainly have a lot to answer for in this regard: the articles clearly chronicle the fact that violence by state organs was a regular feature all through the rule of these two parties in Tamil Nadu. But one also would have to recognise the fact that the Dravidian movement in the State provided socio-political and cultural space for the deprived sections to assert themselves. While it is undeniable that the gainers in this process were largely the middle castes, the assertion by the deprived — including the Dalits — could hardly be divorced from this movement.

This is a book that tells us what an intelligent, committed, sober — and self-effacing — journalist can do to highlight gross injustices and deprivations prevalent in our midst. At a time when glossy, trivial, P3 journalism is making heavy inroads into the Indian print media, we should thank *Frontline* and Viswanathan for keeping this tradition alive; and Navayana for putting all the articles in one place.

UPA Govt. asked to ensure reservation for Dalit students



MAKING A POINT: (Left to right) CPI leader, D. Raja, Udit Raj, chairman, All-India Confederation of SC/ST organisations and CPI (M) leader, Nilotpal Basu at a public meeting at Jantar Mantar in New Delhi demanding reservation in Private Medical and Engineering Colleges on Sunday. - PHOTO: ANU PUSHKARNA

Staff Reporter

NEW DELHI: Senior Left party leaders along with several political activists and Dalit rights workers on Sunday urged the Congress-led United Progressive Alliance (UPA) Government to pass a Bill in Parliament ensuring reservation for Dalit students and those belonging to backward classes in unaided private colleges.

Taking part in the rally organised by the All India Confederation of SC and ST Organisations at Jantar Mantar, leaders expressed serious concern over the recent Supreme Court order striking down the Government quota, including that for Scheduled Caste (SC) / Scheduled

Tribes (ST) and Other Backward Class (OBC) students, in unaided private colleges across the country.

Addressing the rally, senior Communist Party of India leader, D Raja, termed the ruling as an injustice to the backward sections of society.

"This direction from the Supreme Court will greatly hurt the interests of Dalits and other backward class and hamper their growth and progress. It is an injustice to them and we urge the Government to take this matter seriously and immediately bring a legislation so that this could be reversed and interests of the deprived sections could be taken care of," he asserted.

Stating that decisions related

to admission policy and fee structure could not be left to the management of private colleges as in that case education would be inaccessible to poor and backward classes, the Communist Party of India (Marxist) leader, Nilotpal Basu, said though the Supreme Court has directed for reserving 15 per cent seats for non-resident Indians, ironically it has denied reservation for those students who need it much more.

Admission policy

"Dalits and OBC students should get reservation so that they can join the national mainstream. But the Supreme Court direction denies reservation to them, while it gives reservation

to NRIs. All political parties should unanimously oppose this direction and ensure reservation for backward sections," he added.

The All India Confederation of SC and ST Organisations' leader and Indian Justice Party president, Udit Raj, said to take such important decisions was the responsibility of Parliament and not of the judiciary. "Private technical and medical colleges are given land by the Government at concessional rates with promise that the former will provide free education to the weaker sections of society, but later they conveniently shy away from their social responsibility and for this they should be severely penalised," he demanded.

All-party meet on Tuesday

*of
Carter to Govt*

Court ruling on reservation

Special Correspondent

NEW DELHI: An all-party meeting here on August 23 will discuss the fallout of the Supreme Court judgment abolishing quotas and reservation in private, unaided professional educational institutions, Human Resource Development Minister Arjun Singh told mediapersons on Friday.

The announcement came two days after Mr. Singh accepted an Opposition suggestion in the Lok Sabha that an all-party meeting be convened before the close of the Parliament session.

Mr. Singh said the Government would not come out with any proposals for discussion at the meeting but the draft Central legislation prepared by his Ministry following a demand from various States would be a reference point.

"No confrontation"

Indicating that the deliberations would not necessarily be judgment-centric, he said, "Our

aim is not to enter into a confrontation with the Supreme Court."

The Minister referred to the rare unanimity among the political parties on the issue and reiterated that the Government was committed to the social and political structure provided by the Constitution.

However, when asked whether the Government would address the situation through legislation or a constitutional amendment, he was non-committal.

Manmohan's assurance

Prime Minister Manmohan Singh on Thursday informed members of the Parliamentary Forum of Scheduled Caste/Scheduled Tribe MPs that the Government would engage the services of senior counsel K. Parasaran to further address the issue in court. The Government, he said, would protect effective equality of opportunity.

20 AUG 2004

THE HINDU

PM pledge on quotas

Chitra
P. Mohan

OUR SPECIAL
CORRESPONDENT

19/8
needs and aspirations of the
weaker sections of society".

New Delhi, Aug. 18: Prime Minister Manmohan Singh has promised that at least 80 per cent of the vacancies in government jobs reserved for Dalits and tribals will be filled by the end of this year.

The assurance was given in a two-hour meeting Singh had today with members of the Scheduled Castes/ Scheduled Tribes Parliamentary Forum.

This is the first time since 1977 that a Prime Minister has interacted with the SC/ST forum.

Sanjaya Baru, the Prime Minister's media adviser, told the media that a "special drive" will be launched to clear this backlog.

Some MPs raised the issue of the scrapping of the government quota, including that for the SCs and STs in private educational institutions.

Singh promised to bring in a bill to restore the reservation quota, Union minister Ram Vilas Paswan said.

A press release issued by the Prime Minister's media adviser said since "education is key to the empowerment of the SCs/STs", Singh told the MPs that "market forces will not be able to address the

He added that the government had a role and an obligation to provide access to education and health care and it will have to honour this obligation.

The press release said the Prime Minister told the forum that the government will engage the services of senior counsel Parasaran to further address the quota issue in private educational institutions.

Sources said the details of the government's legal response will have to be worked out.

Some MPs brought up the subject of job reservation in the private sector.

The Prime Minister, according to the press release, said he would endeavour to "persuade the private sector to accept the logic of affirmative action" and quoted him as stating: "The government has the obligation to do the right thing. Consensual change leaves behind less social bitterness."

As part of the "endeavour", the Prime Minister told the forum members he was involved in a dialogue with the political parties as well as trade and business leaders.



Singh: Job
promise

Bring in quota law for unaided colleges: Left

Social control over institutions suggested

Special Correspondent

NEW DELHI: The Left parties on Wednesday urged the Centre to bring in legislation during the winter session of Parliament to ensure reservation in unaided professional colleges, in the wake of the August 12 Supreme Court order.

Delegation meets Manmohan

A delegation, headed by Communist Party of India general secretary A.B. Bardhan, met Prime Minister Manmohan Singh here, and made suggestions on some form of social control over such institutions, an admission policy providing for reservation, and course content, Communist Party of India (Marxist) Polit Bureau member

18/8
Admission policy with reservation suggested

Meeting of State Education Ministers convened

Court order retrograde: D. Raja

It's commercialisation of education: Nilotpal Basu

Sitaram Yechury said.

Dr. Singh told the delegation that the Centre had convened a meeting of State Education Ministers here for August 27 and it was likely to have broader consultations later.

Besides Mr. Bardhan and Mr. Yechury, the delegation includ-

ed CPI national secretary D. Raja, Revolutionary Socialist Party MP Abani Roy and All-India Forward Bloc General Secretary Debabrata Biswas.

Mr. Raja said the court order was "retrograde" and against the interests of the Scheduled Castes/Tribes and Other Backward Classes. He said the government should ensure that the necessary mechanism was put in place ahead of the next academic year.

Issue in Parliament

On Tuesday, members in the Rajya Sabha sought legislation to overcome the court order and on Wednesday members in the Lok Sabha raised it through a calling attention motion.

Addressing a press confer-

ence, CPI (M) Rajya Sabha leader Nilotpal Basu said the Left leaders pointed out to Dr. Singh that the court ruling amounted to "ultimate commercialisation of education," and called for an appropriate response.

Mr. Basu said he and some other Left MPs met United Progressive Alliance chairperson Sonia Gandhi and asked her to impress upon the Government the need to bring in Central legislation to give forestland rights to tribals at the earliest.

A draft Bill prepared by the Tribal Affairs Ministry has been put up on its official web site.

The MPs suggested that the Bill be introduced in the current session so that it could be sent to the Standing Committee for "fine-tuning."

VV
CENTRE MULLS LEGISLATION ON QUOTA

Law to beat

SC verdict

18/8/87
J. Carlin & Perin

Statesman News Service

NEW DELHI, Aug. 17. — Under pressure from almost all political parties, the government today indicated that it would consider, among other things, a piece of legislation to provide reservation in unaided, private higher educational institutions before the next academic year.

The law, if necessary, is expected to be in place before the Supreme Court verdict doing away with such reservation comes into force.

The human resource development minister, Mr Arjun Singh, told the Lok Sabha that the issue would be discussed at an all-party meeting in a week's time. It will be followed by a meeting of state ministers in charge of professional education on 27 August, he said, replying to a discussion on a call-attention motion on the situation arising out of the Supreme Court verdict on 12 August. The motion was moved by Mr A Krishnaswamy (DMK) and others.

The meeting will strive to evolve a national approach on the issue of reservation in the wake of the Supreme Court judgment, Mr Singh said. "The approach must address national, social and constitutional imperatives in a holistic manner."

"It is important that we try and understand the implications of the judgment and evolve a national approach to the important issue," he said.

The Supreme had ruled on 12 August that neither the policy of reservation can be enforced by the state nor can any quota or percentage of admissions be carved out to be appropriated by the state in a minority or non-minority unaided educational institution. This was being done, the court said, to check encroachments on the right and autonomy of pri-

Fewer reservations likely

NEW DELHI, Aug. 17. — The Centre is likely to lower the percentage of reservation in professional, unaided private institutes. At present, these institutes have a reserved quota between 50 and 85 per cent. The government has begun consultations with legal experts to suggest ways to amend the Constitution besides fixing quotas in these institutions. The HRD ministry has approached the office of the Attorney-General and other legal experts in the wake of the Supreme Court's ruling asking states to desist from reserving a quota of state seats or enforcing the reservation policy of the state in these private institutions. Union minister of state for education Mr MAA Fatmi said the issue would be "very crucial" in the days to come as it not only affected influential people running big educational institutions, but also a number of foreign institutes which had opened their campuses here. — SNS

Details on page 5

vate professional educational institutions.

The government has come under increasing pressure from its allied political parties and the Left besides MPs from across the entire political spectrum for a piece of legislation to circumvent the effect of the Supreme Court judgment. At least two senior Cabinet ministers were at pains to iterate the government's commitment to the reservation policy.

Members from Tamil Nadu met the Prime Minister to take up the issue with him during the day. Left members have conveyed their stand to the government. All of them are believed to have impressed upon the Prime Minister the need for a Central law to provide for reservation for SCs, STs and OBCs in self-financing higher educational institutions. Their unanimous view is that the court decision was against the constitutional principle of social justice.

Committed to reservation, says Centre

Elders seek legislation to overcome Supreme Court order

Special Correspondent

NEW DELHI: The Government said on Tuesday that it would "immediately" take steps to fulfil its commitment to reservation in educational institutions. The brief statement by Minister of State for Parliamentary Affairs Suresh Pachouri followed the demand by several members in the Rajya Sabha for legislation to overcome the Supreme Court order last week on reservation and quotas in private unaided colleges.

"The entire House has expressed its concern over the Supreme Court order. The United Progressive Alliance Government is committed to reservation for the SCs and the STs. After conducting a complete review and taking it very seriously, the Government will take necessary steps in this direction," said Mr. Pachouri.

Raising the issue during zero hour, the former Kerala Chief Minister, A. K. Antony, said the judgment was "against all principles of social justice." Poor students from all communities would not get admission in self-financing colleges.

He wanted the Government to either introduce a Bill in the current session of Parliament or proclaim an ordinance to restore reservations in self-financing institutions.

The Supreme Court on August 12 ruled that unaided minority and non-minority institutions

had the right to admit students of their choice in medicine, engineering and other professional courses without government interference.

It also abolished state quota and reservation in these colleges and made it clear that the judgment would be effective from the next academic year and all admissions made during 2005-2006 through court orders and directions of the State committees would not be disturbed.

The court held that reservation of seats in unaided professional institutions was a serious encroachment on the right and autonomy of private professional educational institutions.

Other Rajya Sabha members joined Mr. Antony in demanding the negation of the court order through legislation or ordinance.

Nilotpal Basu (CPI-M) calling the judgment "(the) ultimate commercialisation of education," said the court had encroached on an area that belonged to Parliament.

"It has to respond to this question appropriately and Parliament cannot respond autonomously unless the Government brings an ordinance."

He termed the Minister's statement "wishy-washy" and felt a more considered response was in order.

MPs want to retain edu-quota

*Supreme Court order
opposed in RS*

HT Correspondent
New Delhi, August 16

POLITICIANS ACROSS party lines have spoken against the Supreme Court's recent judgement abolishing SC/ST quota in private unaided colleges. On Tuesday, Rajya Sabha members sought an immediate law to nullify the order; in Lok Sabha, members of various parties expressed concern over the impact of the court's verdict.

Last Friday, the Supreme Court had ruled that there could be no state quotas or reservations in unaided private professional institutions, whether minority or non-minority.

On Tuesday, Rajya Sabha members of all parties said the judgement went against the spirit of social justice and the government must act promptly as admissions were already on. They said after the judgment, only the rich who could pay capitation fees would get admission.

