CHAPTER VI

SARDAR'S CONCERN FOR MINORITIES

Though the guarantee of fundamental rights in the constitution helps the process of democratisation, the homogenisation of the society by bringing the minorities in the mainstream of national life is an act of nation building. Moreover, achievement of freedom is not an end itself; in fact the gains of nation's liberation has got to be consolidated. With the withdrawal of the British power from India, the political liberation attained has to be further channelised by setting up of democratic institutions and awakening the masses for a common goal of national development.¹

Nation building is a very complex process in India. It was beset by numerous problems at the dawn of independence and the problem of minorities was one of such major hurdles. The country was preparing to fulfil great promises held out to the citizens with regard to amelioration of social and economic conditions, providing human touch to the partition holocaust and communal frenzy, curbing the mischievous elements among princely states. It had to satisfy the minority groups like Anglo-Indians, Scheduled Castes and Scheduled Tribes, Muslims, Sikhs and others who could have posed a bigger threat to newly born freedom and thwarted the progress of the country.

if proper steps had not been taken at the right time. Though the country is inhabited by the Hindus who constitute around 85% of the population, the welfare of the minority communities cannot be ignored in a democratic nation.

During the partition period the conditions of the minority communities were pitiable and it was extremely difficult to come out of such a situation without the guidance of an able leader who could show greater understanding of such critical situation. Until and unless confidence could be created in the minds of minority communities, social harmony in the country was impossible and that would have adversely affected the development process in the country. Thus, all efforts for nation building would have been meaningless, had the problems of minorities not been solved at the appropriate time. After the partition, although Pakistan had declared herself an Islamic State where the Muslims would receive preferential treatment, the Indian Union had proclaimed herself as the democratic secular state, where all citizens irrespective of caste, colour, creed and religion would have equal status and opportunity. The Congress Party itself openly vouched for secularism and was determined to implement it in spirit and letter and in every walk of life. As the minority communities were not confident about their rights and privileges in the new set of Congress government, it was necessary to safeguard their interests which
would ultimately bring homogeneity in a heterogenous society.

At this crucial juncture, the responsibility vested on Sardar Patel, who became the chairman of the subcommittee of the Constituent Assembly, constituted to safeguard the interests of the minorities, Sardar did realise that certain protections and guarantees to minorities would be absolutely necessary if country's security and stability were to be maintained. Unfortunately, some critics considered him as a staunch Hindu and opposed to the minorities; however, the events proved the contention otherwise. Sardar believed that the citizens of the country, irrespective of Hindus and Muslims, should have equal status and opportunity in the eye of the government. He also felt that as the minority communities were weak, certain safeguards were necessary to bring them up at par with the majority community. He saw a lot of potential in those communities and took keen interest to see that certain time bound constitutional safeguards were guaranteed to them.

CONGRESS SECULARISM

The political atmosphere in the country due to hatred between the two major communities Hindus and Muslims was surcharged with illfeeling and it was absolutely difficult to bring them together. In spite of such a poisoned atmosphere prevailing in the country, Congress had adopted a secular...

2. The All India Muslim League, The Pirpur Committee's report of April, 1939 stated "The Muslims in India or any other country (the committee proceeds) form a nationality of their own with their own view point on all aspects of life and owe no allegiance to soul, blood or colour".
approach and wanted to bring all the communities together under one umbrella of Indian nation. The Indian National Congress was a secular organisation in spite of being dominated by Hindu political leaders. Its main concern was the independence of the country which was a common goal for all Indians. It stood above all narrow considerations like racial, linguistic or religious differences. In the words of Gandhiji:

"The Congress is a national organisation in that it is open to all without distinctions of race or creed. There were purely Hindu organisations in India like the Hindu Mahasabha and purely Muslim organisations like the Muslim League, but the Congress was quite different in nature. Its door was open to all."

Gandhiji had also stated that the Congress was the only all India Organisation which did not have any communal basis, as it endeavoured to break down communal barriers and set up pure Nationalism as its ideal, and it tried to represent all the minorities. Pandit Nehru described Congress as predominantly a political organisation representing the urge of all classes of India towards Nation's freedom. As early as 1938, Nehru in his letter to Jinnah said:

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"... in future constitution for a free India we want certain guarantees to be incorporated. We have done this in regard to religious, cultural, linguistic and other rights of minorities in the Karachi resolution on fundamental rights".

