Conclusion
and
Suggestions
Like various other social aggregations in the world, Indian society is also composed of intersecting and overlapping groups and subgroups based on religion, sect, vocation, wealth, language, location and political affiliation. However, one of the most distinctive and powerful features of the Indian society is its division into castes especially of its majority section. Membership in the caste group is conferred by birth and is unalterable, except when it is lost, if expelled by the group. Members of each caste, residing in specific areas, have common customs and more or less a similar style of life with a characteristic diet, dress and religious observances. There is a variation in kind and number of castes but due to hierarchical stratification the highest and lowest castes are easily identifiable.¹

Relative positions in the local caste hierarchy are related to the division of the Hindu society into four classes or varnas. According to this theory, this hierarchical order of these four classes is, first, the Brahmins: priestly and scholarly class, second, the Kshatriyas: rulers and soldiers, third, the Vaishyas: merchants and agriculturists, and fourth, the Sudras: the menial and the service class supposed to serve the other three varnas. Mythology says that Brahmins were born from the mouth, the Kshatriya from the hands the Vaishyas from the stomach and Sudras from the feet of Brahma. As time passed the varnas were replaced by castes and birth rather than occupation became the determiner of one's class. Sudras were considered clearly inferior to the other three castes and were constrained to perform only menial jobs, forbidden to study the Vedas, exceptions apart, and enjoined to be differential and subservient to the other castes.²

To build up a just society has been a dream of mankind since the very dawn of civilisation. A society based on inequality can never be just. It is equally true that the process of stratification is inevitable whatever be the form of social or political organisation. So long the stratification reflects the socio-ethical convictions of the contemporary society, no tension arises. But with the passage of time, perceptions change and what had earlier been part of
established order is projected as inequality, giving rise to conflicts. A mature and modern society is able to resolve the conflicts by democratic process otherwise the conflicts become violent resulting into disruption.\(^3\)

The history of world is replete with instances of conflicts arising when perceptions regarding equality change due to ideological innovations. The classes excluded from culture, education and jobs have raised the slogan of equality against those whom they saw as the dominators. The post-modernism has thereafter meant that the hitherto 'excluded' should be included. In the western societies these conflicts have been essentially drawn on economic lines. The third world countries, however, are witnessing conflicts on the basis of primordial division like religion, race and caste. This is only natural because these have been the basis of stratification in traditional societies. In India, the 19th century Renaissance and social reform movements created a new awareness, which found expression, amongst other things in protest against caste inequalities. The movement of certain castes for greater share in government services started in the southern India well before Independence but remained confined to local limits because it was overshadowed by the nationalist movement. The entire energy of the nation was directed during the pre-Independence period in resolving the political problem, the social problem did not receive the attention it deserved. Consequently, the social problem of caste inequality came to the fore soon after Independence. Due to electoral considerations, the entire problem of inequality in the Indian society is projected only in terms of caste. The sole emphasis on caste in the context of inequalities tends to deflect the attention from other kinds of inequalities.\(^4\)

The origin of untouchability and the racial, ethnic composition of the Scheduled Caste population is shrouded in mystery. They have been the weakest constituent of the Indian social structure except the adivasis. They are designated with a variety of nomenclatures such as untouchables, harijans, depressed classes, dalits, servile classes, weaker sections, panchamas, antisudras, avarnas and scheduled castes. The term 'depressed classes' refers to
those castes which belong to the lowest rung of the Hindu caste hierarchy and whose touch or proximity is considered polluting by the caste Hindus.  

As we have discussed in earlier chapter that the origin of untouchables in a complicated theme. We trace its origin from the vedic period, i.e., the coming of Aryans to India during 2500B.C. to 2000 B.C., and from the writings of Rigveda which was written during 1200B.C. to 1000 B.C. so in the early vedic time, it is said that, all men were equals and there was no trace of untouchability as we see it today. According to Rigveda, in those days, perfect brotherhood was prevalent. In course of time, when the Aryans, having grown in overwhelming numbers scattered and colonised throughout the whole of Aryavarta they divided themselves into four divisions according to their different qualities and actions in order to organise their society and set it upon sound basis. This four fold division has been a pre-dominant feature of Hindu social fabric.

Gradually as the Hindu varna system grew fashionable, strong strict measures were adopted to enforce it. Social intercourse and intermarriage were prohibited. Society became strictly endogamous and was divided into water-tight compartments. Those who violated the law of endogamy were ex-communicated and were forced to live outside the community.