MoS for Parliamentary Affairs Suresh Pachouri said the government would take necessary steps at the earliest, after studying the judgement.

Describing the judgement as "regressive", Rajya Sabha members said the government should either bring a Bill on college quota during the current session or have an ordinance promulgated later.

Raised by senior Congress member A.K. Antony, the issue received support from nearly the whole House. Nilotpal Basu (CPM) said the court order would lead to the commercialisation of education. Vayalar Ravi and P.J. Kurian (Cong), Sharad Yadav (JD-U), P.G. Narayanan (AIADMK) and Ramdeo Bhandari (RJD) said the commercialisation of education must be totally opposed.

The issue was raised in Lok Sabha too. Speaker Somnath Chatterjee said he had admitted a notice for a calling attention motion. It will be taken up for discussion on Wednesday.

Law route to retain quotas

9-Centre & Govt

MONOBINA GUPTA

New Delhi, Aug. 13: The Centre, backed by the Left, may bring in a law to court judgment allowing unaided private colleges to scrap quotas for Scheduled Caste and Scheduled Tribe students.

A seven-judge Constitution bench had ruled yesterday that neither the Centre nor the states can impose seat quotas on private educational institutions that receive no government aid. This means these colleges need no longer reserve seats for any of the

socially weaker sections.

"The government has to do something to restore the proper social perspective of educational institutions," a senior human resource development ministry official said today.

The means to do this is at hand. The ministry, with private colleges under its scanner for some time now, has already drafted a Private Professional Educational Institutions (Regulation of Admission and Fixation of Fees) Bill to gain greater control over them.

"We may have to take a second look at the bill in the light of yesterday's Supreme Court

judgment," a source said.

This could mean including a provision to force all private educational institutions to have quotas for Scheduled Caste and Scheduled Tribe students. The ministry is likely to take a decision next week.

The CPI and CPM have already demanded a law to undo the court order.

"There could be a way to get around the Supreme Court ruling. Parliament can pass a bill restraining private institutions," CPM general secretary Prakash Karat said in

Agra. "We want Parliament to pass a law to make private edu-

national organisations — aided or unaided — meet their social and economic obligations," said CPI general secretary A. B. Bardhan.

Officials admit that for quite some time, the Centre and the Supreme Court have been on opposite sides on the subject of autonomy for private colleges.

For instance, the apex court had ruled in the T.M.A. Pai case that private educational institutions should be allowed to fix their fees without government meddling. Yesterday's ruling is only the latest of several judgments that have tried to free private

colleges from government control.

"We can only blame ourselves for this situation," a ministry official said. "It's a failure on the part of the executive and the legislature that we have not been able to regulate the private education sector. The court has now stepped into this vacuum."

Officials hope the draft bill on private institutions — drawn up following pressure from state governments, particularly those from southern India — is the answer.

The Centre, however, must walk the tightrope between its commitment in the common

minimum programme to preserve the autonomy of institutions of higher education and the pressure to regulate private colleges.

This is not the first time in recent years that the Left parties have demanded a law to overturn a court ruling. When the Supreme Court banned general strikes, they had urged the day's government, headed by A. B. Vajpayee, to bring a constitutional amendment bill and enshrine the right to strike in the Constitution. The common minimum programme promises to give workers back this right.

Page 6

SC relief for unaided institutions

Freedom from govt quotas

R. VENKATARAMAN

New Delhi, Aug. 12: Neither the Centre nor the states can impose seat quotas, including those for the Scheduled Castes and Scheduled Tribes, on private educational institutions that accept no government aid, the Supreme Court ruled today.

"Neither the policy of reservation can be enforced by the state nor any quota or percentage of admissions can be carved out to be appropriated by the state in a minority or non-minority unaided educational institution," a seven-judge Constitution bench, headed by Chief Justice of India R.C. Lahoti, ruled.

As these institutions are unaided, they "can have their own admissions, if fair, transparent, non-exploitative and based on merit". They "have unfettered fundamental right to choose the students and the procedure".

Unaided minority institutions are free to admit non-minority students as well as students from other states, the court said.

The bench also fixed the ceiling for "NRI quotas" in unaided institutions at 15 per cent of the total seats. It said that "higher fees" collected from the "NRI" students should be "utilised for benefiting students from economically weaker sections of the society".

But the court puzzled

RULEBOOK

Verdict

- Centre or states can't impose quotas
- Committees can be formed to monitor admission
- Unaided minority institutions can admit non-minority students
- NRI quota cannot exceed 15%

Questions

- Who will form monitoring committees and will college managements be represented on them?
- If committees are formed by the state, will it not defeat the verdict's objective?

lawyers and college managements by saying committees may be formed to regulate admission to unaided institutions and help them fix their fees. These committees will also ensure that capitation fees, which are already banned, and profiteering are not allowed in any form.

The court, however, did not explain (a) who would set up these committees, (b) whether there will be just one such central panel for the entire country or one for every unaided institution, or (c) if the managements will have representation on the committee(s).

Lawyers and managements are asking that if the committee(s) is formed by the state (as seems likely), would this not allow the government to meddle in an unaided college's affairs, defeating the point of the judgment? And

how does such state interference square with the institutions' "unfettered right" that the court seems to uphold?

The verdict also sparked doubts because the Constitution makes no distinction between government-run, government-aided and unaided institutions in the matter of reservations.

The verdict is the third attempt by the apex court to clarify issues relating to college reservations. Last year, an 11-judge bench had dealt in detail with admissions to private (aided and unaided) colleges and minority institutions in the T.M.A. Pai case.

But the verdict was confusing and a five-judge bench was formed to explain it after applications for clarification were filed.

But this bench, too, failed to clarify matters and, following more petitions — including one by the All India Medical and Engineering Colleges Association, an umbrella body — the seven-judge bench was constituted. Other than Chief Justice Lahoti, its members were Justices Y.K. Sabharwal, D.M. Dharmadhikari, Arun Kumar, G.P. Mathur, Tarun Chatterjee and P.K. Balasubramanyan.

After its ruling today, more applications for clarification are likely to be filed if one goes by the reactions of the lawyers, academics, college officials, students and parents crowding the court corridors.

■ See Page 8

Sonia Gandhi seeks report on SC/ST welfare policies

9/1/78
12/8

By Nidhi Sharma/TNN

New Delhi: The Congress is now trying to consolidate its traditional vote bank. In a bid to assure that "Congress ka haath" is still "aam admi ke saath", party president Sonia Gandhi has written to her chief ministers, including Delhi's Sheila Dikshit, asking them about measures and policies undertaken for scheduled castes and tribes.

Gandhi wrote a letter on July 26 to all Congress chief ministers enquiring about policies related to SC/ST and pointed out important issues like reservation and job opportunities. Dikshit has already replied to the letter informing Gandhi about the initiatives taken for the welfare of SC and ST. The reply states that Delhi has made it easier for those

belonging to SC and ST to benefit from the reservation policy. Dikshit has written that early this year, the benefit of reservation in jobs in Delhi was not available to migrated SC/ST people. However, this rule has been amended and an order was passed in June which makes all SC/ST candidates eligible for reservation benefits in jobs.

Dikshit has even referred to schemes started by former PM Indira Gandhi under which land was given to poor and underprivileged people. Dikshit has written:



Sonia Gandhi



Sheila Dikshit

"Under this programme house sites were allotted to SC/ST people in Delhi but the legal title of the land allotted was not conferred on the allottees. We have initiated the process of regularisation of allotment and conferment of legal title on these people in a big way."

In her reply, Dikshit has also pointed out policies that have not been implemented because of delay in clearance from the home

ministry. One of the matters still pending is the formation of Delhi Safai Karmchhari Commission, which has been approved by Delhi Cabinet. "The decision has been sent to the ministry of home affairs for their mandatory approval under Rule 55 of our Transaction of Business Rules. The queries raised by the ministry have been promptly replied to and we are pursuing the matter regularly for early approval," Dikshit has written.

Dikshit has also sought Gandhi's advice on setting up of an SC/ST Commission for Delhi. The government has deferred the decision due to various other mechanisms of grievance redressal and easy accessibility of the National Commission for SC/ST.

Sharad Yadav, Uma Bharti for quota within quota 9/18

Special Correspondent

9 - castes & Parikh
HD - 1
NEW DELHI: BJP leader Uma Bharti on Monday met Chairman of the Janata Dal (United) Parliamentary Board Sharad Yadav here to jointly raise the demand for a quota for women from Scheduled Castes, Tribes and Other Backward Communities within the overall 33 per cent reservation for women in the Women's Reservation Bill.

Mr. Yadav is among the leaders who have been invited by Home Minister Shivraj Patil for consultations on the Bill on Tuesday. The Bill calls for 33 per cent reservation for women in Parliament and State Assemblies.

Speaking to mediapersons after their 45 minute meeting, Mr. Yadav and Ms. Bharti said they would press for an amendment to the Bill on this issue and would insist that there be no whip from any party for voting on this Bill.

Mr. Yadav claimed he had been in touch with PMK, DMK and Samajwadi Party leaders and they had expressed similar views.

"If women are to be brought into the mainstream SC/ST, OBC and Muslim women must be given a chance. This is the reality of Indian society. It cannot be ignored," he said.

When reminded that recently JD (U) president George Fernandes had said that there should be no quota within quota for women, Mr. Yadav claimed that his view was the party's view.

Ms. Bharti said the issue of reservation for backward castes within the 33 per cent reservation was raised in 1996 when the Bill was moved.

So far the BJP had not taken a stand on the issue but she would meet party leaders Atal Behari Vajpayee and L.K. Advani before the next all-party meeting to take a view on this.

Centre mulls SC/ST job quota in private sector

SAROJ Nagi
New Delhi, June 23

THE CENTRE is considering the likelihood of enacting a law to ensure job reservations for SCs and STs in the private sector and has decided to seek the opinion of the Attorney-General (A-G) and other constitutional experts on the matter.

The group of ministers (GoM) set up by Prime Minister Manmohan Singh to look into the issue of job reservations for Dalits in the private sector decided on Thursday to seek the opinion of these authorities on whether such a law could be enacted and if it would be constitutionally sound and legally inviolable.

Once the report of the A-G and other experts comes in over the next fortnight, the 9-member GoM — headed by agriculture minister Sharad Pawar will meet again to consider the issue. Much will, therefore, depend on the opinion of these experts.

"Legislation has to be according to the Constitution... We have to look into various issues", Pawar said. The other panel members are Ram Vilas Paswan, Lalu Yadav, Dayanidhi Maran, P. Chidambaram, H.R. Bhardwaj, Kapil Sibal, Kamal Nath and Meira Kumar.

The Centre's latest move comes even as it is holding negotiations with various business houses on job reservations for the disadvantaged sections.

The idea is opposed by the industry, which has, instead, offered to educate and train these sections to equip them for the job market.

WINNING FORMULA?

GOVT'S MOVE

The govt is considering bringing in a law to ensure job reservations for SC/STs in pvt sector

GoM ROLE

The nine-member GoM set up by the PM to look into this matter has decided to seek the opinions of the AG and other experts

EXPERT OPINION

The AG and other experts have to give their opinion on whether such a law is constitutionally sound and legally inviolable. Much depends on them

BIGGER PICTURE

Govt's latest move part of CMP but timing suggests it has everything to do with polls in Bihar and state polls next year

While much will depend on the advice of the experts, the government's latest move isn't likely to go down well with the industry.

In fact, Ratan Tata had reportedly written to social justice minister Meira Kumar that they were "reassured" to hear that the Centre did not intend to bring a law in this regard.

But, working on the principle that a nation's progress is linked to the progress of all sections of the population, the UPA's common minimum programme (CMP) gave primacy to affirmative action, including reservations for Dalits in the private sector.

It promised a "national dialogue" with all political parties, industry and other organisations to see how best the private sector could fulfil the aspirations of SC and ST youth.

The effort now is to try to project the UPA as "Dalit-friendly", especially ahead of the Bihar Assembly polls (expected later this year) and the 2006 state elections, including in West Bengal and Kerala.

It may be a coincidence. But, on Tuesday, the 13-member Committee on Dalit Affairs (CDA), headed by defence minister Pranab Mukherjee, set up six sub-panels to go into 33 issues relating to Dalit problems and welfare. The sub-committees have been asked to submit their report within three months. That is, around the time Assembly elections are likely in Bihar. Significantly, both Lalu Prasad Yadav and Ram Vilas Paswan are on this panel and in the GoM.

24 JUN 2005

U.P. Congress plans to bring Dalits back

9-10-10
Benim
19/6

Dissension blamed for drift of faithful

Special Correspondent

NEW DELHI: The Congress on Saturday organised a conference of senior party members of Uttar Pradesh to unfold a strategy to woo back Dalits as well as those who had drifted to other parties.

Billed as a meeting of senior Scheduled Caste and Dalit Congress leaders from Uttar Pradesh, the two-hour session at the AICC headquarters here brought to the fore differences in the State unit as well as among those working for the uplift of the weaker sections who now preferred to go with the Bahujan Samaj Party.

Local polls a test

Union Minister Mahavir Prasad said that instead of joining hands to fight political rivals such as the BSP, the Samajwadi Party and Bharatiya Janata Party, the Dalits in the Congress were a divided lot. If the Congress planned to counter the BSP, differences must be overcome and the forthcoming panchayat elections would be a test of this unity. "You cannot fight elections by getting ticket from Delhi and having no one to work for you at the village and panchayat level. Unless you are willing to break bread with the Dalit in his hut how can you even connect with the section," he asked.