Speaking about the Congress party's attitude towards minorities, Prof. Coupland observed that the advancement of depressed classes had been one of the chief items of the Congress programme and since 1920 Gandhi took deep interest in welfare of the Harijans or children of God. The Congress policy of secularism has been clearly spelt out in its working committee in Delhi in September-October, 1947 which stated:

"India is a vast and of many religions and races and remain so... all citizens enjoy full rights and are equally entitled to the protection of the state irrespective of the religion to which they belong. The Constituent Assembly has accepted this as the basic principle of the Constitution".

The policy of the British Government was to create communal disharmony in the minds of Indian people. From 1908, there was demand for separate electorate for the Muslims. This was the policy of British administration. The British Government followed the policy of divide and rule which ultimately led to the creation of Pakistan and the hatred between the Hindus and Muslims.

6. Nehru-Jinnah Correspondence - A.I.C.C. Papers, p.63. "In the 45th Congress at Karachi, 1931, Congress resolved that all citizens will be equal irrespective of religion, caste or creed" (See the Annual Register, January-June, 1931, Vol. I, p. 278.


Sardar Patel was one of the true followers of Gandhiji and an ideal Congress leader; as such he truly imbibed the spirit of secularism.

Indian Heritage and Sardar

When we trace back the history and heritage of the people of India we find that basically Indians are peace loving and are by and large tolerant towards others. Fellow feelings and sympathy for neighbours have been basic characteristics of the Hindu community which constitute the majority of the Indian population. The sermons of the Hindu religion are chiefly aimed at peace and harmony. The teachings of the great Upanishad and the Gita from which the Hindus have derived their code of conduct for life, are all in this direction. Sardar Patel was a Hindu by birth and religion. He was regarded as an orthodox Hindu. But as his action revealed he did not show any partiality towards the Hindu community. He did not keep any hatred in his mind against members of other communities. Gandhiji had preached the idea of Universal brotherhood, and being a true follower of Gandhiji, Sardar naturally became a ardent secularist. Of course due to his straight forwardness, he


11. At the time of partition Congress leaders like Kripalani, Nehru, Sardar Patel and Rajendra Prasad assured the masses that cultural unity would not be affected by partition and the position of minorities both in India and Pakistan would be properly looked into. Report in Hindustan Times Weekly, dt, 27-7-47.
might have spoken certain things which could have created misunderstanding among the people. It was the Mahatma who had initiated Sardar into politics and from whom Sardar had drawn inspiration in his political life, though he was quite content in his profession as a successful barrister at Ahmedabad. But after listening to the preaching of Gandhiji, he was at once drawn towards him. He was fully convinced of the political approach of Gandhiji in regard to the freedom movement, and the emancipation of the Indian masses; he realised that in a country like India having pluralistic society the secular approach, as pleaded by Gandhiji, was a must for its overall development. Whenever he faced problems, he used to seek light from Gandhiji. His loyalty and devotion to his master was so great that many a time he accepted the decisions and directions given by him although those were not in conformity with his own.  
Gandhiji's influence could be seen in every thing that Sardar did and said. Thus non-violence and secularism naturally became a part of Sardar's political ideology. That Sardar was truly devoted to secularism is revealed by the following words in his speech at Madras:

12. As observed by Tendulkar in his book 'Mahatma', Sardar Patel was a true follower of Gandhiji and was convinced about the necessity for uplift of the depressed classes. Sardar's statement in Faizpur Congress was also an indication.
"For unity we must forget differences of caste and creed and remember that we are all Indians and all equal. There can be no distinction between men and men in a free country. All must have equal rights and equal responsibilities."

Sardar had at times been charged with being a friend of the bourgeois. This, however, is far from truth. The following words of Nehru stand in support:

"The argument that Sardar Patel was a bourgeois leader is also contrary to facts. Sardar Patel, it is true, was very critical of those Congress Socialists who talked much and did little.

Sardar Patel never supported the capitalists against the interests of the peasants and the workers. It is said that far from being a conservative, Sardar Patel was really the generalissimo of the peasants. Even a staunch socialist would find it difficult to equal Sardar in his love for peasants.

Sardar's Approach to Minorities

Sardar considered minorities as part and parcel of the Indian nation. Keeping in view the urgency of nation building, he worked for the security and contentment of minorities in India, who were hard pressed due to the political and social conditions, prevailing in the country.

