APPENDICES
APPENDIX I

FIRST COMMUNAL G.O. 1921

In order to increase the proportion of posts in Government offices held by non-Brahmans, The Government direct that the principle prescribed for the Revenue Department in Board's standing Order No. 128(2) on the subject of the distribution of appointments among various castes and communities, would be extended to appointments to all grades in the several departments of Governments. All heads of departments and other officers empowered to make appointments are requested to adhere strictly to this principle in filling up vacancies in future.

Heads of departments, Collectors and Districts judges are requested to submit to Government half-yearly returns showing, in respect to their own offices and the subordinate offices under their control, the number of the newly entertained in the permanent service during the half-year classifying them under the following heads:

(1) Brahmans
(2) Non-Brahman Hindus
(3) Indian Christians
(4) Muhammadans
(5) Europeans and Anglo-Indian
(6) Others

The returns should be submitted not later than the 15th January and 15th of July of each year. The first return should be for the half-year ending 31th December 1921 (by order of the Government-in-Council)

N.E. Majoribanks,
Acting Chief Secretary

G.O.No. 613, Madras, September 16, 1921.

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APPENDIX II

SECOND COMMUNAL G.O-1922

In a resolution passed at their meeting held in August, 1921, the Legislative Council made a recommendation to the Government to the effect that, with a view to increasing the proportion of posts in Government offices held by non-Brahman communities, the principles prescribed for the Revenue Department in Board's Standing Order No. 128(2) be at once extended to all departments of the Government and be made applicable not only to the principal appointments but to posts of all grades, and that the Government should be submitted by the head of each office and that such returns should be made available to the members of the Legislative Council.

In giving effect to this resolution in G.O 613, Public, dated the 26th September 1921, the Government called for a return showing the number of men newly entertained in the permanent service of Government during each half-year ending 31st December 1921 is; Brahmins 22 per cent; non-Brahman Hindus 48; Indian Christians 10; Muhammadans 15; Europeans and Anglo-Indians 2; others 3.

In circulating these returns, the Governments are not unaware that some dissatisfaction has been expressed with the fact that they are confined to persons newly entertained; and a resolution was tabled for the substitution for them of returns of all appointments whether permanent, temporary, or acting and whether the officers appointed were appointed for the first time or promoted from subordinate grades.

The Governments have examined the question of extending the scope of the returns in the sense suggested and are disposed to agree that some amplification is necessary if the returns are to show the progress
made in the carrying out of the policy in the matter of the representation of various communities in the public service which is expressed in the Board's standing order, namely, the endeavours should always be made to divide the principal appointments among the several communities and the lower appointments from which recruitments is made to them must be likewise divided, and are quite prepared to agree that, in order to give effect to his policy, other things being equal, the both at the time of the initial recruitment and at every point at which men are promoted wholly by selection or by seniority. At the same time, they have been unable to devise any form of return which would illustrate satisfactorily the progressive enforcement of such a policy as regards all the stages at which promotions, whether permanent, acting or temporary, are made, and His Excellency the Governor in Council, with the concurrence of his ministers, has come to the conclusion, after careful consideration of that question, that the only way in which to secure satisfactory information as to the representation of the various communities in the different branches on the public service is to have a return made out once a year showing the extent to which each of the six main sub-divisions is represented in each department. The return will be confined to non-gazetted officers and will be divided into two sections-one for officers drawing Rs. 35 and upwards on 1st April 1922. These returns should be submitted in time for publication by 1st October. A fresh return for the year ending 31st March 1923 should be submitted not later than August 1923.

In the case of officers in the gazetted service, the Government propose to accept the suggestion made in another resolution which was moved in the course of the last session to the effect that a column indicating the community to which each officer belongs should be
added to the Quarterly Civil List. For the purpose of this entry, all heads of departments will be requested to call upon the officers whose names appear in the Civil List to declare to which of the six main divisions they belong and to send the return to the Superintendent, Government press. The Superintendent, Government press, will be requested to suggest a set of simple symbols which can be inserted after the names of officers so as to indicate to which of the six communities they belong.

Further, in pursuance of the desire, which has been repeatedly expressed in the Legislative Council and with which the Government has every sympathy, that the public officers in language areas should be manned, as far as possible, by persons belonging to those language areas, all heads of officers in Telugu districts and in Oriya tracts will be instructed to keep a record of all persons not belonging by origin to those districts or tracts, respectively, and to take steps so far as possible to reduce the proportion whenever opportunity offers.

