CONCLUSION
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The Indian society is a caste ridden and economically imbalanced society. The evils of untouchability has been a blot on our society. Caste barriers from centuries together had led to social injustice, social isolation and economic oppression of a section of society. The age old injustice perpetuated upon the untouchables and other oppressed class of people was to be compensated through an effective and quick remedy. The constitution of India not only debarred untouchability through Article 17 but realized the urgent need of social justice through protective discrimination in favour of these classes.

The Indian constitutional philosophy is based upon the notion that certain social groups in India are inherently unequal and are victims of social discriminations and thus required compensatory treatment. At the time of independence and making of the Constitution of India one could have hardly visualized that the policy of reservation as a means of combating group inequalities would become a major source of social and political unrest. Over four decades of our experience with the quota system is only a crude strategy of social reconstruction which if mismanaged will surely lead the society to traumatic tensions.

In the modern India the extension of reservation to scheduled castes has invoked violent caste response, street violence and political conflicts. The state practice on reservation reveals that the device of reservation has become a tool of aggrandizement in the hands of politically dominant castes who always try to strike political bargains to retain the privilege of being classified as backward even at the expense of the really needy and the deserving.
Even those who are in power see the advantages in the system for winning their political supporters. Backwardness has become a vested interest and any attempt to eliminate the well off from among the ones designated as backward groups is strongly resisted. This results in caste riots and social tensions.

The successive government at the State and at the Centre have not fully discharged their obligations under the constitution, towards the poor and backward classes of people in the country. Job-reservations as a whole has been the vote-catching platter. Neither the job reservations nor the reservations of seats in the educational institutions are of material help. Unless illiteracy and poverty of the backward classes is removed, they will not be benefitted by the reservation policy alone. Affirmative action programmes on war-footing is needed for the upliftment of backward classes. Liberal grants and subsidised schemes under Article 340 read with Articles 15(4) and 46 are needed to remove illiteracy and poverty. Housing, sanitation and other basic necessities of life are to be provided. Illiteracy is the root cause of backwardness. Free and compulsory education is no where within reach even after 50 years of independence. The legislations enabling free education are only on paper. A poor father, whose child is earning and contributing towards the family income, may not send the child to school even if the education is free.

Right from the very beginning the reservation policy has been always subjected to controversy. The other who are not given reservations are of the opinion that they are in no way better economically, socially and educationally then those who are preferred by the government. The Supreme Court in its ambiguous interpretative process (In Mandal Commission Case) has further
confused the concept of caste based backwardness and the backward classes.

The basic structure of the Constitution envisages a cohesive, unified and casteless society in which casteism ossified for centuries should become merely the dust on the shelf of Indian history. The Mandal judgement fractured the nation and disregards the basic structure of the constitution. The decision had revitalized casteism, cleared the whole nation into two forward and backward classes and opened up chances for conflicts.

It is undisputed that 50 years of independence have changed the social, educational and economic landscape beyond recognition. There are crores of backward individuals in forward castes and crores of forward individuals in backward castes. The wise framers of the constitution had originally provided a period of 10 years to the Scheduled Castes and Scheduled Tribes, by extending the terms of reservations, the beneficiaries have become habitual of its dose, it is no doubt unfortunate, that the government have been forced by circumstances to increase that period through amendments to Article 334 of the constitution, first from 16 years to 20 years, from 20 years to 30 years, from 30 years to 40 years and then again from 40 years to 50 years. If the extension continues in this way then, there may be no end to the extension of this period.

To be more true the position the position of the Scheduled Castes today is neither in the interest of Schedule Castes themselves nor that of the nation as a whole. Apparently one cannot developed as a nation when a large section of society remains isolated and deprived in the overall race for development. The nation can never achieved its proposed destiny, if a large segment of its population is not able to enjoy equality of opportunity granted as a fundamental
right to all citizens of India in the field of employment under Article 16(1) of the constitution. This can only be done by providing them all possible props and supports in order to enable them to run shoulder to shoulder with their more fortunately placed brethren in the race of national development. Unless this truth becomes clear to all concerned, we cannot afford to boast of providing equal opportunities, inter alia in the matter of providing employment to all alike.

Reservation should not go indefinitely. If it is prolonged for periods of time it may introduce complacency of weaker sections. By its very nature it cannot be perennial and therefore such provisions have necessarily to be transitory otherwise it may institutionalize causing more social tensions rather seeking amelioration. Reservation as an instrument of social engineering should be a device for minimizing phenomenon with the passage of time and not vice versa. The reservation strategy should be used as a medicine and not as an intoxicant. It is a means to achieve egalitarian society and not to end in itself. Consequently there must be a take off stage, when by reason of protection given to the community class or section reaches the normal level.