He criticised BSP president Mayawati for re-writing the party's approach towards upper castes.

A party that attacked upper

castes was now going out of the way to woo them. He was referring to the Brahmin conferences organised by the BSP recently.

The U.P. Congress chief, Salman Khursheed, said the BSP was running out of its basic philosophy and was now turning to other communities unlike the Congress which had an inclusive philosophy. He said the meeting wanted to examine why the Dalits had drifted from the Congress and what could be done to bring them back.

Notwithstanding what the BSP or the SP claimed, their leaders would not project persons from any other community for the Chief Minister's chair. "Let the BSP or SP say who would be their Chief Minister. Who do you think Mulayam Singh Yadav would choose between Akhilesh Yadav (his son) and Amar Singh to be a Chief Minister," Mr. Khursheed asked. He criticised the decision of the Uttar Pradesh Government not to give water to Delhi.

The meeting was organised by Delhi MLA and AICC secretary Jai Kishan, who promised to hold a "chunauti (challenge) rally" in Uttar Pradesh. Several senior leaders, including former Arunachal Pr former Union Minister Ram Lal Rahi, Prabhu Dayal Katheriya, Raj Bahadur, and Satya Behn, were present.

The AICC general secretary and in-charge of U.P. affairs, Satyavrat Chaturvedi did not attend the meeting.

Needed, new politics

Not Fresh Caste Alliances

THE 'Brahmin Mahasammelan' organised by the Bahujan Samaj Party (BSP) recently might seem to be an attempt by the party to transcend the confines of sectarian Dalit politics, but there's more to it than meets the eye. In the name of reinventing a more inclusive world view for the BSP, Mayawati has actually sought to forge a tactical social alliance between a section of the traditional elite and the newly emergent creamy layer from among the Dalits. The BSP, in the name of Dalit emancipation, has mainly helped the Jatavs and Pasis to establish their very own patronage networks and get their own corner in the polity. (Those two castes have generally been prosperous and relatively more empowered than others in the Dalit fraternity.) The party's reluctance to move beyond caste-based patronage has naturally prevented it from demanding a systemic overhaul, and a more democratic sharing of power. It's only natural, therefore, that the new elite the party has created would want to establish a vigorous social-political relationship with the traditional high-caste elite much more than with other lower castes. Such an approach has led to the fracturing of the BSP's Dalit support base, compelling it to woo Brahmins and other upper castes even more insistently. The party evidently has designs to revive the Congress's discredited caste (Brahmin-Dalit) entente in UP. Its noble impulse of broadening its appeal conceals the baser necessity of electoral survival.

The BSP is not alone in this, though. The kind of sub-altern identity politics that has dominated the Hindi heartland has, of late, been pushing its flagbearers into the dark alley of opportunism. Competitive patronage continues to fragment society *ad infinitum*, as newer and newer caste-based outfits crop up everyday. Their cries for social dignity is devoid of modern democratic content. Unless a new political agency mobilises people on questions of social development, the likes of Mayawati will continue to play confidence tricks with aplomb.

~~The Economic Times~~

The Economic Times

BSP Brahmins

In a fragmented polity, Mayawati stakes out the middle ground

IN Lucknow on Thursday, Mayawati was completing her own ideological leap. Even as the furore touched off by L.K. Advani's relook at Jinnah — and at the BJP — raged and roared in New Delhi, Mayawati formally extended the olive branch to Brahmins and other upper castes at the Brahmin Samaj Mahasammelan at Ambedkar Maidan. Join the BSP, she exhorted, and together we can rule UP. The mahasammelan capped a series of 'Brahmin Jodo Sammelans' the BSP has held across the state in the last three months. It's a crucial moment in the country's politics when its only national Dalit party hands out an open invitation to sections it used to proclaim as the enemy. Now, the BSP is revising some of its more virulent slogans.

The parallel is unmistakable and it nudges us towards a larger point. Advani in Delhi and Mayawati in Lucknow are impelled by a similar force. There was a time in the '90s when Mandir and Mandal seemed to have given birth to parties which harnessed energies unleashed by pointed and sectarian politics. The Other was to be as clearly identifiable as the core constituency. And the core constituency

must be tightly rallied around exclusive symbols and slogans. It was the time of fragmentation in Indian politics when the broad social coalition that the Congress had cobbled together was splintering into its newly-assertive parts. It bequeathed us with an array of new parties. But over the years, as vote banks settled and congealed, and yielded serial hung legislatures, a new imperative has been making itself felt. It points to the need to reach out across borders. To forge broader coalitions, to stake out middle grounds.

It's still mainly about numbers, admittedly. Mayawati realises that a Brahmin-Dalit combination within the BSP can put her party in a winning position against the SP in the next polls — the Congress and the BJP gave further proof of their irrelevance in the recent by-polls in the state. Realpolitik is also on her side, given that the primary contradiction is between OBCs and Dalits in UP's Yadavraj. Yet, many a dynamic, once begun, has been known to spin out of control. It could yet be that the seams begin to disappear in the new social coalition that Mayawati is stitching up. It could lay the ground for a genuine meeting of minds.

7 1 JUN 2005

INDIAN EXPRESS

Maya asks Brahmins to back BSP

Lucknow: Wooing upper caste Brahmins, Bahujan Samaj Party (BSP) chief Mayawati on Thursday said her party had never discriminated against anyone and appealed to the community to join hands with her and help her regain power in the state whenever polls are held.

"We never discriminate against anyone and will ensure that the interests of all sections of society are protected," Mayawati said, addressing a Brahmin Samaj Mahasammelan here. Asserting that her party only opposed the unequal social stratification proposed by Manu and not Brahmins as such, she said, "Our doors are open to all Brahmins who are willing to abandon the 'manuwadi' ideology."

The BSP chief said Dalits and people from other backward communities were solidly behind the party and with Brahmins also expressing their faith in the BSP ideology, none could stop it from getting a clear majority in the next assembly elections. She blamed the Congress, BJP and other 'manuwadi' parties for spreading misinformation that the BSP was against the upper castes and Hindu religion. "The BSP has always given tickets to upper caste candidates during elections and even nominated them to the upper house in the state and parliament," she said, adding that even bureaucrats from among the upper castes had been given due importance in BSP-led governments in UP.

Assuring upper caste people that the BSP would pro-



Mayawati: New Gameplan

tect their interests, she said her party believed in setting up an egalitarian society where everyone would get equal opportunity and treatment. "The BSP's ideology is based on the Hindu code bill prepared in 1949 by Dr B R Ambedkar. It proposes healthy modifications to the Hindu religion," she said, adding that the party was only against the harmful traditions in Hinduism which encouraged social division and discrimination. However, she maintained that her party would always give preference to people who put in maximum hard work. "Other parties will be jealous of this Mahasammelan, and Brahmins as well as Dalits should be cautious of their harmful designs," she warned.

BSP showcases its 'Brahmin might'

Party had never been against upper castes or Hindu religion, says Mayawati



WOING BRAHMINS: The former Uttar Pradesh Chief Minister, Mayawati, at a Brahmin S sammelan organised by the Bahujan Samaj Party in Lucknow on Thursday. PHOTO: SUBIR ROY

Venkitesh Ramakrishnan

LUCKNOW: The Bahujan Samaj Party on Thursday imparted a new dimension to the caste-oriented politics of Uttar Pradesh by showcasing its growing influence among the Brahmin community through a "Brahmin maha rally." The rally marked the culmination of about 50 "Brahmin jodo sammelans" (Brahmin enrolling conferences) that the BSP had held across the State in the past three months.

Addressing the rally, BSP president and former Chief Minister Mayawati said her party had never been against the upper caste communities or the

Hindu religion. "We were branded as anti-upper castes and anti-Hindu by manuvadi vested interests, including political parties and sections of the media." Her party was opposed only to discriminatory tendencies and attitudes such as caste oppression.

Ms. Mayawati said her party had been making concerted efforts to propagate this understanding and these efforts had started showing results in the past few months, especially among Brahmins. The positive appreciation of the BSP among Brahmins in Uttar Pradesh would be beneficial to the community in electoral terms because the party leadership had

decided to give more ticket to the community in the coming elections, she added.

Greeted with rituals

As she arrived at the rally venue, Ms. Mayawati was greeted with Brahmanical rituals. A group of priests chanted Vedic hymns and blew conches while the Brahmin leaders of the BSP, including Sudhir Chandra Mishra, Rajya Sabha member and the chief organiser of the rally, presented her gifts, including a silver axe, mythical weapon of Lord Parashuram, who has emerged as a new icon in the BSP's Brahmin conferences.

Mr. Mishra said Ms. Mayawati had done much more to protect

and uplift the social and political dignity of Brahmins than the leadership of parties such as the Congress and the BJP.

It may be too early to predict the impact of this Brahmin-oriented initiative of the BSP, but there are signs that it has created a threat perception among other parties. The new public holiday announced by Chief Minister and Samajwadi Party leader Mulayam Singh Yadav recently for "Parshuram Jayanti" on May 11 is apparently a reaction to the BSP initiative.

The BSP effort is obviously based on the political calculation that a Brahmin-Dalit combination, along with Muslim support, would bolster its chances.

তফসিলি প্রশ্নে শাস্তি চেয়ে ব্যর্থ কমিশন নামল প্রচারে

দীপেন্দ্র রায়চৌধুরী • ন্যায়াধিকার

৯ জুন: সরকার বনাম তফসিলি জাতি কমিশন।

প্রায় এই পর্যায়েই বিষয়টাকে তুলে নিয়ে গিয়েছেন তফসিলি জাতি কমিশনের চেয়ারম্যান সুরজ ভান। কারণ, কমিশনের সুপারিশ অনুযায়ী সরকারি চাকরিতে তফসিলি জাতি ও অন্য অনগ্রসরদের নিয়োগের প্রশ্নে গাফিলতি হলে শাস্তির ব্যবস্থা করেনি সরকার। এতে চটে গিয়ে সুরজ ভান এখন বিভিন্ন রাজ্যে বিষয়টি নিয়ে প্রচার চালাচ্ছেন। কমিশন অবশ্য একে সাধারণ মানুষের মধ্যে চেতনা বাড়ানোর পদক্ষেপ বলে বর্ণনা করেছে। কিন্তু কমিশন সূত্রের খবর, সুরজ ভান এ কথাই বোঝাচ্ছেন যে তাঁদের মত অগ্রাহ্য করে সরকার তফসিলি জাতিদের স্বার্থ ক্ষুণ্ণ করেছে।

গত অধিবেশনে রাজ্যসভায় সরকার তফসিলি জাতি ও অনগ্রসরদের সংরক্ষণ নিয়ে একটি বিল এনেছে। কিন্তু তাতে কোনও শাস্তিমূলক ব্যবস্থার কথা নেই। সামাজিক ন্যায়বিচার মন্ত্রকের অভিমত হল, শাস্তিমূলক ব্যবস্থা করার কোনও প্রশ্ন নেই। কারণ, কেউ ইচ্ছা করে কর্মী নেন না, এমন নয়। অনেক সময়েই উপযুক্ত লোক খুঁজে পাওয়া যায় না। কিন্তু তাঁদের সুপারিশ এ ভাবে সরকার অগ্রাহ্য করায় চটে গিয়েছে কমিশন। সংশয় নেই, সুরজ ভানের এই প্রচার-কর্মসূচি সরকারকে যথেষ্ট চাপের মধ্যে ফেলবে। কারণ, দেশের বিভিন্ন দল এখন তফসিলি জাতি বা হরিজন এবং তফসিলি উপজাতি বা আদিবাসীদের স্বার্থরক্ষায় সরকারের

উপর চাপ দিতে শুরু করেছে। এঁদের মধ্যে কমিউনিস্টরাও আছেন। তা ছাড়া অন্যান্য অনগ্রসরদের (মধ্যবর্তী জাতিগুলি) হয়ে কথা বলার জন্য লালুপ্রসাদ বা মুলায়ম সিংহরা তো আছেনই।

ঘটনা চক্রে, সমাজের নীচের তলায় থাকা এই জনগোষ্ঠীগুলির স্বার্থে যে সব বিল আনার কথা, গত দু'তিন মাস ধরে সরকার সেগুলি নিয়ে গড়িমসি শুরু করেছে। আদিবাসীদের অরণ্যের অধিকার দেওয়ার জন্য যে বিল আনার কথা ছিল, পরিবেশবিদ এবং বাঘ-বাঁচাও মহলের চাপে তা আপাতত বিশ বাঁও জলে। মামলা-মোকদ্দমাও চলছে এবং সরকার আদালতের অভিমত জানার জন্য অপেক্ষা করার সিদ্ধান্ত নিয়েছে। বেসরকারি ক্ষেত্রে তফসিলি জাতি-উপজাতিদের জন্য সংরক্ষণ চেয়ে বিল আনা হবে না বলেও সরকার শিল্পপতিদের জানিয়ে দিয়েছে।

এই পরিস্থিতিতেই সুরজ ভানের এই অভিযান কিছুটা বাড়তি গুরুত্ব পাচ্ছে। সুরজ ভান আপাতত বিভিন্ন রাজ্যে গিয়ে বিশিষ্ট ব্যক্তিদের একটা কথাই বোঝানোর চেষ্টা করছেন। তাঁর বক্তব্য, যে কোনও আইন ভাঙা হলে তার জন্য শাস্তিমূলক ব্যবস্থা নেওয়া হয়। কিন্তু বছরের পর তফসিলি জাতি-উপজাতিভুক্তদের জন্য সংরক্ষিত ক্ষেত্রে পদের তুলনায় নিয়োগ কম হয়ে চলেছে। এটা আইন ভাঙারই সামিল। কিন্তু তার জন্য কাউকে শাস্তি দেওয়া হচ্ছে না। কমিশন চাইছে, এ ভাবে জনমতের চাপ তৈরি হোক। কারণ, সেই চাপ তৈরি হলে তবেই বিষয়টির কোনও নিষ্পত্তি হওয়া সম্ভব।

ANADABAZAR PATRIKA

Maya woos Brahmins

Statesman News Service

(U) 6
LUCKNOW, June 9. — In a politically significant move, Bahujan Samaj Party today organised a *Brahman Mahasammelan*, for which thousands from all over Uttar Pradesh gathered at Ambedkar Maidan here.