14. Mr. Jayprakash Narayan and other socialist leaders had accused Sardar of being a capitalist.
The minorities in India constitute the harijans, muslims, anglo-Indians, sikhs. These groups, though individually very small in number, constitute a large percentage of population when considered collectively. The development of the country, be it social, economic and political, naturally depend on the cooperation of these communities. The contribution by such groups of people has to be considered as vital for nation building activities and their impact can not be ignored.

Sardar's views on religion was not that of a fanatic religious leader. According to Sardar, religion is a personal affair which people generally inherit from their family traditions. The bondage of religion some times becomes so strong that it leads to country's unity without any difficulty. This is quite evident from the feelings of the patriotism demonstrated by the Islamic countries of the world. On the other hand, religious fanaticism sometimes leadsto various difficulties in maintaining balance of power in international politics. Had such a fanaticism been allowed in India, the country would have faced onslaught of political instability. Of course, at the time of independence, some Hindu fanatics tried to popularise the idea of making India a purely Hindu State. On the other hand, Muslims endeavoured to form themselves into a separate entity. This resulted into separation between various religious and other communities like
Sikhs and Christians who were thinking in terms of their group interests leaving aside the interest of the country.

Though the preaching of each and every religion aims at certain common principles and values like peace, equality and harmony, the tenets of religion are misconceived by religious fanatics. Those who understand the true meaning of the preachings of spiritual leaders should not denigrate other religions. Such persons are considered as the true leaders of the country who preach to the masses the values of human dignity and tolerance. Sardar Patel was such a true leader of the Indian people. He had followed the path of eclecticism in religious matters. As R.K. Murthi has observed:

"A fresh look at religion convinced him that religion did not preach vacillation or weakness. A true votary of religion acted fearlessly, worked sincerely, nurtured no prejudice, struck to his post with tenacity, acted as a disciplined worker, organized public sentiments and aspirations on correct and suitable lines".17

With such conviction, Sardar could not have become a religious fanatic. As for Sardar, religion was nothing, but patriotism in its true sense to compassion. He believed that all Indians were his own brethren and represent a true force for national growth. Sardar had elaborated this conviction through his various speeches. He desired to inculcate the feelings of international brotherhood in the mind of the people so that they can contribute towards prosperity of the country.

In his speech dated 12th January, 1949, he said:

"It is our duty to pledge ourselves to live with all Indians as brothers and cease to bear any one a grudge. Whatever our community, all of us - Hindus, Muslims, Sikhs, Parsis, Christians - should remember we belong to one country. Let us pledge to get together and create in India an atmosphere of amity. Let us all recognize like Gandhiji that we are creatures of one God ... Among us there should be no touchables and untouchables" 18

Sometimes critics have charged Sardar as an enemy of Muslims, but he was indeed one of those who strived to protect the interests of the Muslim community. He assured those Muslims who stayed back in India after partition, of full protection and treatment equal to the Hindus, without any discrimination. In August, 1949 while delivering a lecture in Hyderabad, Sardar Patel stressed that the Muslims in India were not foreigners and the government should protect the Muslim community, if it wanted to achieve real freedom. Attempt should be made to unite Hindus and Muslims by assuring Muslims equal rights and privileges like any other citizen of the country. 19 Such a conviction clearly indicates that Sardar's attempt was aimed at bringing harmony in the society and national integration. His words were not empty promises but meant to be actually translated into practice. During the communal riots at the time of partition, Sardar did his best to protect the Muslims from atrocities.

19. Ibid. p. 51.
of misguided Hindus. He took a special care to see that Muslims having loyalty to Pakistan were allowed to migrate safely.

He himself arranged for the safe passage of Muslims to Pakistan though the same was not reciprocated by the other side. In Amritsar on 30th September, 1947 he appealed to the people:

"I have come to you with a specific appeal and that is to pledge the safety of Muslim refugees crossing the city. It is hardly creditable to us that we do not realise in what our good lies. It does not become a brave people to perpetrate deeds of brutality on defenceless men, women and children... I appeal to you to act with prudence and foresight. You should allow free and unmolested passage to the Muslim refugees."

Sardar, however, advised the Muslims who wanted to stay back in India that they should forget their love for Pakistan and merge themselves into the Indian nation. He warned that he would not tolerate dual loyalty. On 12th November, 1949 at Rajghat he clarified that he did not want the Muslims to stay in India with their loyalty to Pakistan. He pointed out specifically that the Muslims of Kathiawad were a party to the League propaganda of "Two nation theory" and if they continued to follow the same even after the partition of the country, they would have no place in India and they were advised to find out a suitable place where they could pursue their dual loyalty.