It is, therefore, essential that the backwardness of a class of people is bound to be revived from time to time with a view to assess the position of such class or section after they had obtained the benefit of protection of the special provision for a reasonable period. In the absence of such a review, it is possible that continuance of such special provision to benefit them would be conferring a privilege or benefit to the detriment of the class itself. This underlines the absolute need for a periodic review without which there will be no justification to maintain status quo in regard to the provisions of reservations and other beneficial treatment.
The Mandal Commission has recommended the review of the entire scheme after a period of twenty years. The span of one generation as a criterion for raising the social consciousness is generational process. Thus the commission has not moved on the promise that a class one declared as a backward is to be treated as such for all times. In order to create an egalitarian society the government should prune the lists after putting the benefitted classes to the scales of backwardness. If the scale tilts in their favour they must be de-listed immediately.

It should also be kept in mind that national resources should be mobilized. A stage must be reached when without claiming protection of backwardness, an individual may be able to get not only discriminatory treatment but also equality of justice. The policy should be re-oriented to end the reservation as early as possible since the best way for the success of this policy is to dispense it as early as possible.

The reputation of the state lies in its people. It is the National character that makes the nation. This national character is exhibited not in adopting, begging but in creating wealth out of ruins. All the policies and schemes laid down in the constitution or other legislations should be framed, carried and continued keeping this fact in view. It is very unfortunate that the politics of votes has acquired an upper hand in India for short-lived personal benefit. It is very tragic that by creating such classes in the society the parties in power are doing massive loss to national character and national pride. The political parties have misused the true road, to the nation building and they are building their own destinies by prescribing medicines worse than the disease.

The Constitution of India is a living testimony to the greatness
and vision of Dr. B.R. Ambedkar. His life was in era of great struggle against injustice and humiliation to the Dalits by caste Hindus. He came out victoriously by giving all important rights to the oppressed in the Constitution of India. Inspite of all social hurdles in his way, Dr. Ambedkar rose to the greatest heights and occupied important and prestigious position in India. In fact he came and lived like a Sun and gave the light to Dalits who were living in darkness and state of slavery. He made them to realise their rights and safeguards which are incorporated in the Constitution of India. Dr. B.R. Ambedkar very well knew that unless and until the reservation in jobs, legislature and education was accorded to Dalits they would never be in a position to be equal partners in the administration of the country and they would remain oppressed and slaves forever. Dr. Ambedkar as a chief architect of the Constitution made social justice a founding faith and incorporated humanist provisions to lift the level of the lowly scheduled castes to make democracy viable on equal footing for all.

Reservation as envisaged by Dr. Ambedkar in the Constitution has been held as Fundamental Right in various cases by the Supreme Court of India under Article 16(4) and not under Article 335 where the claims of the Scheduled Castes/Scheduled Tribes have been recognised Inspite of the fact that reservation has been held as a fundamental right, its implementation seems to be a distant dream because in many government departments and universities, the policy of reservation is yet to be implemented and in most departments it is not being implemented effectively. It is strongly suggested that the parliament should make a law to punish the persons who are at fault in not implementing the policy of reservation.

Regarding reservation in legislature (Articles 330 & 332), Dr.
Ambedkar strongly advocated for such reservations in favour of SC and STs. Although he adapted a compromistic attitude by accepting the periodic review of reservation policy from interval of 25 years to 10 years with a note if it was considered necessary to extend the period at the end of ten years. Dr. Ambedkar was very much conscious of the merit and equality. He would not allow the preferential treatment to eat away the non-discriminatory principle. Dr. Ambedkar was a man primarily responsible for bringing about social revolution to secure human dignity for the oppressed. The present study establishes that in spite of various welfare programmes and constitutional safe guards for the oppressed classes, the oppressed sections of our society are where they were five centuries ago. This unchecked and uncarred implementation of reservation policy a developing towards social disequilibrium instead of functioning as an engine of social engineering. It is a matter of grave concern that no government has so far conducted any analytical study to determine the real impact of reservation policy. The government must justify the extension of privileges on the basis of the factual studies of the society. The reservation policy requires urgent re-structuring so that the down trodden get assimilated in the national main stream with a view to give impetus to the concept of social justice. What is required to make the policy judicious and reasonable and to spread the benefits of reservation to wider section. By this the unfulfilled dream of Dr. B.R. Ambedkar will come true.

SUGGESTIONS

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. 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.

2. Any privilege if doled out permanently makes the beneficiary a privileged class and gives wrong signals to others. This situation effects adversely the social harmony of the nation.

3. 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 benefitted, he should not be further provided with this protective umbrella. The umbrella should 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.

5. 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.

6. 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 expendiency.