The congregation, the first of its type in UP, was a culmination of more than 50 Brahmin meetings held by the BSP in 21 districts since February. There are around 100 Assembly seats in UP where Brahmins can



At the *mahasammelan*. — PTI
tilt the balance in terms of votes. The rally was clearly an effort to broaden the BSP's support base.

Miss Mayawati, however,

maintained that the rally was not for "vote politics" but an effort "to bring the Brahmins closer to the Dalits and the social divide, which was damaging the cohesiveness of the society". She also claimed that upper caste people were joining the BSP in large numbers.

At the rally, she accepted a *tiara* and alleged that the slogan "*tilak taraju talwar, joota mare char*" (slap the Brahmin, Bania and Rajput with shoes) was never coined by it. "It had been done to give the BSP a bad image," she asserted.

THE STATESMAN

বেসরকারি ক্ষেত্রে তফসিলিদের চাকরি সংরক্ষণের প্রস্তাব খারিজ

স্টাফ রিপোর্টার, নয়াদিল্লি, ৩১
মে: তফসিলি জাতি ও
উপজাতিভুক্তদের জন্য বেসরকারি
ক্ষেত্রে সংরক্ষণের বিষয়টি সম্পূর্ণ
খারিজ করে দিলেন শিল্পপতির। তবে
কেন্দ্রীয় সরকারকে একেবারে শূন্য
হাতে ফেরাননি তাঁরা। প্রতিশ্রুতি
দিয়েছেন, ওই দুই সম্প্রদায়ভুক্তদের
'যোগ্য' করে তোলার কাজে সহায়তা
করতে তাঁরা রাজি।

সরকারি ক্ষেত্রের পরে এ বারে
বেসরকারি ক্ষেত্রেও তফসিলি জাতি
এবং উপজাতিদের জন্য চাকরিতে
সংরক্ষণের ব্যবস্থা নিয়ে ভাবনাচিন্তা
শুরু করেছিল কেন্দ্রীয় সরকার। এই
কথা মাথায় রেখে কৃষিমন্ত্রী শরদ
পওয়ারের নেতৃত্বে একটি মন্ত্রীগোষ্ঠীও
তৈরি করা হয়। কিন্তু প্রথমেই
বেসরকারি ক্ষেত্রের আস্থা অর্জনের
জন্য সরকার প্রতিশ্রুতি দেয়, এই নিয়ে
কোনও আইন করা হবে না। এরই
পরিপ্রেক্ষিতে কুমারমঙ্গলম বিড়লা,

আজিম প্রেমজি, জামশেদ গোদরেজ,
রাহুল বাজাজ, তরুণ দাশ-সহ একশ
জন প্রথম সারির শিল্পপতির লিপিত
বক্তব্য সামাজিক ন্যায়বিচারমন্ত্রী মীরা
কুমারের কাছে পাঠিয়েছেন রতন টাটা।
এতে তাঁরা সরকারকে জানিয়েছেন,
তফসিলি জাতি-উপজাতির শিক্ষার
মান উন্নয়নের জন্য তাঁরা সহায়তা
করতে রাজি আছেন। অর্থাৎ,
নিয়োগের ক্ষেত্রে তাঁরা সংরক্ষণ
করবেন না।

এতেই সন্তুষ্ট মীরা কুমার
আজ শিল্পপতিদের এই বক্তব্যকে
'ঐতিহাসিক অগ্রগতি' হিসাবে উল্লেখ
করে বলেন, "তফসিলি জাতি-
উপজাতিদের যুব সমূহের আশা-
আকাঙ্ক্ষা পূরণে বেসরকারি ক্ষেত্র
কত বেশি এগিয়ে আসতে পারে, সেই
দীর্ঘ যাত্রার পথে এটা প্রথম পদক্ষেপ।"
সেইসঙ্গেই তিনি স্বরণ করিয়ে দেন,
"একটা সময়ে সংরক্ষণ-সহ যে কোনও
সদর্থক পদক্ষেপেরই ভয়ঙ্কর

বিরোধিতা আসত শিল্পপতিদের কাছ
থেকে। কিন্তু এখন তাঁরা একটা অভিন্ন
মঞ্চে এসে দাঁড়ালেন।"

মীরা কুমারই আজ শিল্পপতিদের
চিঠিটি প্রকাশ করেন। এতে বলা
হয়েছে, তফসিলি জাতি-উপজাতিদের
জন্য বৃত্তি দেওয়ার ব্যবস্থা করা,
বেসরকারি স্কুল চালানো, সরকারের
সঙ্গে স্কুল চালানোয় সহযোগিতা করা
বা বৃত্তিমূলক শিক্ষার ব্যবস্থা করার জন্য
তাঁরা এগিয়ে আসতে প্রস্তুত।
শিল্পপতির অস্বস্তি স্পষ্টই বুঝিয়ে
দিয়েছেন, তাঁরা মনে করেন বেসরকারি
ক্ষেত্রে সংরক্ষণের কোনও সুযোগ নেই,
কারণ সেখানে যোগ্যতাই মাপকাঠি।
সেইসঙ্গেই তাঁরা জানিয়েছেন, যোগ্যতা
যে একটি প্রাকৃতিক ঘটনা নয়,
সামাজিক পারিপার্শ্বিকতার ফসল, তা
তাঁরা জানেন। সেই জন্যই তফসিলি
জাতি-উপজাতিদের ছেলেমেয়েরা
যাতে যোগ্য হয়ে উঠতে পারেন, সেই
ব্যবস্থাই তাঁরা করতে চান।

01 JUN 2005

Keep OBCs out of our quota: Dalit, tribal MPs

By Bisheshwar Mishra/TNN

New Delhi: In a rude reminder to advocates of the grand non-'upper caste' social coalition, dalit and tribal MPs have raised the standard of protest against the move to club OBCs with Scheduled Castes/Scheduled Tribes for the purpose of the Bill that seeks to provide legal cover to job quotas.

The vanguard of the resistance is the SC/ST Parliamentary Forum: a 130-strong group of MPs who belong to the two categories from across all parties. The stance was finalised at a recent meeting, and R S Gavai, chairman of the forum, has since written to government asking for OBCs to be kept out of the purview of the Bill.

The proposed legislation is called the Scheduled Caste/Sched-

Members of the forum justify their opposition to the Bill by saying that backwards did not have to suffer economic exploitation on the same scale as tribals. There is also the apprehension that lumping the three groups together might also lead to a demand that the 'creamy layer' among the dalits and tribals could be barred from enjoying quota benefits.

There is apprehension that lumping the three groups of SCs, STs and OBCs together might lead to a demand that the 'creamy layer' among the dalits and tribals be barred from enjoying quota benefits. So far, the concept of 'creamy layer' has been seen as applying more to OBC elites.

The protest defies the passionate advocacy in 90s for a rainbow subaltern coalition on the ground that their interests were common.

Besides, it indicates that dalits and tribals might frown upon the moves of OBC leaders to enlarge the proposed job quota in private sector to make room for so-called backwards.

The Scheduled Caste/Scheduled Tribe and Other Backward Classes (Reservation Bill), 2004 has been thought of in view of the absence of a specific law to back up the constitutional pledge to provide quota for dalits and tribals, and forms part of UPA's CMP. At present, the SC/ST reservation depends on a government order for which an official memorandum is issued by the Department of Personnel and Training. "We have been demanding a comprehensive legislation on SC/ST reservation which also appears in CMP," Gavai said. LJP leader Ram Vilas Paswan is among those spearheading the campaign emphasising that dalits and tribals are different from OBCs.

The stress on separateness of interests comes at a time when the pre-eminence of backwards in the politically-crucial states of UP and Bihar has been seriously challenged by dalits. In UP, BSP under Mayawati has emerged as the main opposition to Mulayam Singh Yadav's ascendancy. In Bihar too, Paswan has been harrying Lalu Prasad.

SHARING MAY NOT BE EASY

- Dalit, tribal MPs feel clubbing them with OBCs will undermine the constitutional safeguards they now enjoy
- OBCs never suffered untouchability as did Dalits or economic exploitation as did tribals, so they can't get same reservations
- The grouping together may also lead to some Dalits, tribals being included in the 'creamy layer' and losing quota benefits

uled Tribe and Other Backward Classes (Reservation Bill), 2004.) The grouse of the agitating MPs is that the nomenclature is based on the assumption that interests of dalits and tribals are common, and those of the OBCs are different.)

While the forum stresses that it is not against government bringing a separate Bill for OBC reservations, it fears that the bunching of the three categories may undermine the constitutional safeguard that only dalits and tribals have.

Moreover, they feel the grounds on which backwards have been given reservations are not the same as those for dalits and tribals. Backwards, for instance, never had to suffer untouchability, or even social discrimination on the same scale as the dalits.

13 MAY 2005

Maya plays Dalit card, threatens to withdraw support

Statesman News Service

NEW DELHI, May 12. —

Making her first appearance in many days, firebrand BSP leader Miss Mayawati monopolised the first half of the Question Hour in the Rajya Sabha today, charging the CBI with "harassing her" because "I am a Dalit" and threatening to withdraw her party's outside support to the government.

The BSP, with 19 MPs in the Lok Sabha and six in the Rajya Sabha, extends outside support to the UPA government since the 2004 Lok Sabha polls.

The issue rocked the Lok Sabha too where angry BSP members,

shouting slogans against the CBI, forced adjournment of the House for 15 minutes. When the House reassembled, senior Congress member and defence minister Mr Pranab Mukherjee said: "It is not our intention to harm a leader... Since Mayawati is our colleague, and her party supports the UPA, the home minister would look into it, and even sit with the BSP members to resolve the issue."

Raising the matter, the first thing after it met for the day, Miss Mayawati told the Upper House that the CBI was targeting her because of her social background and dubbed the agency as "*manuvadi*". She challenged the CBI to

go after the presidents of all other political parties just as it had questioned her in the DA case.

If the CBI was working at the behest of the government in her case, then her party would be compelled to withdraw its support to the UPA, she warned. "I want to tell this to the Prime Minister," Miss Mayawati thundered, trembling with anger and looking at Dr Manmohan Singh who was his old sober self seated on a front seat.

Charging the CBI with adopting double standards, she claimed that CBI officers had questioned her in the case after clubbing all the properties possessed by her, her parents and her relatives.

Somewhat darkly suggesting "serious trouble ahead", the BSP leader said: "The Dalits are very angry all over the country and the law and order situation in the country might deteriorate. The matter is very serious."

She hastened to add that she was raising the issue not to save herself or to exert pressure, but to bring to the notice of the House the "double standards" being followed by the CBI. While a single FIR was filed against others in the case, a double FIR was registered against her. "Was it just because I am a Dalit," she asked and wondered why the CBI filed the DA case after giving her a clean chit earlier.

What worries Congress...

Statesman News Service

NEW DELHI, May 12. —

Aware of the BSP's political significance at the Centre as well as in Uttar Pradesh, the Congress central leadership is treading cautiously on the issue of the CBI's move against the BSP supreme.

The Congress today sought to deftly handle the Mayawati-CBI affair. The CBI has recently grilled

Miss Mayawati in a case of disproportionate assets against her. Reeling under the CBI action, Miss Mayawati turned the heat on the UPA government today, saying she will have to reconsider her party's outside support to the government if it does not "rein in" the CBI.

Making a tightrope walk on the issue, the Congress said it has taken note of the BSP MPs' "displeasure and anger" and that the party

"understands the BSP's anguish". At the same time, Congress spokesman Mr Anand Sharma said: "The case against Miss Mayawati is sub-judice before the Supreme Court and the government has no role in the episode. It cannot interfere in the matter as the CBI is an autonomous body." The Congress does not want to upset the BSP chief because of her party's strategic importance as "back-up support".

THE STATESMAN

Bihar: Schooled in caste

Manoj Chaurasia in Patna

May 9. — Mr Lalu Prasad's offensive slogan, *Bhurabal saaf karo* (get rid of BhuraBaL) — B for *Bhumihar*, R for Rajput, B for Brahmin and L for Lala (Kayasthas), evoked strident protests even in his heyday as Bihar's chief minister when the Rashtriya Janata Dal did all it could to consolidate his backward-caste vote bank.

Now, with the Election Commission charged by Mr Prasad of a caste bias amid calls from his cronies

for a caste quota in the EC, it has come to light that the headmaster of a government-run primary school in Champaran, Mr Deepa Ram, has gone even farther, if in the other direction.