During the Muslim rule, amongst the Hindus, caste system was so rigid that both inter-marriage and inter-dining were taboos. Because of much rigidity, the untouchables became a prey to the process of conversion started by the Muslims. Many of these untouchables and low caste people embraced Islam and joined the invaders partly to avoid prosecution partly in search of freedom. After the Mughals, during the rule of Marathas and Peshwas, it is also recorded that, the Mahars and Manqsd were not allowed within the gates of Poona after 3 p.m. and before 9 a.m. It was because before 9 a.m. and after 3 p.m. their bodies cast too long a shadow which falling on a number of the higher castes especially Brahmins - defiled them. Thus, untouchability was institutionalised.
Socially, scheduled castes have been denied status in the traditional Hindu caste system, for they are ritually for below the pollution line. They fall beyond the varna system. But surprisingly they are accommodated in the local jati system in the villages. The Hindu caste system, despite severe inequalities, is marked by an organic unity among castes made possible through internalisation of the egalitarian values, embodied in the swine concept of 'karma' and 'dharma' observed both by upper and lower castes.\(^8\)

The British role in this was a characteristic mixture of pragmatic, equivocal, calculated and philanthropic, with the proportions varying with time. The British rule initiated the process of westernization of the Indian society which cut-down the social prejudices and taboos. The socio-religious reform movements in the 19th century, an outcome of the western impact, awakened the enlightened Indians to the moral responsibility of improving the lot of the untouchables. In terms of uplift in socio-economic status, the untouchables reaped the least benefits from the British rule, compared to the caste Hindus and other communities such as the Christians and Muslims.\(^9\)

But the general thrust of colonial policy and their presence undermined the traditional restrictions on low castes and untouchables. It opened some avenues of mobility unintentionally, which in fact, had not existed before. It was very important to the untouchables that the British themselves did not practice untouchability. As a consequence when new employment and educational opportunities became available in India due to the presence of the British in the field of western education, industrialization, new trades and professions some of the untouchables in their own capacity were able to take advantage of this situation. It enabled some of them to seek employment outside their traditional caste occupation. A large number of tribals and untouchables were enlisted in the British army.\(^10\)

When the Indian National Congress was founded at Bombay in 1885, it was felt by the leaders of the movement that the National movement should not be exclusively political, side by side with the consideration of political
questions, questions affecting Indian social economy should be put forth for vitalizing Hindu society by removing the social evils and social wrongs. Mrs. Annie Beasant in the opening session declared, "what can be done for them by those who feel the barbarity of the treatment meted to them, by those who feel that Indians who demand freedoms should show respect to others and give to others a share of the consideration they claim for themselves?"

For the Congress Party and the Hindu leaders, the British decision came as a rude shock. Gandhi, who represented the Congress during the second Round Table Conference, had vehemently opposed the idea of separate electorates for the depressed classes. He had argued that it would "create a division of Hinduism", and had threatened that "if I was the only person to resist this thing, I would resist it with my life".

Gandhi meant to carry out his threat. In a letter written to the Prime Minister, Ramsay MacDonald, from the Yervada Jail on August 18, 1932 Gandhi announced his fast unto death. Gandhi commenced his epic fast on September 20, 1932. Everyone, including Ambedkar, became worried about Gandhi's health. The Government refused to budge from its decision unless some agreement was reached between the Hindu leaders and the depressed classes representatives. Hurried meeting and hectic activities followed. Pandit Madanmohan Malviya was the leading figure for the caste Hindu, and Ambedkar represented the depressed classes. After several days of discussion and repeated visits to the Yervada Jail to meet Gandhi, an agreement was reached on the basis of which Gandhi agreed to end his fast. This agreement, known as the Poona Pact, gave the depressed classes more reserved seats under the joint electorates. On political implication of the Poona Pact, Ambedkar later commented that Poona Pact, while giving the untouchables a few more seats that had been given to them by the Communal Award, took away from them a priceless privilege and a powerful political weapon. He estimated that the voting strength of the untouchables in each constituency was one to ten. The double voting in his opinion would have made the caste Hindu candidates more
dependent on the votes of the "untouchables" and no caste Hindu candidate would have dared to neglect them.\textsuperscript{14}