Sardar himself knew that he had been termed as anti-Muslims. In Lucknow on 6th January, 1948 he pointed out that

though politicians call him an enemy of Muslims, he with his best efforts, had tried to redress the grievances of the Muslims to the extent possible; but he was categorical that he did not like Muslims riding on two horses. They should rather select only one horse and determine their mind regarding loyalty to Pakistan or India. He stressed again and again that Muslims in India should stay like Indians both in their act and in their mental set up. Such a warning was necessary to make the Muslims realise that they should consider themselves as an integral part of the Indian nation; otherwise country's integrity would be at stake. To bring the Muslims under control and make them feel as a part of the country was not an easy task; but Sardar with his advice and stern warning tried to establish amity between Hindus and Muslims.

Like the Muslims, the Anglo-Indians and Christians also got assurances from Sardar. The Anglo-Indians formed a microscopic minority in the country. At the time of constitution making, the community felt rather apprehensive about its future and demanded special safeguards for protection of their

interests. When Frank Anthony, the leader of the Anglo-Indian group personally met Sardar and requested for reservation of seats in the Assembly, Sardar gave a sympathetic consideration to his request and put the issue before the Advisory Committee. There was strong opposition to the proposal for reservation of seats for Anglo-Indians from stalwarts like Govinda Ballabh Pant. But Sardar stood by the side of the Anglo-Indians and argued that they deserved to be given special representation by nomination and his views were finally accepted by the Advisory Committee. In the words of Frank Anthony:

"While I was battering for special representation for the Anglo-Indian community specially because of the microscopic size of the community... ultimately Sardar intervened. He suggested that only the Anglo-Indians should be given representation by nomination. That was accepted by the Advisory Committee."23.

As regards the demand of the Anglo-Indians for certain service quotas and educational safeguards, there was lot of opposition but with the intervention of Sardar the issue was referred to a special sub-committee which agreed to certain special quotas in the services in the Railways, Post and Telegraph and Customs Department. Sardar realised that though the Anglo-Indians represented a very small group of people, they were very intelligent and their talents were to be utilised for the advancement of the country. He was sure that the Anglo-

Indian community would be able to contribute to the growth of the country. It was Sardar's conviction that safeguard for only one community was not sufficient to forge all communities together. The feeling that overall progress of the country could be brought by the united action of various ethnic groups residing in the country was well appreciated by Sardar.

Constitutional Safeguards

When the interim government was formed in 1946, Sardar saw to it that as far as possible all minorities were properly represented in it. He wrote to Mr. Anthony thus:

"We tried our best to accommodate all the minorities including Anglo-Indian community, in the formation of the provisional national government. We pressed for increasing that number so as to enable us to accommodate representation for the Anglo-Indians, Parsis. We also pressed for more representation for the depressed classes. It was with great difficulty that we succeeded in getting the number increased to 14."24

The various special safeguards guaranteed to the minorities form a unique feature of the Indian Constitution. In fact, this was not an entirely new idea. It had been envisaged in the Government of India Act, 1935, passed under the Cabinet Mission Plan. The Cabinet Mission had specifically detailed guarantees to the religious minorities and the Scheduled Castes and Tribes. On the basis of the Government of India Act, 1935, the Governors were instructed in 1937 to secure due proportion of appointments

in the services from minority communities. The Cabinet Mission wanted to ensure a positive safeguard for the minorities as revealed from its statement which stipulated:

"A provision should be made in the new Constitution that any question raising a major communal issue in the legislature should require for its decision a majority of the representatives present and voting." 25.