To "help" children from non-English-speaking backgrounds to learn the "difficult" foreign alphabet, he has hit upon an equally offensive way of doing so.

In his class, A stands for Ansari (a perceived low sub-caste within the Muslim community), B for *Baitha* (the backward caste of washermen), C

for *Chamar* (cobblers and those engaged in occupations making them handle animal hides), D for *Dusadh* (a sub-caste associated with the distilling and supply of toddy) and M for *Mehuar* (scavengers).

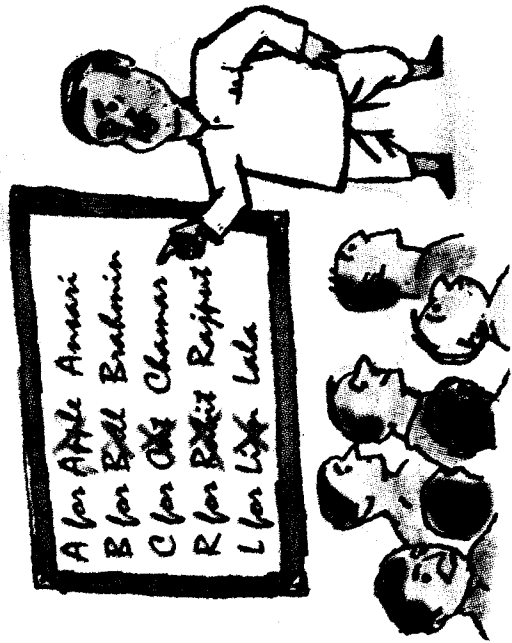
A Central team came across this novel teaching method during a surprise inspection of Harihar primary school in the Chiraiya block of Bihar's East Champaran district, associated in India's collective consciousness with Mahatma Gandhi's *Satyagraha*.

But that wasn't all. Mr

Ram, apparently keen to ensure that his "theory" was firmly embossed on young minds, also used the mid-day meal the government supplies free of cost to further the adoption of his slogan.

The headmaster would reportedly inscribe the letters — A, B, C, D and so on — on the plates before distributing them in accordance with the caste of the child.

The Central team reported its findings to the state government which in turn suspended the headmaster. Too little, too late?



RJD QUOTES DM REPORT TO BOLSTER ALLEGATION

CEC trashes casteist slur

9-
Corder & Brink
SI-1
9/5

SNS & PTI

Controversy over press meet

NEW DELHI, May 8. — Chief Election Commissioner Mr TS Krishnamurthy today strongly denied that his colleagues Mr BB Tandon and Mr N Gopaldaswamy had made casteist remarks against the Yadavs as alleged by former poll observer Mr LV Saptharishi. "I am rather sorry and feel very bad that such allegations are being made," the CEC said at a press conference after a full meeting of the Election Commission.

Mr Krishnamurthy also rejected the allegation that the EC had acted under pressure from Mr LK Advani in countermending polls in Chapra.

In his letter to the Union law minister, Mr HR Bhardwaj, Mr Saptharishi said after he had submitted his report, Mr Tandon asked him who was the SP and where was he from. "I said he is some Yadav....may be from Bihar or UP. Then Mr Tandon reacted.....no matter where he is from, all Yadavs are the same," the officer claimed.

"Mr Tandon and Mr Gopaldaswamy were sitting close to me. I know what remarks they have been making. Why should such a statement be made? I have not heard any such casteist remarks," Mr Krishnamurthy said adding that he was "surprised, shocked and dismayed over the whole episode". "The EC has never discussed caste, community or creed while taking decisions," he said. "The EC considers it beneath its dignity to respond to baseless allegations singling out the two election commissioners," a press note issued by the EC said. All decisions were unanimously taken on the basis of factual information, the CEC emphasised.

RJD spokesman Mr Shivanand Tiwari flagged a report purportedly given by the then DM-cum-Retaining Officer for Chapra, Mr BB Pradhan, alleging it also had accused the poll watchdog of "caste bias". "It is not only Mr Saptharishi's report. The report of Mr Pradhan to the Commission on 5 May, 2004 also made similar charges," Mr Tiwari



Mr Saptharishi addresses the media at the India International Centre on Sunday. — PTI

NEW DELHI, May 8. — Mr Saptharishi today beat a hasty retreat from his media briefing at the India International Centre apparently due to lack of clearance. "Excuse me please, who has given you permission to hold this press conference?" IIC general manager Mr Lalit K Joshi

asked him 10 minutes after he began addressing media-persons. Mr Saptharishi said the place had been booked by a member and asked Mr Joshi to check it from records. Mr Joshi came back after five minutes and told him: "You are using this place unauthorisedly." Asked how he could take a high moral ground against the EC while he himself was using the IIC unauthorisedly, Mr Saptharishi said: "No..No...it was booked" and boarded his car. "He said that Mr Krishnamurthy had booked it, though the latter had only come for a lunch with a friend. Why would he book a space for Mr Saptharishi?" Mr Joshi said. "Mr Saptharishi is not even a member of the ICC. Mr Joshi would lodge a formal complaint with the authorities. — SNS

told reporters in Patna. "There is a similarity in the two reports," he alleged and demanded EC make the two reports public.

CPI-M general secretary Mr Prakash Karat said: "Though Mr Saptharishi is an upright officer, we are not interested in being dragged into a controversy of criticising a constitutional body like EC since we respect it."

Jaitley volte-face

Mr Arun Jaitley of the BJP, who was the Union law minister at the time of the Chapra polls and had praised Mr Saptharishi, today accused him of acting out of "desperation" of "retirement blues."

69 MAY 2005

THE STATESMAN

'ECs are communal, casteist'

Law Minister H R Bhardwaj, Saptarishi, a West Bengal cadre officer, has only a few months to retire. His letter, dated May 6, reached the RJD before it reached the Law Minister. Saptarishi is now the Director General of CAPART, on Central deputation, under the ministry of rural development. RJD leader Raghuvansh Prasad Singh is the minister in the department.

Claiming that his "conscience will not permit to keep quiet," the IAS officer has claimed: "EC Tandon told me he would teach a lesson to Shri Laloo Prasad Yadav and all other Yadavs...he told me that the SP, Chapra, cannot be trusted because he is a Yadav and no Yadav can be trusted."

"The purpose of my letter is to bring to your kind notice as how the two Election Commissioners, Shri B B Tandon and Shri N Gopaldaswami owing their allegiance to BJP, RSS and other communal alliances and totally opposed to secular and democratic forces in the country, put their pressure on (Chief Election Commissioner) Shri T S Krishna Murthy and had their way."

Strongly denying the charge that they did not allow Krishnamurthy to accept Saptarishi's report and forced him to go for repolling, Gopaldaswami said: "The order was *absolutely* unanimous. All three members agreed and signed the order."

In the letter, Saptarishi alleged that Tandon and Gopaldaswami took a partisan view on the issue of countermanding the Chapra polls on the basis of a biased inquiry report submitted by EC Advisor K J Rao and Principal Secretary Anand Kumar, over-ruling his own recommendation

that countermanding was not required.

Rao, who is Chennai, told *The Sunday Express* that his report on Chapra is lying with the Commission, "I gave a 15-page independent inquiry report where I also quoted Saptarishi. It is for the Commission to decide. Besides, the Commission never takes a decision on a single report."

In fact, the EC's May 20, 2004 order states: "The manner in which the

'EC Tandon told me he would teach a lesson to Laloo Prasad Yadav and all other Yadavs... he told me the Chapra SP can't be trusted as he is a Yadav and no Yadav can be'

Voter's Registers in Form 17 A were manipulated by them (polling personnel who connived with one party or the other), so as to cover their misconduct at the polling stations, examples of which are galore in the report of the inquiry team...clear manifestation of their complicity and connivance in the booth capturing and vitiation of poll conducted by them."

Describing the allegation as "baseless", the EC officials pointed out that Saptarishi was a Special Observer based in the state headquarters (Patna) and that there was four observers in addition to returning officers who had also sent their reports.

IDBI chief arrested, freed on bail

Times News Network

Mumbai: Chairman of the Industrial Development Bank of India (IDBI) V P Shetty was arrested by Mohan Rathod here on Friday following a complaint filed against him by a general manager of the bank, B W Ramteke, who belongs to the scheduled caste. Shetty had moved the high court seeking its protection from arrest. But the court rejected his plea following which he was arrested.

Soon after the HC passed its order, a large posse of policemen led by Rathod and senior inspector of Cuffe Parade police station Vilas

Pandit rushed to IDBI Tower at the World Trade Centre in Cuffe Parade and asked Shetty to come to the assistant commissioner's office at Colaba. The IDBI management had ordered tight security at its tower complex and mediapersons were kept at bay. Police jeeps were parked in the compound to take Shetty away.



V P Shetty

that a case under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, has not been made out by Ramteke. The court took note of

the fact that the allegedly casteist insult was not given in public, Maneshinde stated.

Majid Memon and Parvez Memon, who appeared for Ramteke, opposed the quashing of the complaint under the Prevention of Atrocities Act even though Ramteke was not insulted in public view. On April 30, 2006, Ramteke, general manager of IDBI's Stressed Assets Stabilisation Fund cell and chief liaison officer (CLO) for scheduled caste and scheduled tribe employees of the institution, lodged a first information report (FIR) at the Cuffe Parade police station against Shetty.

07 MAY 7

THE TIMES OF INDIA

Quota no cure, says Yechury

24/4 J. Carlin & Co
STATESMAN NEWS SERVICE

NEW DELHI, April 23. — The CPI-M Politburo member, Mr Sitaram Yechury, has said that giving reservations to Dalits and the backwards is no panacea for their deep-rooted socio-economic problems. The need of the hour is to bring about an integration of the struggles against "social oppression" and "class exploitation" for unleashing a wider agrarian revolution across the country, he feels.

Mr Yechury's observations, carried in the April 24 issue of the party mouthpiece, People's Democracy, came during his speech at the Ambedkar Jayanti functions organised separately by the Left Front governments in West Bengal and Tripura on 14 and 20 April.

"It is precisely because communists seek and strive for such an integration that various caste leaders pour venomous attacks on them. For when such an integration takes place, there is no room for the sordid political bargaining and manoeuvring that is indulged in by some leaders in the name of the exploited castes. Therefore, while supporting reservations for Dalits and the backward castes we should unhesitatingly emphasise that this is not the final solution." Mr Yechury said.

The party Politburo member said the adherence to reservation policy as a means of improving the socio-economic status of Dalits and backward by some political parties had barely made any difference to their lives.

He said the ruling classes, in the name of giving quotas pitted one section of the struggling masses against another.

24 APR 2005

THE STATESMAN

Global eye on caste bias

KAY BENEDICT

Cont. Business 2/27/04

New Delhi, April 22: Caste discrimination in India has come under international glare.

Thanks to relentless campaigning by the International Dalit Solidarity Network and the National Campaign on Dalit Human Rights, the UN has decided to appoint two special rapporteurs to investigate discrimination based on work and descent.

The move by the UN Commission for Human Rights, the first ever, will bring solace to some 170 million Dalits. The commission feels caste discrimination should be brought under human rights.

The rapporteurs (who report) have been asked to prepare a study on discrimination and submit a preliminary report to the sub-commission on promotion and protection of human rights. They would then have to give a progress and a final report.

In its Tuesday meeting in Geneva, the sub-commission adopted a resolution approving the appointment of the two representatives, Yozo Yokota and Chin-Sung Chung.

The move comes in the wake of an international consultation in Kathmandu last year. The Kathmandu Dalit Declaration lists measures to be taken not only by governments, the UN and development agencies, but also the private sector, trade unions and international financial institutions.

The UN sub-commission will undertake a three-year study led by the rapporteurs. Draft guidelines would then be put together to eliminate discrimination based on work and descent, said Arun Khote of the national campaign.

Its general secretary Vincent Manoharan, who campaigned in Geneva, said: "This is a belated victory in the internationalisation of the plight of Dalits."

He said he welcomed the stance of the Indian government, which "did not stand in the way of the passing and adoption of this resolution".

The move will help end caste and related forms of discrimination not only in India but also Bangladesh, Japan, Senegal and Nigeria.

Some 260 million people globally are deprived of basic rights by such forms of discrimination.

The resolution urged the UN secretary-general and the UN high commissioner for human rights to provide the special rapporteurs all the necessary assistance.