The Chairman of the Drafting Committee, Ambedkar submitted a memorandum to the Advisory Committee and pleaded forcefully for affording the scheduled castes political and social safeguards in the Indian Constitution. He considered scheduled castes as a "minority" community. As a matter of safeguard to minorities (which included depressed classes), he had suggested the establishment of non-parliamentary irremovable executive both in the union and in the units. He proposed the scheduled castes should have a minimum representation according to their population ratio in the Legislatures, ministries and municipalities and had to be elected through separate communal electorates. But after assuming Chairmanship of the Drafting Committee, his position and outlook changed. However, Ambedkar's suggestions on safeguards were incorporated in the Constitution. His proposal for an independent officer to be appointed by the President to report on the working of the safeguards for the scheduled castes was accepted by the Assembly as Article 338 of the Constitution. He proposed that the safeguards for the scheduled castes should continue at least for a period of 25 years. The advisory committee decided that the reservations for scheduled castes and scheduled tribes should cease to have effect on the expiration of a period of 10 years. Some members in the debate suggested that it should be for longer period. After a long discussion on the concession for the scheduled castes and scheduled tribes it was agreed to have that reservation should continue for 10 years. Article 334 provided that reservation of seats and special representation shall cease after 10 years.\textsuperscript{15}

The setting up of India's Constituent Assembly in 1946 on the eve of Independence, came as a culmination of almost half a century's efforts at preparing a variety of government patterns. All the efforts during this period were mainly the outcome of an alien Government's half-hearted response, relaxing their hold over the country as a result of the pressures mounted by the movement for 'self rule' in the first instance and complete independence
subsequently. The Government of India Act, 1935 included in its purview the Princely States and spelt out a plan for much more responsible government in the provinces and a diarchy of the old provincial pattern at the Centre. The provincial Governments envisaged therein were installed after elections but the federal set up never came into being due to the hesitation on the part of the princely States and the Second World War.¹⁶

The Advisory Committee received few memoranda from the organisations of scheduled castes and scheduled tribes. A special mention may be made of the Republican Party and All India Adi Hindu depressed classes Association. If these memoranda are to be taken as an index of political, social and economic aspiration of these classes it would be noted that the provisions of the draft Constitution were below their expectations. The Depressed Classes Association formulated a long list to measures for the uplift of the scheduled castes. In particular it claimed reservation of seats in the various legislatures in proportion to their population and asked that either elections to these reserved seats should be through separate electorates, or, if the principle of joint electorates was adopted, every candidate should, before he was declared elected, secure at least 40 percent of the votes cast by members of the scheduled castes. Ambedkar's suggestion for the amelioration of the conditions of the scheduled castes included generous provision of funds in the budget of the Government for higher education, secondary and college education, and for education abroad of members of this community; the settlement of scheduled castes in separates village; and the setting up of settlement commission for this purpose. Finally, to watch over these measures, he wanted an office of the Superintendent of Minority Affairs to be created, with the same status as the Auditor General, whose duty would be to prepare an annual report on the treatment of minorities by the public as well as by the Government; and on any transgressions of safeguards or miscarriage of justice arising out of communal bias by the Governments and their officers. These reports were to be placed before the Union and the State Legislatures and discussed by them.¹⁷
Gandhi and the Indian National Congress seemed to stand for a kind of gradualist, reconciliatory and co-operative political mobilisation of Harijans where as Ambedkar advocated for rapid political participation of Harijans. In their own ways, Gandhi and Ambedkar have been more successful mobilisers of Harijans presumably because of their peculiar mixes of traditional and modern idioms, symbolism and styles of appeal. The common objectives of Harijan uplift and welfare were sought to be pursued differently by two leaders, while Gandhi emphasized a more universalistic reformist approach linking the cause of Harijan uplift with that of other similarly deprived groups, Ambedkar stressed a more radical but ethically particularistic approach isolating the struggles for justice form those of the other oppressed groups. One can argue that Ambedkar was too harsh to Gandhi but Ambedkar failed to appreciate that Gandhi was moving both ahead of his time and along with it. It was felt that Gandhi was apprehensive of the wrath of the higher castes who were dominating the socio-political and economic scene of the country. Touchable liked the idea given by Gandhi, because this slogan of upliftment was in no way opposed to the social hierarchy. Gandhi, a proponent of the best in Hinduism, was never communal. He was the embodiment of secularism. He was farsighted and broad minded. He stood before the nation as a seer, they very acumen of wisdom, compassion and a composite cultural aspiration in handling the problems of untouchables. Ambedkar with his affability, his gentle disposition, kindness and affection, no less then by his wisdom stood out as a beacon light of courage and fortitude instilling in the masses of the untouchables self-confidence and self-respect. The pages of the history of untouchables would ever be embossed in golden letters concerning Ambedkar's unique contribution to the cause of untouchability.18