The principles laid down in the Act of 1935 in regard to the special safeguards for the minorities were later adopted by the Congress as a part of its policy of secularism. In the process of the Constitution making, an Advisory Committee for Fundamental Rights and Minorities was set up by the Constituent Assembly under the Chairmanship of Sardar Patel. There was also a Sub-Committee on Minorities which considered the various clauses for their rights. Recommendations of the Sub-Committee were brought before the Constituent Assembly for consideration and after necessary modifications these were adopted as a part of the Constitution. The special provisions relating to the minorities are now contained in Part XVI, Articles 330-342 of the Constitution. The man who worked for the adoption of these Articles in the Constitution was no one other than Sardar Patel. Sardar realized that the problem of minorities was one of crucial importance. His stand on the question of minorities was determined not only by his sympathy and consideration for them, but also by his strong conviction that the well-being

of these communities was a must for the building of a prosperous India. Therefore, he wanted that they should not lag behind the rest of the nation in any field of their life. But to ensure this, it was necessary to provide certain special safeguards for these communities. He knew that these communities being very small, could never compete on an equal footing with the other communities in any field whatsoever. Hence he put forward a number of proposals for consideration by the Constituent Assembly. A glance at some of these proposals would throw much light on Sardar's handling of the minorities' problems and his attitude towards the minority communities. In his speech on August 27, 1947 presenting the report of Advisory Committee to the Constituent Assembly, Sardar pointed out that the important points which need consideration by the members were:

a) Joint Vs separate electorates,
b) representation of minorities in the legislature,
c) representation in the cabinet,
d) representation in the services,
e) setting up of an administrative machinery to implement the safeguards for the minorities.

Regarding the question of joint Vs. separate electorate, Sardar pleaded for the abolition of separate electorates in favour of joint electorates as he feared that the system of separate electorates would stand in the way of national integration. He pointed out that such a system was against the principle of secularism, and would endanger national unity.
It would also lead to the isolation of the minorities from the national stream and deprive them of their chances to come up to the level of the other communities of the society. There was a heated discussion on the issue in the Advisory Committee. When it came to Constituent Assembly, Mr. Pocker Sahib Bahadur suggested an amendment seeking provision for separate electorate for Muslims. In reply to this, Sardar said:

"I appeal to you, let us at least on this side show that everything is forgotten and if we want to forget, then let us forget what has been done in the past and what is responsible for all that is happening today. Therefore, I can once more appeal to you to withdraw the amendment and let us pass this unanimously so that the world outside will also understand that we are united."  

His appeal had the desired effect and when the amendment motion for separate electorate was put to vote, it was rejected and Sardar's recommendation for joint electorate prevailed.

The system of unrestricted joint electorate however, created apprehensions in the minds of smaller minorities that it could affect adversely their representation in the legislature. There was, therefore, the need for some provision to remove this apprehension. Sardar suggested that the problem could be solved by providing for reservation of seats in the legislature for the various minorities on the basis of their population. This reservation was to be initially for a period of ten years.

after which the position was to be reviewed. It was also recommended by Sardar that the members of a minority community which had reserved seats should be given the right to contest unreserved seats as well. This suggestion, however, met with a good deal of opposition. Seth Govind Das and R.V. Shulekar wanted time to think about the pros and cons of this clause and suggested that the matter may be deferred till the next day for discussion. Sardar, however, was determined to have the motion passed without allowing any chance for postponement and said:

"... if our friends desire to postpone this question, I must resist it on the ground that I see no advantage. We had two full debates. I have said that after the debates the resolution as is being moved was passed and no advantage is to be obtained by postponing this ... I therefore move that this is accepted."28

There was a proposal by some members like S. Nagappa and K.T.M. Ahmed Ibrahim that candidates from the reserved constituencies should secure a minimum number of votes of their own communities. They argued that in case a candidate failed to secure a minimum percentage of votes of his own community and got elected through the votes of other communities, he could not claim to represent the particular community and this would defeat the very purpose of reservation. Sardar was against this move and after a long and heated debate, the clause as suggested by him was adopted.

Sardar's strong advocacy of the policy of reservation clearly demonstrates his sympathy and love for minorities. But he was wise enough to realize that such sympathy and special considerations alone could not ensure protection for them forever. To depend for all time on special privileges and safeguards was thought to be of no good for the minorities themselves. Such dependence would, in the final analysis, only lower their status and condemn them to permanent backwardness. What was important was to create an atmosphere in which the minorities would gradually be able to raise themselves to the level of the other communities. Unless they were able to stand on their own feet some day, they could never achieve the status of equality with other communities. It is on the basis of this conviction that Sardar decided not to make permanent provision for reservation for minorities. Accordingly, a time limit was thought of. It was decided that the position would be reconsidered after a period of ten years. Thus, the way Sardar handled the question of reservation was indeed worthy of commendation. In this connection, Rev. Jerome D'souza, S.J. observed:

"I am most happy once again to say that the way in which the feelings of the minorities have been interpreted in this matter by Sardar Patel have filled us with satisfaction and reassurance and our thanks are due to him. As I said we should all be happy if a day would come when reservation could be taken away."29

Another important question discussed by the Advisory Committee was that of representation of minorities in the Cabinet. Some members had come out with the suggestion that minorities should have seats reserved for them in the cabinet in proportion of their population. It must be said to the credit of Sardar that he brushed aside this dangerous proposal. To him the interest of the nation as a whole was always much more important than of any particular community. He was never reconciled to the idea of reservation of seats for minorities in such an important body as the Cabinet which has to guide the destiny of the nation. But at the same time, to ensure that the interests of the minorities did not suffer, it was recommended that as far as practicable, the Constitution should encourage the inclusion of members of minority communities in the Cabinet. It is thus clearly stated in Clause 8 of the recommendation of Advisory Committee that:

"there shall be no statutory reservation of seats for the minorities in Cabinet but a convention in the line of paragraph VII of the Instruments of Instructions issued to the Governor under the Government of India Act, 1935 shall be provided in the Schedule to the Constitution".

Similarly, regarding the question of reservation for the minorities in the Services, it was decided that there should be no such reservation. This was clearly stated in Clauses 9 of the recommendation of the Advisory Committee. But Sardar gave assurance that at the time of recruitment:

"the claims of the minorities shall be kept in view in making appointments to the services consistently with the consideration of the efficiency of administration"31

To explain his stand Sardar further said:

"This Clause is framed with a view to see that the efficiency of administration is not affected. Keeping the point in view the states will also see that the minorities have due representation"32

Implementation of Policy

It was pointed out by Sardar that though certain clauses on fundamental rights like freedom of religion, cultural and educational rights, right to property and right to constitutional remedies have been framed, taking into consideration the minority communities also, it was necessary to set up some administrative machinery to ensure the implementation of the special safeguards guaranteed in the Constitution. Thus every effort was made to make sure that the minorities were accorded full justice in all spheres of national life. Sardar had a crystal clear mind. He felt that it was not proper to consider all minorities in the same manner. Some of them like Anglo-Indians, deserved special attention. Hence he saw to it that the minorities were classified into three groups; Group 'A' consisting of those with a population of less than half per cent. Group 'B' with a population of more than half

per cent but not exceeding one per cent and Group 'C' consisting of those minorities with a population exceeding $1 \frac{1}{2}$ per cent. Sardar's concern for each minority community was very much revealed in all these.

With the provision for monitoring the implementation of the constitutional provisions for protection of minority communities, the practical step necessary to look after and review the progress of the minority communities was taken.

**Critics View**

Sardar's handling of the problem of minorities has been severely attacked by some critics. Sir Ivor Jennings, for instance, says:

"Indeed the most complete disregard of minority claims is one of the most remarkable features of the Indian Constitution. The existence of competing claims on religious and ethnic grounds was one of the reasons for the refusal of Indian independence before 1940. By reaction, the Congress politicians who were above all nationalists, tended to minimise the importance of minority interests and emotions"  

Such criticism is certainly not founded on facts and is unfair to the Congress Party as well as to Sardar. Considering all that Sardar did for the welfare of the minorities, it is indeed difficult to agree with Mr. Jennings. But there are many others who have expressed great admiration for the way Sardar handled the problem of minorities. When the draft

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recommendations were presented by Sardar Patel on behalf of the Advisory Committee on Minority Rights in the Constituent Assembly for discussion, he and the Committee received the greatest appreciation. In his speech in the Constituent Assembly on 26th May, 1949, Sardar explained that the Muslims should not think of separate electorates; those Muslims staying in India should merge themselves in the national life. India being a secular democratic state, every community should consider the majority community as their brothers and should have trust on it. The suggestions by some members regarding proportionate representation would not benefit the minorities. Regarding the Sikh community Sardar said there should not be any reservation for Scheduled Castes Sikhs. This speech of Sardar had a magic effect on the members. Echoing the feelings of other members towards the magnificent work of the Committee headed by Sardar, Dr. P.S. Deshmukh of C.P. and Berar observed:

"The worthy and able Chairman of the Advisory Committee on Minorities and the members of the Committee deserve our sincere thanks for the highly satisfactory report they have produced on the question of representation and the rights of minorities in India...I believe, Sir, that the members of the Advisory Committee have in this respect a great achievement to their credit. I, therefore, offer them my hearty congratulation", 34

Following observation of Sardar proves how sincere he was in his dealing with the minority problem. As his observation

34. Constituent Assembly Debate; Vol. V., P. 201, Opp. Cit.
clearly reveals the inner conflict among the various minorities, Sardar could have played politics, had he wanted to do so. But his sincerity was transparent and his feeling for the minorities genuine.