দলিতদের স্বাভিমান এ বার গুরুত্ব পাচ্ছে সি পি এমে

প্রসূন আচার্য • নয়াদিল্লি

৬ এপ্রিল: হিন্দি-বলয়ে বাড়তে হলে দলিত, অনগ্রসরদের আত্মমর্যাদার লড়াইয়ে সামিল হতে হবে সিপিএমকে। জাতপাতের রাজনীতির মোকবিলা করে কমিউনিস্ট পার্টির বুদ্ধি ঘটতে গেলে এটাই একমাত্র উপায়। পলিটব্যুরোর সদস্য বিমান বসু থেকে আরম্ভ করে বিহার থেকে কেন্দ্রীয় কমিটির সদস্য সুবোধ রায়, প্রত্যেকেরই এই রায়।

দলের মধ্যে চাপ যে ভাবে বাড়ছে, তাতে এই প্রথম ভারতীয় বর্ণাশ্রম ব্যবস্থাকে স্বীকার করে নিয়ে একই সঙ্গে জাতপাতের বিরুদ্ধে লড়াই এবং বর্ণ সংঘর্ষকে কাজে লাগিয়ে দলিত-গরিবদের মধ্যে নিজেদের প্রসারের উপায় খুঁজে পেতে চলেছে সিপিএম। দলকে ছড়িয়ে দিতে সিপিএম যে পাঁচ রাজ্যে এ বার সব চেয়ে বেশি জোর দিচ্ছে, তার মধ্যে বিহার, ঝাড়খণ্ড, উত্তরপ্রদেশ এবং মহারাষ্ট্র— চার রাজ্যেই ভোট-রাজনীতিতে জাতপাত অন্যতম বিষয়।

পলিটব্যুরোর সদস্য বিমান বসুর বক্তব্য, “উচ্চবর্ণের বিরুদ্ধে দলিত-অনগ্রসরদের মর্যাদার লড়াইয়ে পার্টিকে এগিয়ে এসে নেতৃত্ব দিতে হবে। না-হলে এঁদের সমর্থন পাওয়া যাবে না।” বিমানবাবু জানান, এই ব্যাপারে অন্ধপ্রদেশ ও তামিলনাড়ুতে দল কিছু কার্যকর ব্যবস্থা নিয়েছে। চৈতন্যদেব, বিদ্যাসাগর, বিবেকানন্দ, অশ্বৈকরদের

কথা উল্লেখ করে বিমানবাবু বলেন, “এঁরা কী ভাবে দলিতদের আত্মমর্যাদার জন্য সামাজিক আন্দোলন করেছিলেন, তা মনে রেখে আমাদের এগোতে হবে। এঁরা প্রত্যেকেই বেদ ভিত্তিক বর্ণব্যবস্থার বিরুদ্ধে সরব হয়েছিলেন। মুখে আমরা যতই শ্রেণি সংগ্রামের কথা বলি, এই মনীষীদের দেখানো পথে না-এগোতে পারলে দলিত-অনগ্রসরদের পাশে পাওয়া সম্ভব নয়।”

সিপিএমের বড় অংশ এখনও মার্ক্স, লেনিন, মাওয়ের পথেই শ্রেণি সংগ্রামকে আঁকড়ে দলকে এগিয়ে নিয়ে যাওয়ার পক্ষে। আজ তালকাটোরা স্টেডিয়ামেও এই নেতাদের বড় বড় কাট-আউটের মধ্যেই সম্মেলন শুরু হয়েছে। সেই সঙ্গে নাশ্বুদ্রিপাদ, প্রমোদ দাশগুপ্ত, রণদিভেদের কাট-আউট। এঁদের কাছে আর্থিক প্রস্তুতি ছিল লড়াইয়ের মূল বিষয়, ভারতীয় জাত রাজনীতি নয়। উল্টো দিকে, সিপিএম-ও হিন্দি-বলয়ে ক্রমেই পিছিয়ে পড়েছে। বিহারে দলের সদস্য সংখ্যা গত বারের তুলনায় আরও কমেছে।

বিতর্ক তুলে সুভাষ চক্রবর্তী ইতিমধ্যেই বলেছেন, “দলকে রণনীতি বদলাতে হবে। বর্ণ সংঘর্ষকেই শ্রেণি সংঘর্ষ হিসাবে মেনে নিতে হবে।” এ বার মুখ খুললেন বিমানবাবু। তাঁর মন্তব্য, “ব্রাহ্মণ্যবাদের বিরুদ্ধে দলিতদের যে লড়াই, তাতে দলিতদের পক্ষ নিয়ে মায়াবতী-রামবিলাসের দলগুলি ভোট পাচ্ছে। কিন্তু তাদের

অবস্থার কোনও উন্নতি ঘটছে না। কমিউনিস্টরাই একমাত্র পারেন তাঁদের পাশে দাঁড়িয়ে, তাঁদের স্বাভিমান এবং আর্থিক লড়াইয়ের নেতৃত্ব দিতে।”

বিহারের হতাশাজনক ফলের পরে আজ তালকাটোয়ায় দাঁড়িয়ে সুবোধ রায়ও বলেছেন, “এত দিন জাতের লড়াইকে পুরোপুরি উপেক্ষা করার ফল হাতেনাতে পাচ্ছি। এই লড়াইয়ে যে ইতিবাচক দিকও আছে, আশা করি পার্টি এ বার তা বুঝবে। কারণ কেবল পেটের ভাত-রুটি নয়, আত্মমর্যাদাও গরিবের কাছে বড় ব্যাপার। সেই দিকে লক্ষ রেখে আরও বেশি করে সামাজিক আন্দোলনে সামিল হতে হবে। প্রয়োজনে ‘হোলটাইমার’ নিয়োগ করতে হবে।” সুবোধবাবু বিহার থেকে যে প্রতিনিধিদের নিয়ে এসেছেন, এ ব্যাপারে তাঁরা সকলেই একমত।

দল যে নতুন পথের সন্ধান করছে, তা সাংগঠনিক খসড়া রিপোর্টেও পরিষ্কার। বলা হয়েছে, গুজরাত, রাজস্থান, মধ্যপ্রদেশ, ছত্তীশগঢ়ের আদিবাসী এলাকায় কাজ করে আর এস এস নিজেদের প্রভাব বাড়িয়েছে। বিজেপি ভোটে তার ফল পাচ্ছে। কিন্তু সিপিএম রাঁচিতে আদিবাসী কনভেনশন করলেও অজ্ঞ ছাড়া আদিবাসীদের মধ্যে নিজেদের প্রভাব বাড়াতে পারেনি। পরিকল্পিত ভাবে ‘হোলটাইমার’ নিয়োগ করে আদিবাসী জনতার পাশে দাঁড়ানোই এ বারের পার্টি কংগ্রেসের সিদ্ধান্ত।

07 APR 2005

ANADABAZAR FAIRAKA

Cong in Backward Muslim quota call

Statesman News Service

LUCKNOW, April 4. — In its bid to improve its support base among the Muslims, the Congress had demanded that backwards among the community be accorded reservation from within the quota of backward classes.

The Congress move is being perceived as part of its campaign to counter the Samajwadi Party Muslim vote base in UP.

State party chief Mr Salman Khurshid said that 10 per cent of job reservation should be given to the Muslim Backwards from the within the 27 per cent reservation presently available to the backward classes in the state.

Mr Khurshid said this provision is already applicable in Karnataka and Kerala. He demanded that the chief minister, Mr Mulayam Singh Yadav, should make his stand clear on the subject that was agitating the minds of the minority community.

Addressing a dharna organised by the party's Minority Cell, Mr Khurshid said the state government was only coming out with false promises to uplift the community and hoodwinking them to garner their votes.

"If Mr Yadav is a real champion of their cause he should immediately announce 10 per cent reservation for Muslims in the state," he said.

Invoking Mrs Sonia

Gandhi's name, Mr Khurshid said that she was serious about providing relief to the minority community and the backwards.

Mr Khurshid said that reservation to the Muslim backwards should not be limited only to government jobs but should include the private sector as well.

He said the government should encourage those private organisations and corporate bodies providing such reservation by granting exemptions on various counts, including tax relief.

The Congress' latest move to woo the minority community comes in the wake of the stringent attack by parliamentary affairs minister Mr Azam Khan, the SP's Muslim mascot, over setting up of a specialised Urdu University at Rampur. The Governor, Mr TV Rajeswar, has not given his assent to the University Bill.

Mr Khan alleges that Mr Rajeswar had done so at the instance of the Congress. "It betrayed the party's anti-Muslim stand. The party wants to keep them illiterate deliberately," he maintains.

In the meanwhile, the Congress to counter the SP's university move has come up with the idea of setting up a central university to be named after Maulana Abdul Kalam Azad in the state capital.

05 APR 2005 THE STATESMAN

QUOTA POLITICS

Exploitation In The Name Of Social Justice

By YP GUPTA

The recent move to foist a quota for Scheduled Castes and Scheduled Tribes in the private sector has been strongly opposed by the business lobby. A ministerial group has been formed to work out reservations in the private sector. This would be detrimental to the efficiency and quality of private industry, and would kill enterprising efforts. Even the man who mandalised society in 1990 on a caste basis feels sharing of social responsibility should not affect the private sector's efficiency. Even in the days of garibi hatao, the staff pattern in the private sector was not touched.

Private industry survives on the quality of its products. Such a move would violate fundamental rights of a private individual. In a bid to foist reservations in the private sector, the government recently directed NGOs receiving its funds to implement a job quota policy.

Reservations ineffective

In a landmark verdict, the Andhra Pradesh High Court has set aside the state government orders on reservation for Muslims. Also, the Supreme Court has quashed the legislation enacted by the Andhra government providing quota on the basis of sub-castes for Scheduled Castes as unconstitutional. Such a classification on a sub-caste basis violates Article 14 of the Constitution.

It is unfortunate that quota politics is being exploited to secure votes in the name of social justice. Politicians have been using the quota plank and casteism as tools for votes from the downtrodden. They are adding more and more castes in the list of Other Backward Classes (OBC) in the reservation quota, making reservation a mockery. They hardly bother about national interest, development and performance. They have now discovered reservations for economically weaker sections in the upper castes. A quota for this

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section was earlier announced in Rajasthan. There is thus no end to quotas.

Quotas have hardly improved the lot of the downtrodden. They have rather created an explosive unemployment situation because the number of unemployed tal-



ented youth have increased manifold. The rising number of suicides by unemployed educated youth in the recent past bears eloquent testimony to this. Today, there are over 36 million unemployed people and over 55 lakh are educated unemployed. Twenty per cent of engineers are unemployed. The unemployment rate is more than seven per cent. The unemployment situation in Delhi is quite alarming. There are seven lakh literates registered at 20 employment exchanges out of which 5.8 lakh are graduates. It would suggest that politicians offer only quotas, not jobs.

Sacrificing merit

Also, under the pretext of reservations, state governments have been eroding the quality of education. It has deteriorated owing to the accommodation of those less qualified in the medical sciences, engineering or other institutions of higher learning, where merit has been sacrificed. A Scheduled Tribe student was admitted to an engineering course on a quota basis after securing just one mark out of 900 in the pre-engineering test. Another got a medical seat after securing four per cent marks in the pre-medical test. The eligibility for

admission to the engineering course in the general category was 546 marks out of 900. Politicians are responsible for creating such a situation. They prefer to go abroad for their treatment instead of going to those who acquire their medical degrees

under the reserved quota.

The Supreme Court had ruled that merit should be the sole criterion for admission to super-speciality courses in medicine and engineering. It held that in the matter of admission to post-graduate medical courses, candidates of the special category (Scheduled Castes, Scheduled Tribes and other Backward Classes) must secure the minimum qualifying marks (35 per cent) in the entrance test to maintain the minimum professional standard of a medical college course. Accordingly, the UGC issued instructions that there would be no quota for SC/STs in M Phil and PhD courses in central universities. Today, the country badly needs talented youth. It cannot afford to lower its academic standards and quality of education by preferring less qualified on a quota basis. Nor can it afford inefficiency or incompetence.

The quota policy has not been able to transform the oppressed and suppressed castes. The government must in fact ensure that the goal of universal access to education does not remain a chimera. Backward class students must be given the advantage of good education or sound vocational training and not the easier option of quotas.

It is true that even today that the downtrodden live in slums without proper health care amenities. A majority of them continue to remain half-fed and the economic status of a section of this class has not improved. But politicians have been coining catchy slogans to help them. Earlier, they exploited casteism. They are now encouraging religion-based and private sector quotas by amending the Constitution so as to override the verdict of the Supreme Court.

Equality before law

The Supreme Court had earlier held that reservations should not exceed 50 per cent. The court had also not allowed the two southern states (Tamil Nadu and Karnataka) to raise the quota over 50 per cent as it held that it is beyond the scope of Article 16 of the Constitution. The court also held that caste criterion for promotion is violative of Article 16(4) of the Constitution. Equality before law is a basic concept of our Constitution where every one gets equal opportunities to develop and flourish under Article 16(1). However, Article 16(4) has empowered the government to provide reservations for backward sections who were oppressed under British rule, and who had remained socially and educationally backward because of their birth outside the framework of the caste system. As such, any attempt to raise the reservation quota beyond 50 per cent would be violative of Article 16(1) as it would make the "equality of opportunity" provision a mockery.

Religion or caste-based politics of quotas in the name of social justice is most undesirable. Politicians should not tamper with the Constitution or agitate over the Supreme Court ruling. Any defiance would be against the rule of law, and would be detrimental to the interest of thousands of youth. The government must generate employment and also raise employment opportunities for backward classes but not at the cost of efficiency and merit.

List lament

Koch-Rajbongshis deserve attention

Three million Koch-Rajbongshis in the Bodo region have reason to be restive over their demand for Scheduled Tribes (plains) status. Originally in the Centre's OBC list, they began getting benefits enjoyed by listed classes through an Ordinance passed in 1995 during the late Hiteshwar Saikia's Congress government. In the interim, a Bill was introduced in Parliament wherein a select committee also recommended their inclusion. But for some reason, passage of the Bill was delayed, necessitating four fresh Ordinances during the interregnum. Then in 1997 the Bill lapsed, leaving the community in the lurch — it even lost OBC status. If Parliament failed to pass the Bill it could be because of objections from the Bodos and the Asom Gana Parishad. The Tribal Students' Federation in Assam is also opposed to the idea, arguing that the community was garnering most of the 10 per cent seats reserved for them. That the community does not meet the necessary criteria laid down by the Centre for inclusion in the listed classes was another reason touted. But so determined was the Congress under Narasimha Rao that his welfare minister, Sitaram Kesri, even advised the All Assam Koch-Rajbongshis Khatriya Sammillan to drop the word "Khatriya" and replace it with "Adivasis".