7. Empirical studies should be conducted by the social scientists and the lawyers to assess the attainments of the members of that class in different walks of life. If such study reveals that
the backwardness of a class has ceased to exist, the class should be removed from the orbit of backwardness. Further, the government which is certainly interested in the protection of merit and efficiency in general administration and expertise in specific branches of services must maintain a balance between merit and concession.

8. A permanent National Commission for backward classes which must carry out sociological and economic study from state to state and from region to region with in a state must be established. This commission shall look after the adjustment and re-adjustment of programmes in proportion to the nature, degree and extend of backwardness. All such programmes must stand the test of judicial review whenever challenged. The framers of the constitution by enacting Article 340 clearly envisaged the setting up of such high powered National Commission for backward classes at the centre. Following the apex court's pronouncement in Mandal case, the government of India appointed the permanent commission on backward classes under Justice R.N. Prasad.

9. 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 in arresting this trend in the need of time such is the mandate of the constitution and imperative for building an egalitarian society.

10. The advisory committee for the revision of the lists of
Scheduled Tribes appointed by the Central Government in 1965, had also suggested that more advanced communities in the lists be gradually de-scheduled and a dead line be fixed when these lists would totally be dispensed within the interests of complete integration of the Indian population.

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

12. Exclusion from reservations all those either of whose parents is/was employed in higher grades (A or B) or is a qualified professional as doctor, engineer etc. or an income tax or sales tax assessee, or a owner of more than eight hectares of rainfed dry land or its equivalent and also all those either of whose parent is a graduate.

13. Setting up a permanent committee for making reservation scheme, self operative and self-regulatory by evaluating the process of each of the castes/communities included in the backward castes every year.

14. 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 benefitted and not the bulk of backward classes.

15. Persons getting benefits of reservations through corrupt practices must be dealt severely. Acquisition of false caste certificates be made a cognizable offence punishable with imprisonment upto two years and fine. Punishment should also reach all the accomplishes including the issuing authorities.
and forfeiture of all benefits secured through such certificates should be made compulsory.

16. Placing an income limit of a reasonable level i.e. communiting cum-means-test and excluding persons/families above that income limit is tightly desirable step. Such a step would also serve to reduce the division of society on the caste lines.

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. The backwardness which is relevant for the purpose of Article 15(4) can also be treated as relevant under Article 16(4). Adequacy of representation in state service is the main factor to be kept in mind while making a provision under Article 16(4).

20. As the present scheme is not satisfactory, identification of real backwardness on purely secular and economic principles without perpetuating the evil of caste element (which Mandal case has provoked) is necessary.

21. 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.

22. Backwardness for the purpose of protective discrimination must be decided on the economic considerations, and caste should not be the sole or dominant criteria for deciding backwardness. The decisions of Balaji, Chitralekha and State of Kerala v. Krishna Kumari cases should be the guiding force and those of Rajendra and Jaya Shree cases be properly corrected.

23. The consumers of protective discrimination must be based on sociological research and collection of datas etc.

24. A proper balance must be maintained between the safeguards to backward classes and general social good. In this connection the decision in Balaji case should be strictly adhered.

25. Instead of providing 'quota system', it would be ideal if the preparatory preferences are 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.

26. The constitution should be amended, all extentions or prolongations of reservation should be done by the act of legislation and not by executive decree. If the act is based on any report it should be released to press at least three months before the bill is introduced in the legislature.
27. Many educated and well of dalits think that the situation has improved and now and that there is nothing to worry in future. They should realise that whatever they are today is because of reservation policy secured by Dr. Baba Saheb Ambedkar. The educated dalits should understand the importance of reservation policy. They should educate the ignorant masses who got them the reservation, why it is required and how it will make an egalitarian society and how to make it more effective and fruitful. They should realise that it is the key for social justice.

28. The Dalits must realise they are not only Hindu, but the original inhabitants of this nation. Any socially educated person will like to live with dignity and identity. Just accepting the fact is not good. The Dalit should find the solution themselves since they do not have Ambedkar now. it is the responsibility of the educated dalits not only to realise the above but also to educate the rest of dalit masses.

29. The next important thing is to "pay back to the society". Dr. 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.

30. The educated Dalits should propagate the irrational and slavery aspects of Hinduism and never ending sufferings in it and prepare the masses towards obtaining a separate identity out side Hindu fold. The Dalits should be educated and they
should be communicated the importance of benefits of reservation policy and how it can be made more effective. Sooner the educated Dalits realise their responsibilities and act accordingly, better is for them, for their society and for the country as well. They will have to struggle to get the reservation policy extended to private sectors also.

31. 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 alone must be the sole and decisive consideration for appointment.

Dr. Ambedkar's vision of social justice may be achieved in reality if a serious thought is given to implement these suggestions in practice without any social or political prejudices.