The Constituent Assembly of Independent India passed a provision legally abolishing untouchability on November 29, 1948, nine months after the death of Gandhi had no use for legalism whereas Ambedkar had. The synthesis
came in the form of certain written provisions in the Constitution, which was inaugurated in 1950.¹⁹

Politics is a competitive enterprise. Its purpose is the acquisition of power for the realization of certain goals. Politicians seek to identify and manipulate the various existing and emerging allegiances in order to mobilization. The caste system provides an institutional basis for tolerance. A caste-based society is a pluralistic cultural universe, with each caste having its own occupation, customs, rituals, traditions etc. The involvement of caste in politics is a process of mobilization of different sections of society for political purposes.²⁰ All political parties reinforce the caste sentiment. In each constituency, during election, they put up candidates belonging to the dominant caste in that constituency. They use caste associations and persuade caste leaders to appeal to their caste fellow to vote for them.

The social basis of a political party can be built on the basis of its ideology and organization. Political parties in India, except the communist parties, are not clear as to their ideologies. The Janta Dal, Bhartiya Janta party and Congress have, from time to time, laid down short-term goals, policies and tactics to win elections. When they are not able to win their voters at local level through ideological and problem-oriented politics, they adopt caste politics. Although caste have been playing an important role in the Indian political system, they have not demanded separate political identification. As parts of a larger society, they are symbolically related to one another and are participants in Hindu culture. This relationship is integrated and legitimzed when they come to mobilize themselves politically. Political participation in India earlier was only limited to a few upper castes. The British introduced western education, established speedier means of communication, and extended franchise to cover ever increasing number of people in India. The leadership provided by lower castes during the national movement was proof of the increasing participation increased manifold after independence. After independence, the intermediate castes started competing for political power.
This increased the number of participants. Earlier, power politics was limited to a few upper castes; now the intermediate castes are also in picture. The caste system is today responding to the processes of representational politics. The caste structures have grown stronger under the impact of adult franchise.

In the caste politics the Mandal Commission played a very important role. The Mandal Commission which generated a bitter controversy over the question of reservations for backward classes. Mandal Report could not carry conviction with the entire nation. Besides, the timing and manner of its implementation raised doubts in the minds of many about the intentions of the politicians in power. The Commission adopted the premise that ritual ranking of castes has enabled the higher castes to hold the lower castes in bondage for ages. The Commission therefore rejected a mechanical view of equality and opined that unequal cannot be treated as equals otherwise of eleven social, economic and educational indicators evolved by it and by giving more weightage to social indicators, the Commission made castes and communities as the basis for identification of backward classes in the Hindu society. No doubt, occupation, under-representation in government services, beggary, untouchability etc. were also taken into account. But the Commission insisted that identification has to be on a collective basis, for example on the basis of caste or hereditary occupation; the basis cannot be individual. Further, poverty in the view of the Commission could not be a basis of identification as a poverty of a person may be a transient phase.

The Mandal Report became controversial and was found unacceptable by bulk of non-beneficiaries mainly because of: (1) inadequate data and unsatisfactory survey relics upon (2) dominant importance given to caste, (3) an inclusive approach in preparing the list of backward classes, (4) complete neglect of even the very poor amongst the upper castes, (5) extension of the benefit of reservation even to the affluent amongst backward castes and (6) application of the reservation policy not only at the stage of initial appointment but also at the stage of promotion in service. In view of these
factors, no action was taken on this Report for about a decade. It was unfortunate that this Report was implemented without adequately preparing the public opinion and that too in a confrontationist atmosphere. Many observers thought that the Report was implemented to score a point in the intra-party rivalry within the ruling party and with electoral considerations in view. The doubts about the motive of the Government also reflected on the legitimacy of the scheme implemented on the basis of the Mandal Report.