Congress' good intention turned out to be temporary expediency. One, however, cannot ignore the fact that the Koch-Rajbongshis must be given their due. Congress softness towards them is understandable since they decide the fate of candidates in at least 35 assembly constituencies. Their threat to join the rebel movement for a separate Kamtapur state needs to be taken seriously because their treading the path of violence will ensure the Bodo region falls into turmoil again.

মায়াবতীর হাত ধরে আর্ষাবর্তে এ বার কি ব্রাহ্মণের দলিতায়ন?

গৌতম রায়

তিলক, তরাজু উর তলোয়ার/ইনকো মারো জুতে চার

আশির দশকে আর্ষাবর্তের প্রতিটি প্রান্তে এই স্লোগান ধ্বনিত হত। প্রথমন করেছিলেন বহুজনসমাজের একচ্ছত্র নেতা কাঁসি রাম। তাঁর কাছ থেকে এই রণধ্বনি কণ্ঠে তুলে নিলেন তাঁরই সুযোগা শিষ্যা মায়াবতী। দলিত ক্ষমতায়নের অবিমিশ্র অভিগ্ৰহণ হয়ে ওঠে এই স্লোগান। কাঁসি রাম আজ মায়াবতীর বাড়িতেই গৃহবন্দী, অসুস্থ, বাকশক্তিহীন। তাঁর মানসপ্রতিমা মায়াবতী উত্তরপ্রদেশের জেলায়-জেলায় 'ব্রাহ্মণ সম্মেলন' করে বেড়াচ্ছেন। ক্ষত্রিয়ের তলোয়ার এবং বেনিয়ার দাঁড়িপাল্লা (তরাজু) এখনও তাঁর কাছে অচ্ছূত। কিন্তু ব্রাহ্মণরা স্বাগত। হ্যাঁ, মনুবাদের যথার্থ প্রণেতা ও প্রবলতম প্রবক্তা ব্রাহ্মণরা। প্রতাপগড় জেলা দিয়ে এই সম্মেলন শুরু হয়েছে। সেই প্রতাপগড়, যা মুলায়ম সিংহের মন্ত্রী রাজা ভাইয়ার ক্ষত্রিয় ভূখণ্ড। ভোটের রাজনীতি সত্যিই বড় বালাই।

দলিত নেত্রীর ব্রাহ্মণ সম্মেলনের মঞ্চে মাল্যবান দুটি ছবি। বাবাসাহেব অশ্বেডকর। এবং অন্যটি পরশুরাম। হ্যাঁ, পুরাণ অনুযায়ী একশবার ধরিত্রীকে নিঃক্ষত্রিয় করা পরশুরাম।

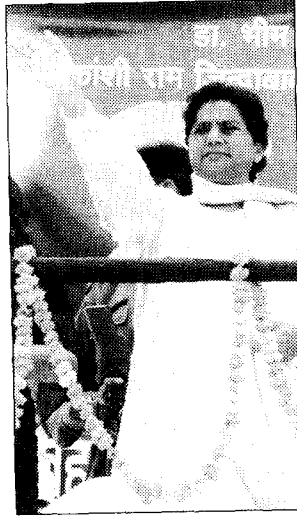
'ক্ষত্রিয়কধিরময়ে জগদপগতপাপং/

স্পয়সি পয়সি শমিতভবতাপম্' অর্থাৎ ক্ষত্রিয়ের শোণিতধারায় ধরিত্রীকে স্নান করিয়ে তার পাপ মোচনকারী ভূগপতির। হিন্দি বলয়ের চলতি পরিভাষায় 'ঠাকুর' হিসাবেই যাঁরা বেশি পরিচিত, সেই ক্ষত্রিয়দের তার মানে আর প্রয়োজন নেই। অস্তিত্ব মায়াবতী অন্যায়সে ক্ষত্রিয় সমর্থনের আশা বর্জন করতে পারেন। সেটা কি এ জন্য যে ঠাকুর অমর সিংহের নেতৃত্বে উত্তরপ্রদেশের ক্ষত্রিয়কুল অনগ্রসরদের মসিহা ও সংখ্যালঘুর পরিব্রাতা মুলায়ম সিংহের রাজনৈতিক কর্তৃত্ব শিরোধার্য করে নিয়েছেন? হয়তো তাই। তা না হলে মায়াবতী জেনেশুনে এমন একজন পৌরাণিক নায়ককে মঞ্চে বরণ করবেন কেন, যিনি শুধু বিষ্ণুর ষষ্ঠ অবতারই নন, ত্রেতা যুগে ক্ষত্রিয়দের অত্যাচার দমন করতেই যিনি প্রাণের প্রদীপ জ্বালিয়ে ধরায় এসেছিলেন?

ব্রাহ্মণদের সঙ্গে মায়াবতীর ঘনিষ্ঠতা অবশ্য এই প্রথম নয়। বেশ কিছু কাল ধরেই তিনি তাঁর দলিত-মুসলিম ভোট ব্যাংক সম্প্রসারিত করার চেষ্টা করে চলেছেন। তাঁর দলিত ভোটব্যাংক মোটামুটি অক্ষত থাকলেও সংখ্যালঘু ভোটব্যাংক মুলায়ম সিংহ থাকা বসিয়েছেন। নিজের নির্বাচনী গণভিত্তির সীমান্ত প্রসারিত করতে না পারলে দলিত রাজের পক্ষ যে অধরাই থেকে যাবে, এটা বুঝতে তাঁর দেরি হয়নি। তাই মনুবাদের বিরুদ্ধে মতাদর্শগত কামাননির্ঘোষ অব্যাহত থাকলেও ব্রাহ্মণ রাজনীতিকদের দলে টানতে তিনি চেষ্টার কসুর করেননি। গত বিধানসভা নির্বাচনে মায়াবতী রাজের ৩৮টি আসনে ব্রাহ্মণ

প্রার্থীদের টিকিট দিয়েছিলেন। তাঁদের মধ্যে ৮ জন জয়ীও হন। লোকসভা নির্বাচনেও মায়াবতী ৮ ব্রাহ্মণকে প্রার্থী করেন, যাঁদের মধ্যে একজন মাত্র জিতে আসেন। এ বার সম্ভবত নির্বাচনী রাজনীতির বৃন্তের বাইরে গিয়ে সামাজিকভাবে বর্ণশ্রেষ্ঠদের বহুজনসমাজের অন্তর্ভুক্ত করার আন্দোলনে নেমেছেন তিনি। তাই ব্রাহ্মণ সম্মেলন।

কিন্তু পরশুরামকে অশ্বেডকরের পাশে মঞ্চে স্থান করে দেওয়া কি কেবল ঠাকুরদের দলিত-বিরোধিতার প্রতিশোধ নিতে? সম্ভবত তা-ই। কারণ শূদ্ররা, অশ্বেডকরের মতে, একদা ক্ষত্রিয়ই ছিলেন।



মায়াবতী উত্তরপ্রদেশের
জেলায়-জেলায় 'ব্রাহ্মণ
সম্মেলন' করে
বেড়াচ্ছেন। ক্ষত্রিয়ের
তলোয়ার এবং বেনিয়ার
দাঁড়িপাল্লা (তরাজু)
এখনও তাঁর কাছে
অচ্ছূত। কিন্তু ব্রাহ্মণরা
স্বাগত। ভোটের
রাজনীতি বড় বালাই।

মনুষ্মতির বিশ্লেষণ করে তিনি দেখিয়েছিলেন, বৈদিক যুগে একজন শূদ্র তাঁর সপ্তম প্রজন্মে ব্রাহ্মণত্ব অর্জন করতে পারতেন, যদি তাঁর ছয় জন পূর্বপুরুষই ব্রাহ্মণকে বিবাহ করতেন। (মনুর অনুশাসনে অবশ্য শূদ্র পুরুষের সঙ্গে ব্রাহ্মণ নারীর মিলনজাত সন্তানকে চণ্ডালজন্মে অধঃপতিতও করা হয়েছে।) কিন্তু অশ্বেডকর শূদ্রদের ক্ষত্রিয়ত্বলা উচ্চ বর্ণের মানুষ বলে দাবি করেছিলেন, যাদের মধ্য থেকে অনেকে রাজাও হন এবং যাদের ছাড়া রাজ্যভিষেকের অনুষ্ঠান পর্যন্ত সম্পন্ন হত না। এমনকী তপোনিষ্ঠাননিরত দেবতা অশ্বিনীকুমারদয়ও শূদ্র পরিগণিত হতেন। তাঁর মতে অচ্ছূতরা ছিলেন প্রাগাৰ্য সেই সব 'ভাঙাচোরা মানুষ', যাঁরা ক্ষত্রিয় রাজাদের দ্বারা পরাস্ত ও উৎখাত হয়ে বৌদ্ধ ধর্ম গ্রহণ করেন এবং ব্রাহ্মণদের দ্বারা সমাজ থেকে নির্বাসিত হন।

অশ্বেডকরের তত্ত্বে দলিতের এই ক্ষত্রিয়ায়ন অন্ত্যজ লোকযানেও অন্য ভাবে জেগে আছে। দক্ষিণ বঙ্গের 'পোদ' জনগোষ্ঠীর (নিজেদের যাঁরা পৌন্ড্রক্ষত্রিয় দাবি করেন) জনপ্রিয় লোকপুরাণে পরশুরামের হাতে নিহত ক্ষত্রিয়দের বিধবারা ব্রাহ্মণদের ঘরেই আশ্রয় নেন এবং তাঁদের মিলনেই নাকি পৌন্ড্রক্ষত্রিয় জাতির জন্ম হয়। ক্ষত্রিয় পুরুষশূন্য পৃথিবীতে বর্ণশ্রমধর্ম বিপন্ন হবার উপক্রম হতে ক্ষত্রিয় রমণীদের গর্ভে ব্রাহ্মণ উরসে উৎপন্ন অসবর্ণ মারফত চতুর্ভর্গের ভারসাম্য ফিরিয়ে আনার এই কাহিনি মহাভারতেও আছে। এখনকার দলিতরা সাবেক ক্ষত্রিয়দের সম মর্যাদার, সমকক্ষ, প্রতিদ্বন্দ্বী মানুষ

বলেই ঠাকুররা দলিতদের উপর এত খজাহস্ত। আজকের আর্ষাবর্তে ব্রাহ্মণ আধিপত্য অনেকাংশেই স্রিয়মাণ, ঠাকুর-রাজপুত-ভূমিহার ভূস্বামীদেরই প্রাধান্য। তারাই সরপক্ষ, তারাই আমলা-পুলিশ-রাষ্ট্র। তাদের অত্যাচারেই গ্রাম ছেড়ে দলিত মাগ্গারা চম্বলবাসী 'বাগি'। এখনও দলিত ভোটদারদের তারাই বুথ থেকে তাড়িয়ে দেয়। উঁচু জাতে বিয়ে বা প্রেম করলে দলিত দম্পতিকে তারাই প্রান্তরের বৃক্ষশাখায় জ্যান্ত ঝুলিয়ে দেয়। তাদের মহড়া নেবার জন্য এমন একজন ব্রাহ্মণ চাই যিনি ক্ষত্রিয়বিদ্বেষী, ব্রাহ্মণ হয়েও ক্ষত্র্যতেজে বীর্যবান এবং ক্ষত্রিয়দের মতোই অস্ত্রবেত্তা মহাধনুর্ধর। পরশুরাম ছাড়া কে এই খাপে আঁটতেন?

পরশুরামই ভারতের প্রথম বর্ণযোদ্ধা (caste warrior) ব্রাহ্মণ বনাম ক্ষত্রিয়ের যে দ্বন্দ্ব একদা আর্ষ ও দ্রাবিড়ভূমিকে দীর্ঘ করেছিল, ব্রাহ্মণদের তরফে পরশুরামই ক্ষত্রিয় হৈহয় অধিপতি কার্তবীর্ষার্জুনকে সপরিবার নিধন করে তার শীর্ষবিন্দু রচনা করেন (বিশিষ্ট বনাম বিশ্বমিত্রের সংঘাতের মধ্যে অন্য শীর্ষবিন্দুর আখ্যানটি জেগে রয়েছে)। অতঃপর তাঁর পিতৃহস্তারক ক্ষত্রিয়কুলের নির্মূলকরণ। ক্ষত্রিয় রামচন্দ্রকে চ্যালেঞ্জ, ভীষ্মের সঙ্গে একুশ দিনব্যাপী যোর যুদ্ধ, ক্ষত্রিয় দ্রুপদরাজের কাছে অপমানিত ব্রাহ্মণ দ্রোণাচার্যকে ধনুর্বেদ দান— এ সবই ওই ঘনঘোর বর্ণযুদ্ধের রূপক। ঠাকুর-রাজপুতদের প্রতিদ্বন্দ্বে এমন বর্ণযোদ্ধা মায়াবতী হিন্দু পুরাণে আর কোথায় পাবেন?