Sardar’s observation:

"We have tried as far as possible to meet the wishes of all the minorities. The minorities among themselves are also divided; there are conflicting interests among them. We have not tried to have advantage of the differences among the minorities themselves. We have tried to see the minorities also instead of being divided among themselves try to present a united front in order to safeguard their interests..." 35

He was thus fully satisfied with what he had been able to do for the minorities and was quite confident that his efforts would go a long way towards protecting the interest of these communities.

After due discussion in the Constituent Assembly, the various clauses relating to the safeguards for minorities as recommended by Sardar were adopted with minor modifications and these were included in Part XV, Clause 330-342 of the Constitution. Sardar will always be remembered by the minority communities with sense of gratitude for the great service he rendered to them by providing Constitutional safeguards in the most acceptable manner.

In accordance with the conditions stipulated in the Constitution, a review was made in 1959 regarding the position of the special safeguards to the Scheduled Castes and Scheduled Tribes. It was unanimously decided to extend the period to 20 years. This was done by the eighth amendment in the constitution. Again it was further extended to thirty years in 1969 by 23rd amendment for the same reason. Special provision for the Anglo-Indians, the same was not extended at the expiry of the ten-year period as it was not required in view of their satisfactory conditions.

It is important to have a glance into what served as the guiding Principles for formulating the proposal on Minority Rights, because it is on the basis of this that we must evaluate Sardar's handling of the minority problem. One such general norm was to avoid strict rigidity. It was compatible with our Parliamentary democracy that Sardar made the Committee decide in favour of flexibility as against rigidity regarding all minority provisions. It was in this way that provision was made for reconsideration of the various safeguards and guarantees after a certain period. Sardar was very clear in his mind


37. Note: Objective resolution in the Constituent Assembly on Dec. 13, 1946 stated: "Adequate safeguards shall be provided for the minorities, backward and tribal areas and depressed and other backward classes".
that no Committee could decide for all time as to what was in the best interests of the minorities. Life is in a constant change and so, keeping pace with the changing times, it was for the Parliament of each time to decide what served the interests of the Minorities best.

While attaching great importance to safeguards and privileges for minorities, Sardar never forgot the fact that what was important was to reconcile the special claims of the minorities, with a healthy national life. There must be perfect harmony between the interest of the nation and that of the minorities. All efforts were made to ensure that the minorities did not feel that they are being oppressed or discriminated because they belong to a minority group. But claims of the minorities to special rights should not pose danger to national unity and progress. The progress of a country depends on how it projects itself in the international field as an integrated nation. Sardar in his speech at Alwar on 25th February, 1948 said that dissensions among the various communities should be stopped because it strikes at the roots of nation building. 38

Summing Up

Sardar's character bears the testimony of tolerance and homogenisation of the population of the country as one nation

in spite of the existence of varied elements of caste, creed and religion. Gandhiji preached for the removal of untouchability and for creating harmony between Hindus, Muslims, Sikhs and other communities of India. Sardar, as a disciple of Gandhiji had also followed suit. Moreover, Congress ideology was directed towards uplift of the minorities and bringing them at par with majority communities so that those minorities did not feel isolated from the national life.

Providing constitutional safeguards for the minorities was a bold step towards national integration; it is, however, interesting that Sardar considered provision for appointment of special officer to look after the implementation of those safeguards. At various occasions till his death, Sardar openly declared that distinction between caste and creed must go, the Sikhs and Muslims to be protected. Sardar directed his efforts to better living conditions for the minority communities as a process of nation building.

In spite of provision of constitutional safeguards, the Muslim minorities who constitute a major part, could not get merged into Indian nation. It is, perhaps, due to the fear

complex that overshadowed them. They felt that in a society inhabited by the Hindus as majority, it would be difficult for them to get fair deal and justice. The Muslims in India were guided by certain communal approach and could not appreciate the secular outlook of the government. As a result, they were obscurantist in their approach to national integration. The Muslim views on national integration, even to-day, range from a fanatical extreme of "Islamise all India" to the moderate approach of "Live and let live". The former group is mainly responsible for Muslim separatism from national life. This leads to a sense of opposition to any national policy. The national policy of family planning, which was for the benefit of all Indians, was thus vehemently opposed by the Muslims.