Social reformers down the ages had tried to break the barriers, which separated Hindu society into the upper and the lower castes, the touchable and the untouchables, but with little success. This resulted in conversion to Christianity and Islam, as and when the latter two entered the scene. Gandhi also, in his own way, tried to change the heart of the higher castes so as to make them accept that Harijans had as much right to worship in a temple, to draw water from a well and to participate in social and religious functions, as any other Hindu. The various legal and constitutional remedies were tried to counteract the discrimination against the depressed classes so as to improve their social and economic status with the result that in independent India the governments at the Centre and the States becomes the main protagonists of the uplift of these unfortunate sections of the Hindu society. Punitive legislations were enacted to prevent discrimination against these sections and positive administrative measures were taken to compensate for the disadvantage and discriminations to which they had been subjected for centuries. After almost forty years of its implementation in independent India, the reservation policy has reached a stage where both its supporters and critics are unhappy about it. The former are unhappy because it has not created a noticeable impact on the social and economic conditions of the scheduled castes and scheduled tribes, majority of whom still continue to be socially isolated, illiterate and poor. Its critics complain that in matter of employment promotion and admissions reservations have been stretched too far at the cost of merit and equity giving rise to frustration and alienation among the unreserved categories. It is high
time now what we take a fresh look at this policy in the light of the experiences gained since independence.\textsuperscript{24}

Once a concession is granted it takes the form of a right as time passes and the beneficiary individual or group resists with all its might any attempt to withdraw it. Moreover, the non-beneficiaries do not get organised into an opposing counter force strong enough to break this resistance. The scheduled caste and scheduled tribes constitute almost twenty-five percent of the population and no party in power at the centre or in the states can take the risk of abolishing the reservation granted to them and lose the support of this solid vote-bank in subsequent elections. Parties out of power also, cannot displease these categories for almost the same reasons. They put pressure on the ruling party in another way by instigating other backward sections of the society to demand similar benefits. In such a situation, the ruling party cannot afford to remain far behind and in its apparent zeal to help the poor and the downtrodden sometimes overreacts. It projects itself as the sole guardian of the weaker sections by granting them all sorts of benefits irrespective of their long-range implications for the nation. The roster system, carry forward rule, creating watch-dog machineries to safeguard the interests of the beneficiaries special programmes of financial aid, special scholarships, special training programmes, relaxed standards in admissions and recruitment etc. are illustrations of various steps taken to keep these groups contented and happy. Whether these concessions are reaching to the poorest of the poor among them is hardly anybody's concern. During the last forty years, a section of the scheduled castes and scheduled tribes has become economically as well off as any other average middle class man in any other caste or community. Some of its members have even acquired great wealth. They enjoy all the modern amenities of life. Their wards receive education in the most expensive schools and are fully exposed to rich society. Therefore they have a distinct advantage over the weaker sections of their own caste, so the poorer co-caste candidates fail to get the advantage even when the competition is limited to the reserved
categories only. This group has also developed a strong political lobby to ensure that their interests do not get jeopardized in any way.25

There is no doubt that no social institution containing so large an element of inequality and discrimination towards the majority of people can survive for a long period in a purely social context. So this reservation policy was the method contemplated by the Indian political leaders to compensate with the centuries long disadvantages position that the Depressed Classes had to face through the stigma of untouchability.26

Another aspect of reservation is that it has strengthened an elitist orientation. As a result of which, though the actual percentage of literacy among these classes is still rising, the rate of progress in literacy has been falling and the gap between the educated and the uneducated among the untouchables is increasing. It has delivered much more benefits to upper echelons than to the entry level ones.27 There is no doubt that the social gap has got to be bridged, but the vast span of time consumed in the process should make us wiser that it cannot be done through reservations. Although the shackles of mental slavery of downtrodden cannot be forsaken through one generation, but it is difficult to ignore the reality that the stigma and the slur of quota appointments, is far worse than unemployment, the more so as they help reveal the identity of the man concerned and segregate him from the mainstream-built upon the oneness of society, which broke no caste filters. Since the caste quota has come out to be solemn affirmation of the lower level of caste of the so called beneficiaries, it is high time the national leadership realise that even the subordinates of the quota appointees point towards them an accusing finger, though, behind their back. There is no doubt that better economy is the main medium for social upliftment, but that can be achieved even without one percent reservations, to better the lot of the weaker section of society, without their bifurcation by caste, colour or creed.28