The Government hope that the instructions given will suffice to meet the desires of the members of the Legislative Council and others who have interested themselves in this matter and that the policy of Government being thus clearly declared, the demand for further statistics in regard to the representation of communities, castes or sub-castes in the public services generally or in particular offices will cease.

(by order of the Government in council)

R.A. Graham
Chief Secretary.

Public G.O.63, Madras, 15 August 1922.
APPENDIX III

THIRD COMMUNAL. G.O.

The Government direct that future in to the Service shall be made in the following proportion and order;

a. If qualified and suitable candidates are available in each community, Officers shall be appointed, so that the proportion of appointments made from each community may, out of every 12 posts be as follows:

- Non- Brahmins (Hindu) 5
- Brahmins 2
- Muhammadans 2
- Anglo-Indians and Christians (Including Europeans) 2
- Others (Including Depressed Class) 1

b. Such appointment shall be made in the following order

1. Non-Brahmin (Hindu)
2. Muhammadan
3. Non- Brahmin (Hindu)
4. Anglo Indian or Christian
5. Brahmin
6. Non-Brahmin (Hindu)
7. Others
8. Non-Brahmin (Hindu)
9. Muhammadan
10. Non-Brahmin (Hindu)
11. Anglo-Indian or Christian
12. Brahmin
c. If a qualified and suitable candidate of a particular community is not forthcoming in the turn allotted to that community, the appointment shall be made of a candidate belonging to the next community specified in clause (b) above if he is otherwise qualified and suitable, for appointment, and a qualified and suitable candidate belonging to the former community will have a preferential claim to appointment on the next occasion when it is made.

APPENDIX-IV

IMPORTANT RESOLUTIONS PASSED IN THE FIRST SELF-RESPECT CONFERENCE AT CHENGELEPUT ON 17 AND 18 FEBRUARY (1929)

- This conference, while adhering to the policy of working exclusively on social and religious lines of reform and reconstruction.

- It totally denies the theory of superiority and inferiority attached to birth and repudiated the authority of the Vedas, Sastras, Puranas and other Scriptures which 'promulgated' this false theory.

- It condemns the pernicious doctrine of Varnasrama which divides society into Brahmins, Kshatriyas, Vaishyas, Sudras and Panchamas and requests the people not to recognize this division, to give up the adding of suffixes and terminations to names to cannot caste or community and to discontinue the wearing, in any part of the body, of marks or other symbols indicative of creed or sect.

- In view of the urgency on grounds of humanity and of national advancement for the abolition of the institution of untouchability so that no human being may be considered as untouchable, unapproachable or unseeable, this conference resolves that no social or civic disabilities be permitted to be attached to any section of the people and that equal rights of access extended to all citizens to all public roads tanks, wells, watersheds, temples, choultries ,etc.

- In view of the fact that all attempts at social reform and the abolition of distinctions based on birth have so far failed owing to the determined opposition of a section with vested interests in the maintenances of these distinctions, this conference considers it imperative that legislation should be undertaken to abolish the privileged and equalize the opportunities for advancement for the people.

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The Government should make liberal provision for the employment of the untouchables in the public services.

It is of opinion that until the proposition of literacy among the "untouchable classes" rises to the same level as that of the other communities, boys and girls of the "untouchable community" should be provided with food, dress, books, etc; at Government expense while at school.

This conference resolves:-

a) The women should be given the same rights to property and inheritance as men.

b) The women should have equal rights with men to enter into and practice any profession they choose.

c) That women should be employed in large numbers as teachers and that their services should be enlisted exclusively in the sphere of primary education.

This conference is of opinion that not a single pie or a single pie's worth of material should be used for the purpose of worship in the temple or elsewhere in the name of God; and that no priest or intermediary between the worshipper and the worshipped should be employed.

It is of opinion that no new temples, vedapatasalas, and choultries ought to be erected hereafter, and the income from and the properties of the existing temples and mutts should be utilized for the promotion of technological studies and industrial research.

This conference is of opinion that the celebration of festivals in temples ought to be immediately put a stop to, and in their stead, should be organized exhibitions for the dissemination of knowledge among the people on such subjects as sanitation, public health, etc.
It urges that the age for marriage should be fixed at 16 for women and that infant and child marriages should be prohibited.