The Muslim political organisations attempted to make a political capital out of their advantageous position as minorities and have continuously tried to perpetuate a crisis and cultivate a feeling of separatism from Indian nation to obtain short term political benefits. The concept of secularism did not get candid support from Muslim communities. Organisations like Jamaat-e-Islami, have worked against the policy of Indian government and sometimes tried to establish an Islamic State in India. Through its weekly newspaper "The Radiance",

Jamaat-e-Islami had launched its propaganda against the government. In addition to that the political parties in the country tried to take advantage of the Muslim votes during the elections. Such an attempt had been detrimental to national integrity. Interference by other Muslim countries of Middle East into the internal affairs of the country and influence of petro dollars from gulf countries have distracted the Muslim communities from national stream.\(^4\) Muslim minorities thus could not come up to the expected level of political awareness and merge into Indian nation. It is however, worth noting that brilliant personalities from Muslim communities have come up as national leader, though the overall progress is very poor.

Other minority communities like Christians, Sikhs were not influenced by any disruptive forces and have tried to come up as a part of Indian nation and contribute towards national solidarity and growth. The policy of the government towards the minority communities has helped those minorities towards their social and political evolution though the growth is not to the expected level.

Sardar did not live long to see his plan implemented. The country is now confronted with the problem of minorities.

Though the government of India is trying to redress the grievance of the minorities, they feel that they are oppressed by the majority classes. Even though thirty years have passed after independence and thrice the constitutional safeguards for the minorities have been extended, the minorities have not been able to cast aside their apprehension and anxieties. Many of those communities are still socially, economically, educationally and culturally backward. This, however, does not lead us to the conclusion that Sardar's plan for the minorities and provisions made for their safeguards were defective. He clearly pointed out that a confidence was to be created in the minorities so that in the long run expressions like 'minorities' and 'majorities' could automatically disappear. His appeal to the Muslims to get into the mainstream of national life was unfortunately misunderstood by some people. He was, in fact, a good friend of minorities, especially the Muslims.

Sardar's idea of Legislative reservations for the minority communities was only as a purely transitional measure. Such an arrangement was strongly opposed even by the leaders like Dr. Ambedkar who was a member of minority community. They argued that the policy of reservation would have evil effect of making the minorities dependent on the majority communities.

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43. Rao B. Shiva - *Framing of India's Constitution - A Study* (cit. p 772.)
and reservation would seem like a matter of charity. In their opinion, reservation did not give the minorities any power. In 1959 when the government sought to extend the reservations for another ten years through the eighth amendment, there was opposition to it, particularly from the scheduled castes themselves. A suggestion was made that the issue of renewal of reservations should be put to vote.

The champions of reservations tried to defend reservation on the ground of political justice. G.B. Pant, the then Home Minister argued that representation of the scheduled caste was essential for democracy and the provision for reservation would go a long way towards ending the exploitation of the scheduled castes by dominant castes. However, continuation of reservation has again given an opportunity for the minorities to come up.

In spite of the various odds and eventualities which have overshadowed the minority communities and deterred their growth, there were personalities like Dr. Ambedkar, H.C. Mukherjee, Zakir Hussain, M.C. Chagla, Hidayatullah, who have come up as prominent national leaders. Though originating from the minority communities, those leaders had, by virtue of their own calibre, been able to work for the prosperity

of the country. Though the growth and development of the minorities in social, political and economic sphere of national life are not upto the expectation and they still feel, to some extent, isolated from the national life, the last thirty years have seen some growth, though slow, of those communities. It is expected that in course of time, the difference between the majority and minority communities will get wiped off and minorities will find themselves fully merged with the political, social and economic stream of Indian nation. The growth of the minority communities like Christians, Sikhs is much prominent than that of Muslim communities due to the reasons that other communities did not suffer a set back due to religious and political separation. In present day context, it is necessary that the steps taken by Sardar and others through constitutional guarantees are to be properly implemented and proper monitoring of the growth of minority communities is to be done and from time to time remedial measures are to be taken. The government of India is still vexed with the acute problem of minorities and is trying to implement steps congenial to the growth and development of minority communities.