The history of reservations is replete with the record that the real benefit as 'never trickled down to the intended beneficiaries because the latter
had never had the opportunity to come to the educational level required for the earmarked claim, as the persons for whose benefit the provisions were made in the Constitution, suffered throughout from the lack of educational upliftment. The unintended outcome of the intended purpose behind reservations went on multiplying, meanwhile which, leads one to the crucial point at stake, whether the son of a Deputy Inspector General of Police or that of a Commissioner of Revenue, from the scheduled castes or scheduled tribes or other backward classes is entitled to the benefit of reservations? In the same context comes forth the question: whether the son or daughter of an illiterate peasant or labourer from the scheduled castes and scheduled tribes or other backward classes, would ever be entitled to claim much less than get, the benefit of reservations?

There are some problems attributed to the reservation policy.

1. Instead of bridging the gap between the scheduled castes and scheduled tribes on the one hand, and the rest of the Indian society on the other, this policy has indirectly widened the divide between the two. The beneficiaries of this policy have become objects of jealousy of those into whose privileges they are imagined to have cut because of reservation. This jealousy gets reflected in various forms in work-places, towns and villages. This is not a very happy trend for national integration.

2. As a result of the reservation policy it was expected that in course of time the affected groups will throw up local leaders who, like Ambedkar, shall fight for the welfare of these classes and see to it that more and more of them ascend the economic ladder.

3. It is unfortunate that blanket reservation and ad-hoc quotas have been fixed at all levels, from primary education to professional colleges and skilled government jobs, when it is a well known fact that the percentage of literacy among the reserved categories is abysmally low. A number of nationalised banks and other public undertakings have not been able to fill officer cadre reserved vacancies.
4. This policy and its extension to backward classes has given rise to problems of law and order for those who are already facing a serious challenge from various separatist elements in Punjab and the North-East. The most serious agitation against reservations was witnessed in Gujarat where political maneuvers led to the degeneration of this movement into communal riots which, so often, get sparked off in that state on one issue or the other.\[^{29}\]

Gandhi always considered Harijans as an integral part of the Hindu society. He taught and won the battle against separate electorate for the Harijans because, according to him, it would have created a permanent schism between the two caste groups. Nehru was also against undertaking any steps which would lead to separatism and create a psychology of dependence in this section of the Indian society. He had said, in so many words, that external props like reservation should be used only as a transitory measure to help the reserved categories to overcome the socio-economic handicap. Like Gandhi, he also favoured programmes to help them develop inner strength to compete in a healthy manner with other sections of the Indian nation on an equal footing. So long as they continued to rely heavily on the external props of reservation they would not learn to stand on their own and the moment these external props are withdrawn they would find themselves in a helpless situation from where it may not be possible to pull them out easily.\[^{30}\]

The foregoing discussion amply demonstrates that all is not well with the reservation policy, as applied to employment and it is high time that a dispassionate thinking is focused upon it. The following suggestions are mooted in order to make the reservation policy judicious and reasonable. The benefits should be extended to the wider sections of the society so as to make the policy of reservation serve its real purpose.

1. **Instead of identifying backwardness through caste the state may lay down objective criteria of socio-economic backwardness.**
2. As few indicators of backwardness may be used as possible. The possibility of employing annual family income as the sole criterion may be considered.

3. Vacancies may be reserved against the income criterion, their percentage may be worked out the basis of the prevailing distribution of income. These percentage may be revised, if necessary, after every ten years.

4. Income certificate issued by the block level officer or an equivalent functionary in urban areas may be considered adequate to allow the benefit of reservation in so far as selection for appointment is concerned.

5. The roster system and the carry forward rule may be gradually phased out.

6. Reservation may be made at all the level of direct recruitment.

7. Promotions may be made strictly on seniority-cum-merit basis.

8. Greater attention may be paid to develop mental programmes than has been possible so far. Children from poor families may be given adequate financial support in their education and social development. Possibility of reserving a percentage of seats in high fee schools for promising children from poor families may be considered. The entire cost of their education in such schools may be borne by the State.

9. Only one generation should be permitted the benefit of reservation and the exceptional provisions and schemes even if envisaged by the constitution should not be made a general and permanent feature.