It advocates that marriage should be terminable at the will of either party and that no restrictions should be placed on remarriage.

It resolves parties to marriage should be given free right to choose their partners irrespective of caste, creed and race, and that the present laws relating to marriage should be amended accordingly.

This conference urges that marriages and other ceremonials should be so conducted as to entail the minimum expenditure of time and money; and that marriage ceremonials particularly should not be prolonged beyond a single day and should not involve expenses for more than one feast.

It resolves that compulsory elementary education for boys and girls of school-going age should be enforced throughout the country.

It is further of opinion that public funds should be spent only for primary education and that, if at all any money is spent for higher and technical education, admission to those institutions should be regulated according to the numerical proportion of the communities in the country.

This conference is of opinion that public funds should not be utilized for propagating the Vedas, Sanskrit or Hindi in the educational institutions.

It is of opinion that all books tending towards the inculcation of superstitious ideas should be proscribed and that licenses should not be granted for the enactment of any dramas which have a similar tendency.
• It resolves that facilities should be provided throughout the country for the promotion of physical culture among the youth, and that a course of military training should be made obligatory on the part of every adult citizen in the land.

• It requests authors, playwrights, actors, and proprietors of theaters not to adapt or adopt stories and plays which are opposed to reason and rational thinking and discourage self-reliance and self-respect or which have a propagandist tendency in the direction of inculcating false and absurd notions of religion.

• This conference while condemning all hotels and restaurants which accord differential treatment as between community and community, urges upon the authorities concerned, that licenses should not be granted for the running of hotels and restaurants maintaining such indivisible distinctions.

• This conference requests the railway authorities to take immediate steps for the abolition of caste, communal and racial distinctions in the hotels and refreshment rooms under their management or control, and appeals to the members of the Advisory Committees attached to the railway especially to see to the removal of these humiliating discriminations.

• This conference while offering its heartfelt sympathy to the non-Brahmin youths in the sufferings and humiliations they have at present to put up with, in educational institutions on account of their being manned and managed for the most part by teachers belonging to a particular community opposed to their advancement and uplift, urges the authorities in charge of the Education Department to institute an inquiry into the grievances of the non-Brahmin students with a view to devise ways and means for their removal.

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It is of opinion that for furthering the aims and objects of the Self-Respect Movement there should be a permanent organization for carrying on the work, with funds and propagandists of its own.

It requests the workers on behalf of the self-respect movement to support only such candidates in elections to the legislatures, local bodies, etc., as subscribe to the aims and ideals of the Movement.

This conference places this conference on record its appreciation of the great services rendered to the cause of social uplift and freedom by the founder of the self-respect movement, Mr. E.V. Ramasami and expresses its full confidence in his leadership and guidance of the Movement.

It considers that the welfare of the labourers is an indispensable condition for National progress and resolve that attempts should be made to give them a minimum wage, regard being had to the quality of their work and the necessities of their lives and also in addition a fair share in the profits of the industries concerned.

This conference is of opinion that all possible encouragement should be given by the state to the Siddha system of Medicine by establishing schools for its teaching and by giving scholarships to those who would pursue it.
APPENDIX V

GOVERNMENT OF MADRAS

Abstract

Public Services – Communal Representation – Modification

Public (Services) Department


Under the existing rules appointments in the public services to which recruitment is made on a communal basis are allocated among the various communities in the proportion specified below:

- Non-Brahma (Hindus) - 5 out of 12
- Brahmans - 2 out of 12
- Muslims - 2 out of 12
- Anglo-Indians and Indian Christians - 2 out of 12
- Herijans - 1 out of 12

After a careful consideration of the claims of all communities, the Government have come to the conclusion that the existing allocation should be changed as follows:

- Non-Brahman (Hindus) - 6 out of 14
- Backward Hindu Communities - 2 out of 14
- Brahmans - 2 out of 14
- Harijans - 2 out of 14
- Anglo-Indian & Indian Christians - 1 out of 14
- Muslims - 1 out of 14

The result of the revised allocation is that while the Harijans gain appreciably, Anglo-Indians and Indian Christians and Muslims lose likewise, but it must be realized that the provided allocation is roughly in conformity with the percentage of population of these communities in the Province.
Recruitment to some of the services and posts under the Government is made on a communal rotation basis. Consequent on the change in the reservation ordered in paragraph I above, it has become necessary to change the order in which appointments by rotation are to be made. The Government have decided to change the order of rotation as shown below in every cycle at 11 vacancies.