প্রশ্ন হল, ব্রাহ্মণরা কেন মায়াবতীর বহুজনসমাজের হস্তিচিহ্নিত পতাকার নীচে সমাবেশিত? প্রথমত ব্রাহ্মণদের কোনও নিজস্ব সংগঠন নেই, যেমন অনগ্রসর, দলিত বা জনজাতিদের আছে। উত্তরপ্রদেশের ব্রাহ্মণরা কংগ্রেস ছেড়ে মাঝে বিজেপির দিকে ঝুঁকেছিলেন বটে, তবে তাঁরাও ক্রমে হিন্দুত্বের সোশাল ইঞ্জিনিয়ারিং-এর পরীক্ষায় বীতশ্রদ্ধ। বিজেপির অবক্ষয়ের মতোই কংগ্রেসের শক্তিশ্রাস্ত্রও মণ্ডলয়ন-উত্তর রাজনীতির অমোঘ সত্য। রাহুল গাঁধীর হাত ধরে কংগ্রেসের পুনরুজ্জীবনের প্রকল্পে ব্রাহ্মণদের আস্থা নেই। দ্বিতীয়ত ক্ষত্রিয় ঠাকুর-রাজপুতরা যদি মুলায়মের সান্নিধ্যে সন্তোষ বোধ করেন, তবে ব্রাহ্মণদেরও রাজনৈতিক পৃষ্ঠপোষক খুঁজতে হবে। মায়াবতী যেমন ধারাবাহিক ভাবে ব্রাহ্মণদের জয় করার চেষ্টা চালাচ্ছেন, তেমন আর কেউ নন। প্রতিটি বিধানসভা কেন্দ্রে ন্যূনতম ১২ শতাংশ ব্রাহ্মণ ভোটদারের একটা বড় অংশ যদি মায়া-জালে বদ্ধ হতে চান, বহুজনসমাজও আক্ষরিক অর্থেই অনেক বেশি প্রতিনিধিত্বমূলক হয়ে উঠবে।

কিন্তু এর ফলে কি ব্রাহ্মণদেরও দলিতায়ন ঘনিষে উঠবে না? দলিত-জনজাতির সংস্কৃতায়নের প্রক্রিয়াটি তো দীর্ঘ কাল ধরেই চলছে। সেই আত্মীকরণেরই অন্য একটি মেরু কি হয়ে উঠতে চলেছে একদা ব্রাহ্মণবাদী আর্ষাবর্তের দলিতায়ন, দলিতের ক্ষমতায়ন যাকে অনিবার্য করে তুলেছে? বিজেপির সাবর্ণ-অনগ্রসর সোশাল ইঞ্জিনিয়ারিং-এর বিকল্পে মায়াবতীর দলিত-ব্রাহ্মণ সোশাল ইঞ্জিনিয়ারিং?

RSS against quota for Scheduled Caste converts

By Our Staff Correspondent

MANGALORE, MARCH 13. The three-day Akhil Bharatiya Pratinidhi Sabha, the apex policy-making body of the Rashtriya Swayamsevak Sangh (RSS), today concluded after adopting a resolution urging the Central and the State Governments to deny reservation to Scheduled Castes who have embraced other religions.

The resolution said the Sabha disapproved of attempts to seek reservation for the Sched-

ule Caste converts. The moment a person embraces a "non-Indian religion," namely Islam or Christianity, he ceases to be a part of the Hindu caste system, it said. The reservation scheme for the Scheduled Castes, introduced by the Constituent Assembly in 1950 was very clear on this issue. The founding fathers of the Constitution had rejected the proposal to extend reservation to Scheduled Castes who converted to other religions, and even the British

had rejected a similar demand in 1936, the resolution said. It stated that a public interest litigation petition demanding reservation for such converts was pending in the Supreme Court, but, on earlier occasions, the court had rejected such petitions.

The Sabha said that if this demand is conceded it will render injustice to the Scheduled Castes among Hindus, as a large share of the benefits would be cornered by the converts.

'Governments alone can fix quotas for admission'

By J. Venkatesan

NEW DELHI, MARCH 10. Only the Central or State Governments, or any authorised agency, can fix a quota for admission in medical, engineering and other professional colleges. The issue of fixing quotas cannot also be left to the institution concerned.

The Solicitor-General of India, G.E. Vahanavati, appearing for the Centre, made this submission before a seven-Judge Bench hearing a batch of petitions and applications filed by the All-India Medical and Engineering Colleges' Association (AIMECA) and several other institutions from Kerala, Karnataka, Madhya Pradesh, Tamil Nadu, Andhra Pradesh and Maharashtra on their right to admit students of their choice.

No uniform percentage

Referring to the contention of the petitioners that no quota could be fixed by the Government since they were all private

unaided institutions, Mr. Vahanavati said the fixation of quotas could only be done on a case-to-case basis and that there could not be any uniform percentage.

Mr. Vahanavati said the percentage would depend on a variety of factors such as the nature of the institution concerned.

It was argued on behalf of the AIMECA that holding an All-India Common Entrance Test (AI-CET) for filling seats under the management quota would enable students to get admission from institutions in one region to those in another and would further reduce their burden of having to write several State-level entrance tests.

The Solicitor-General argued that multiple and different entrance tests conducted by different agencies could prove to be difficult for the individual student.

Appearing for Tamil Nadu, senior counsel P.P. Rao submitted that in relation to profes-

sional education, the State was bound to ensure that admissions to colleges were made purely on relative merit objectively assessed by a responsible agency. He said regulations could be made by the State for achieving uniform academic standards. Regarding the common entrance test (CET) for admission, Mr. Rao said some of the petitioners had contended that they would like to have students from all over India on the basis of merit judged by a CET while others had complained that they were unable to fill all the seats through CETs. He said selection of students for admission even in minority institutions had to be made on the basis of merit through CET.

Opposing absolute autonomy in admission to minority and non-minority unaided institutions, Mr. Rao said Article 19 (6) of the Constitution permitted the imposition of reasonable restrictions. Further arguments will continue on March 15.

Ministerial panel to oversee welfare schemes for Dalits

By Our Staff Correspondent

NEW DELHI, MARCH 7. The Prime Minister, Manmohan Singh, has constituted a Committee of Ministers on Dalit Affairs to oversee, in a consolidated manner, the effective pooling together and implementation of different programmes and schemes under various ministries and departments related to the welfare of Dalits.

The committee will identify gaps in the existing schemes and help develop new programmes for eliminating these, a statement issued from the Prime Minister's Office here today. The Prime Minister was of the view that despite large allocations being made to a number of programmes aimed at improving the welfare of Dalits, the outcome was not commensurate with the outlay, the statement said. The Committee of Ministers will examine ways in which increased outlays can be translated into improved outcomes. An awareness campaign will be taken up with the support of non-government organisations to ensure that Dalit families benefit from the programmes.

The Central Government will encourage all state governments to implement all existing schemes and fulfil promises made with respect to the welfare and empowerment of Dalits, including early identification of

surplus land under the Land Ceiling Act and expeditious distribution to Dalits. States will also be encouraged to pay special attention to the education of adults and children in Dalit families.

Besides, the Committee will also recommend legislative steps to implement assurances made with respect to economic and social empowerment of Scheduled Castes. The Committee, to be chaired by the Prime Minister, will include union ministers of Defence, Human Resource Development, Agriculture, Home, Chemicals, fertilisers and Steel; Law and Justice, Rural Development, Small Scale Industries, Social Justice and Empowerment, Water Resources, Labour and Employment and Deputy Chairman of Planning Commission, and Minister of State for Personnel and Parliamentary Affairs; Chief Secretaries of all states and union territories.

M. K. Narayanan bereaved

BANGALORE, MARCH 7. M.K. Kalyanikutty Ammal, mother of National Security Adviser M.K. Narayanan, passed away here on Monday. She was 92. The cremation will take place on Tuesday morning.

THE HINDU

08 MAR 2005

SC to study reservation for Dalit Christians

Press Trust of India

NEW DELHI, Feb. 11. —
— Brushing aside the Centre's stand opposing the court's intervention in matters relating to inclusion of any particular community in the Scheduled Caste list, the Supreme Court today agreed to examine the legality of the sensitive issue, raised in a petition, demanding reservation for Dalits even after their conversion to Christianity. "We would examine the legal side of the issue based on the rulings cited by the petitioner and the A-G," a Bench comprising Chief Justice RC Lahoti and Mr Justice GP Mathur said while adjourning the matter for four weeks.

Opposing the petition filed by Centre, A-G Mr Milon Banerjee said: "It is matter of policy and legislation and the courts should keep out of it." He also cited his correspondence with the Centre urging it to consider the issue "sympathetically". The court kept with it the letters written by the A-G even as he said that the court itself had ruled that any Amendment to the 1950 Presidential order regarding inclusion of any particular community within the SC-ST was within the purview of the legislative action. //

THE STATESMAN

12 FEB 2005

Manmohan approves Bill for granting land rights to adivasis

HD-12 J. Carlos & Brin
By Our Staff Correspondent

26/1
NEW DELHI, JAN. 25. The Prime Minister, Manmohan Singh, has given approval for the introduction of the Scheduled Tribes and Forest Dwellers (Recognition of Forest Rights) Bill in the Budget session of Parliament.

The Bill seeks to recognise the land rights of tribal communities living in forest areas prior to the coming into force of the Forest Conservation Act, 1980, but were left unsettled in the government records. It will also benefit tribals living in villages called "forest villages" where they have not been given land rights despite living in these areas and are agriculturists for several generations, according to the Prime Minister's Office.

The National Common Minimum Programme (NCMP) had called for developing strategies to reconcile the objectives of environment conservation and development and protecting the interests of tribal communities. By settling the issue of land rights, the proposed Bill seeks to open up opportunities for effectively engaging the tribal communities in the greening of degraded forest lands and increasing forest cover.

The NCMP also promised to confer ownership rights in respect of non-timber forest produce for weaker sections working in the forests and discontinuation of eviction of tribal communities and other forests dwelling communities from forest areas, the PMO said.

26 JAN 2005

THE HINDU

Dalit women barred from being cooks

Himanshu S. Sahoo
Bhubaneswar, January 10

THE DIFFERENTIATION of people on grounds of caste may be absent in the Constitution, but, in the much-touted mid-day meal (MDM) scheme of the government, casteism is clearly witnessed.

The Dalit women of Kendrapara district of Orissa are allegedly barred from getting jobs as cooks under the MDM scheme in primary schools.

This is only because the implementing authorities are fearful that upper caste students may shy away from the programme if Dalit women are taken on as cooks.

The Ambedkar Lohia Vichar Manch (ALVM), an organisation working for the rights of Dalits, has lodged separate complaints in this regard with the National Human Rights Commission (NHRC) and the National Commission on SC/STs (NCS).

The organisation has sought inquiries into the "injustice" done to Dalit women and has demanded stringent punishment for the "government officials patronising the social evil".

The existing government guideline to recruit women — preferably from among the Scheduled Castes and Scheduled Tribes for the MDM scheme — has also been clearly violated due to the caste differentiation, the ALVM has alleged.

ALVM secretary Rabindra Behera on Monday said, "We've apprised the NHRC and the NCS about the poor treatment meted out to Dalit women and about their exclusion from the MDM being in the knowledge of the government authorities".

At present, there are 1,428 primary schools in Kendrapara district, where the MDM is operational. However, only in about five or six schools are the cooks Dalit women, while, in the rest of the schools, upper caste women have been given appointments. By applying the prevailing formula of 38 per cent reservation of posts of cooks for SC/STs, at least 400 Dalit women should have been included in the scheme, the ALVM claimed.

Kendrapara collector Hemant Sharma said the complaints of the ALVM are being investigated even as some truth has been found in the allegations.

9-12-08
Caste away 95 B
Crack down on those who discriminate
against Dalits in relief operations 911

DISASTERS test a society in diverse ways. They take proof of the country's preparedness to spring to the rescue of people struck by nature's fury. In the relief and rehabilitation operations undertaken, they extract an account of the norms and principles society lives by. In extremis, every social faultline, every crevice between assertion and action is magnified — for government and civil society, for survivor and faraway observer. This is why reports of almost systematic exclusion of Dalits from the relief operations in Tamil Nadu are doubly distressing. As this newspaper documented on Friday, in many relief camps in Nagapattinam families are being turned away simply because they happen to be Dalit. They are refused water from tankers, relief material distributed at temple camps, and refuge in makeshift shelters.

There are any number of provisions on the statute books that allow the authorities to step in to ensure access to the needy, irrespective of their caste — and equally importantly, to ensure that perpetrators of this kind of discrimination are punished. In the tsunami-affected villages of Natapatnam, those perpetrators are said to belong to a majority fisherman community that is providing the manpower in distribution of relief sup-

plies. This can in no way be used by the administration as an alibi for inaction. Reaching assistance to the last man is the government's duty — and in this case, clearly, it involves battling caste oppressions. It could, in fact, be a transformative process.

The aftermath of disasters often highlights the interface between distress and hope. This one is no different. In recent days, victims — and in the way of most natural calamities, the poorest and most vulnerable — have spoken of chances of a different future. In Nabiarnagar village in Nagapattinam, fishermen and women have pleaded with relief workers to take their children away to a better education, to the possibility of jobs less at the mercy of the elements. Temporary shelters and common kitchens, too, could be instruments to strike at caste prejudice. Natural calamities render the most vulnerable the most badly hit. They already live on the margins, making compromises with safety buffers for the sake of survival. Once disaster strikes they have the slightest recourse to any form of insurance. This is why they must be at the centre of rehabilitation measures. It would, however, amount to a criminal offence if, in the delivery of relief, they were sidelined because of their caste status.