10. Its gain should not at all be allowed to be concerned by a few who are already better off. Periodic review is necessary. Once a person has been benefited, he should not be further provided with this protective umbrella. The umbrella should be shifted to others who needs its protection and this process be shifted to others who needs its protection and this process should continue for one generation only. The benefits of reservation should be given only once that is either at the stage of admission, or recruitment or promotion and not at every stage of one's career.
11. Classifications of backward classes should be dictated by different factors at different stages. A class which is declared as backward may turn out to be the most advanced in a particular region or state. One who is economically poor shall be considered as backward because other norms of advancement are dependent upon this very factor.

12. There must be some independent committee to review of the decision made by any government declaring the list of backward classes. In most cases this is political expediency.

13. It is an ultimate goal of having a casteless and classless society is to be attained, the lists of scheduled castes and scheduled tribes would have to be reduced from year to year and replaced in due course by a list based on criterion of income cum merit. The unfortunate trend of expanding the lists; obviously under communal pressure is not a healthy sign. A bold step is arresting this trend in the need of time such is the mandate of the constitution and imperative for building an egalitarian society.

14. The creamy layer among the backward classes must be excluded with a progressive reduction in the percentage of reservation.

15. Creating conditions for the advancement of the backward classes through literacy and poverty eradication, educational and economic improvement programmes rather than substituting such programs by mere reservations from which in any case only a selected few are to be benefited and not the bulk of backward classes.

16. Persons getting benefits of reservations through corrupt practices must be dealt severely. Acquisition of false caste certificates is made a cognizable offence punishable with imprisonment upto two years and fine.

17. Reservations contained in Articles 15(4) and 16(4) of the Constitution of India being exceptions should not be permanent and should be restricted to only one generation. This will ensure the benefits of reservations to those who are genuinely needy.
18. Caste cannot be the sole criterion for ascertaining or identifying the backward classes for the purpose of Article 15(4) and 16(4). Article 16(4) speaks of class and not caste and the two are different. If the goal be a casteless society delineation on the basis of castes as such is bound to prove counter productive.

19. As and when a group which has enjoyed the fruits of reservations and has become fairly advanced comparable with other advanced sections of the society, it has to be ousted from the bracket of the backward classes. It will not only be in the interest of the general public but also in the interest of that particular group itself.

20. Instead of providing 'quota system', it would be ideal if the preparatory preferences was awarded to backward classes of the people. In this respect both the government and judiciary should draw inspiration from case instead of providing 'quota system' emphasis protective discrimination and preferential treatment.

21. The next important thing is to "pay back to the society". Ambedkar expected the dalits to contribute at least five percent of their earnings for the development of the society. Unless the whole society is reformed, they will never be respected in the society, howsoever wealthy or educated one may be. Educated dalits should make it a habit to contribute at one percent of their earning for the welfare of the backward society.

22. The doctrine of protective discrimination embodied in Article 15(4) and 16(4) and the mandate of Article 29(2) cannot be stretched beyond a particular limit. The state exists to serve its people. There are some services where expertise and skill are of essence. In such services or posts under the Union or States there can be no room for reservation of post, merit along must be the sole and decisive consideration for appointment.

The above suggestions have been offered, keeping in view, the interests of the entire disadvantaged section of Indian society. The phenomenon
of poverty cuts across all the castes, communities and religions in the country. It is unfair to think that only certain castes deserve special attention for the upliftment of their economic condition through the reservation policy. At the same time, it is illogical to think that the basis, prejudices and negative attitudes deeply ingrained in the minds of the so-called non-scheduled caste would gradually be removed as the members of scheduled castes starts working shoulder to shoulder with them. It has not happened so far, and is not likely to happen in future also, simply because an effort is being made to treat a psychological malady through economic measures. The present study of reservations in services instead of bridging the gap between the scheduled and non-scheduled castes has further widened it and led to the hardening to the attitudes on either side. In addition, the so called backward castes among non-Scheduled Castes have also started demanding reservations in services to overcome their economic handicap.

The policy of reservations needs reconsideration and the criterion for identifying the intended beneficiaries has to be reviewed, so as to determine the question of backwardness of various castes. The reservations must have a time span and be reviewed after every five years.
References


13. "I have been read the British Government's decision on minorities and have slept over it. In pursuance of my letter to Sir Samud Hoare and my declaration at the meeting of the Round Table Conference on 13th November 1931, at St. James Palace, I have to resist your decision with my life. The only way I can do so is by declaring a perpetual fast unto death....", Joseph Benjamin, *op.cit.*, p. 34.


18. Rabati Ballav Tripathy, *op.cit.*, p. 34.