1. Non-Brahman(Hindu)
2. Harijans
3. Backward Hindu
4. Non-Brahman(Hindu)
5. Brahman
6. Non-Brahman(Hindu)
7. Muslim
8. Non-Brahman(Hindu)
9. Anglo-Indian or Indian Christian
10. Non-Brahman(Hindu)
11. Harijan
12. Non-Brahman(Hindu)]
13. Brahman
14. Backward Hindu

The revision of the rule of communal representation ordered in paragraphs 1 and 2 above will come into force immediately. In the case of communal rotation the order should start afresh. The fresh start should be made with the first after the date of issue of this G.O. and will begin at the first turn viz. Non-Brahman(Hindu).

Necessary amendments to the Service Rules will be issued separately.

(By Order of His Excellency the Governor)

K. Rakmani Menon,
Chief Secretary to Government.
APPENDIX-VI

BRIEF NOTE ON THE FIRST CONSTITUTIONAL AMENDMENT (1951)

Communal G.O. of the Madras Government was challenged as violating the fundamental right of equality guaranteed in Articles 16(1) and 29(2) of the Indian constitution. This challenge was thrown a few months after the Indian Constitution had come into operation on 26th January, 1950. The Brahmin Community exposed itself very distinctly as a class fired with unadulterated communalism. They interpreted the G.O. as a measure of discrimination against the Brahmins in particular. The Salem Brahmana Seva Sangam sent a petition to the President of India praying for a declaration that the Communal G.O. was ultra virus, illegal and opposed to the fundamental rights guaranteed by the Constitution (The Hindu 16.4.1950).

When the High Court gave a judgement against the G.O. the 3 per cent population (the Brahmins) hailed it; the non-Brahmins were shocked. The Depressed Classes and the Muslims were also naturally perturbed.

Periyar E.V. Ramasami took the lead and organized a complete 'Boycott' on 14.8.50. A very big procession shouting "We want Communal G.O." marched along the main streets of Madras. A mammoth meeting was held to condemn the decision of the High Court. Soon the Government of Madras appealed against the order in the Supreme Court.

The Advocate-General of Madras argued that Article 46 of the constitution authorizing the Government to promote educational and economic interests of the weaker sections of the people could override Article 29(2). It was rightly argued that the communal distribution of the
seats in colleges was tantamount to assisting the weaker sections of the population, but in September, 1950 the Supreme Court rejected the argument and upheld the judgement of the High Court. It is pertinent to mention here that Mr. Alladi Krishnaswamy Iyer, one of the four Brahmin members of the Drafting Committee of the Constitution appeared himself in the court (he left the practice long ago) and argued against the Madras government order making provision for reservation of seats in the educational institutions for the Backward Communities.

There was no alternative proposal given to the State Government to help the weaker section of society according to Article 46. The nullification of the just measures under the G.O. to benefit the weaker sections, naturally led to very serious consequences. There was widespread stir in favour of the Government order. Periyar E.V. Ramasami organized a state wide agitation pursuing non-violent and peaceful ways. The non-Brahmin masses including the Forward and the Backward Classes, the Muslims, the Adi-Dravidas and the others unitedly protested against the decision of the Supreme Court and solidly demanded the Communal G.O. to benefit the weaker sections, naturally led to very serious consequences. There was widespread stir in favour of the Government Order. Periyar E.V. Ramasami organized a state wide agitation pursuing non-violent and peaceful ways. The non-Brahmin masses including the Forward and the Backward Classes, the Muslims, the Adi-Dravidas and the others ultimately protested against the decision of the Supreme Court and solidly demanded the Communal G.O. to be restored.

It was later found at the appellate stage in the case that the Brahmin petitioner, Chenbagam Dorairajan gave a false affidavit stating that she applied for a medical seat which she actually did not. As such she had no right to file the writ in High Court questioning the
Communal G.O. However, when the Supreme Court next allowed the plea of the Government of Tamil Nadu was too late. How cunning the Brahmins were!

'Periyar' could not rest till the restoration of the communal rights nullified by the Supreme Court. How could the handicapped castes come up unless they were given compensatory justice? How could a healthy social transformation take place unless the disadvantaged communities were provided with necessary opportunities to progress? Perhaps Home Minister Patel had discussed the issue with the Prime Minister Jawaharlal Nehru and the Minister of law Dr. B.R. Ambedkar. Anyhow, the Union Government came to realize the intensity of the feelings of the socially and educationally backward classes in Madras State and decided to amend the Constitution, for the first time, to meet their just demand. The following are the excerpts from Nehru's speeches on the Bill concerned:

"The House knows very well that this matter came up in this particular form because of certain happenings in Madras; therefore there is no need to try and hush it up. The Government of Madras that this was not in order, that it was against both the spirit and the letter of the Constitution... Therefore some sort of special provision must be made. We have to do something for the communities which are backward... In our attempt to achieve it, (an egalitarian society), we want to put an end to all those infinite divisions that have arisen in our social life; I am referring to the caste system... We are gradually obliterating all those hard and fast laws that divided us; nevertheless, the process is slow and we cannot ignore the present altogether. We cannot ignore the existing facts... We have to deal with the existing situation... Life is a curve—it is not a straight line, and the life of a nation is a even more of the curves in the changing times."
Logical and straight lines are tangents which go off the curve and if the tangent is too far away from the curve of life of a nation's life, then there are conflicts and upheavals. If you are flexible in your action and constitution, then you are near the living curve of a nation's growth.” (29. May, 1951)

The Constitution (First Amendment) Act 1951 is related to matters dealt with in the Articles 15, 19 and 31. Of those matters, the issue of reservation required addition of clause (4) to Article 15. It reads thus:

"Nothing in this article or in clause (2) of Article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally Backward Classes of citizens or for the Scheduled Castes and the Scheduled Tribes."

Clause (1) of Article 15 says: "The State shall not discriminate against any citizen on ground only of religion, race, caste, sex, place of birth or any of them."

Clause (2) of Article 29 prescribes: "No citizen shall be denied admission into any educational institution maintained by the State or receiving aid out of the State funds on ground only of religion, race, caste, language or any of them."

In the provisions 15(1) and 29(2), the addition of clause (4) to article 15 is very significant and fundamental from the point of view of promotion of Social Justice.

First, it safeguards the special measures taken to promote the advancement of weaker communities. It gives sanction to the law orders already in existence like the G.O. of the Madras Presidency making reservation for the depressed and backward communities. Secondly, it encourages other States to take similar steps to meet the just demands.
of the Backward Classes. Thirdly, it removes the legal hurdles, real or apparent, standing in the way of the Union Government discharging its constitutional obligation as indicated in Articles 46 and 340. According to article 46, the state shall promote with special care the educational and economic interests of the weaker section of the people, and the Scheduled Castes and Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation. The Article 340 states that the President may by order appoint a commission to investigate the conditions of the socially and educationally backward classes and to make recommendations as to the steps that should be taken thereon to be laid before each house of Parliament. Finally, Without reservation in educational institutions as guaranteed by the Constitution first amendment, the reservation of appointments provided under Articles 16(4) and 335 will not benefit the socially weaker communities.

Only when we consider these basic benefits obtained through the addition of clause(4) to Article 15 we can realize 'Periyar’s' service to promote social Justice at a crucial period, viz., soon after the Constitution of India came into force in 1950. When the 1951 amendment introducing clause 4 to Article 15 of the Constitution was passed in Parliament, the question of identifying the socially and educationally Backward Classes for the purpose of Articles 15(4) and 16(4) was specifically examined by the Government. As the list of the Backward classes had been already prepared after investigating the claims from time to time, it was decided that this list should be taken as the proper one for the purpose of Articles 15(4) and 16(4) The Government of Madras in its Fort. St. George Gazette dated 24.4.1951 issued a list of the ‘socially and educationally Backward Classes’ within the meaning of and for the
purpose of Articles 15(4) and 16(4) of the Constitution. The statutory rights to enjoy the benefit of reservation were obtained for the eastwhile 'Shudras' all because of Periyar E.V. Ramasami. The founder leader of Dravidar Kazhagam and his Self-Respect Movement. While the Indian political parties were competing to seek power and position, the greatest social revolutionary of the 20th century, Periyar E.V. Ramasami, launched a fierce struggle in 1950 for regaining communal and social justice to the traditionally oppressed and exploited non-Brahmin communities. The first Amendment to the constitution, 15(4), has been made to fulfil the noble cause of promoting equality amongst all sections of the society.