RESERVATION SYSTEM AND INDIAN CONSTITUTION- SPECIAL REFERENCE TO MANDAL COMMISSION

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Abstract: The Mandal Commission in India was recognized in 1979 by administration under Prime Minister Morarji Desai with a authorization to recognize the socially or educationally backward. It was headed by Indian parliamentarian Bindheshwari Prasad Mandal to consider the issue of seat reservations and quotas for public to equalize caste favoritism, and old eleven public, financial, and educational indicators to conclude backwardness. During 1980 the commission's report confirmed the assenting action practice under Indian law whereby members of lower castes were given special access to a convinced portion of government jobs and slots in communal universities.

Key words: Reservation, Education, Caste, Backwardness, Government, Population

I. Introduction
Contrary to the prospect of several public theorists, India’s caste structure has shown amazing perseverance in the countenance of industrialization. This is a stark difference to the American experiences; somewhere European immigrants calm the boundaries of their customary social networks comparatively rapidly. Various explanations have been planned for this determination, counting ongoing favoritism by higher castes benefits resultant from social indemnity groups, and caste based patronage from government programs. (Craig Jeffrey, 2001) This Research will look at the connection between caste perseverance and the main government plan responsible for other backward classes, the reservation system. The reservation system allots a convinced percentage of government jobs and seats in upper education institutions to historically deprived castes, ethnic groups, and other classes’ identified by state and central governments.

Reservation policy for back word classes and Mandal commission
Reservations for the mainly miserable groups have existed in a little form because the days of British rule. These groups are together referred to as Dalits, or untouchables, and Adivassi, or tribal groups, though they are in fact cool, calm and collected of hundreds of distinct groups. After India achieved independence, the composition of these two groups was finalized into lists of Scheduled Castes and Scheduled Tribes, and their protection was enshrined in the Constitution. (Government Of India National Commission for Backward Classes, 2010.) The Constitution specifically prohibits discrimination on the basis of caste, and reserves 22.5% of seats in institutions of higher education and government employment. (Government Of India and Ministry Of Law And Justice. The constitution of India, 2006)

The next most important growth of the reservation scheme was initiated on the proposal of the Mandal commission of 1979, which was prepared to address the difficulty of other communally and educationally backwards classes. (Bhagwan Das 2000) These groups, while not burdened with the stigma of untouchability, still suffered from a constant lack of chance. The Mandal commission optional the creation of a third group of groups entitled for reservations, Other Backwards Classes (OBC) The commission recommended an additional 1,257 groups that should be eligible for reservations, and estimated the population of these groups at 52% of the total population of India. The commission also recommended that the total number of seats subject to reservation be increased from 22.5% to 49.5%. These recommendations were quite contentious, but were all finally implemented among 1990 and 2006. (Evan Osborne 2001)

The commission’s recommendations reflect a common understanding of the caste system, as a natural and permanent feature of Indian society. In this view, caste is similar to race, an absolute, biological fact. Social group classification in itself is morally neutral, and it is simply the great inequality between castes that necessitates involvement. A British modern of Mandal commented on the empowering nature of caste solidarity, remarking that strong caste groups have the effect of “raising the status and prestige of the Caste as a whole and
freeing its members from utilization and persecution by other caste.” (A. P. Barnabas and Subhash C. Mehta, 1965) The Mandal commission does not recognize persistent inequality as a natural result of caste stratification, but rather as a result of structural inconsistencies imposed by years of British rule. “The British rulers produced many structural disturbances in the Hindu caste structure, and these were opposing in nature and collision... therefore, the various impacts of the British rule on the Hindu caste system...set the stage for the caste conflicts in modern India.” (B.P. Mandal, The Mandal Commission Report, 1980)

The reservation structure proposed by the Mandal commission was not intended to decrease the influence caste, but rather to restore the natural order of the caste system by counteracting the structural inequalities imposed by British rule. Far from denouncing the caste system, the report actually justifies the reservation system by citing its consistency with the historic functioning of the caste system, where certain jobs were reserved for sure castes. The report appeals to a popular legend, in which two characters were punish for abandoning their conventional occupations. In fact the Hindu civilization has forever operated a very exact scheme of reservations which was internalized through caste system. Ekabaya lost his thumb and Shambuk his neck for their breach of caste system of reservation.” (B.P. Mandal. The Mandal Commission Report, 1980)

The thought that strong caste identification is not mutually select with egalitarian principals was not unique to the Mandal commission. John Harris writes of the people of Tamil Nadu, that social dealings are still structured hierarchically, but in the minds of individuals it appears that a form of the public can be envisaged in which hierarchy would disappear, and yet caste identities would still persist.” (John Harriss 1979)

The Mandal commission’s suggestion for a scheme of upbeat discrimination then was reliable with their underlying attitude on the nature of the caste system. These beliefs, however, are not universal. Indeed, as shall be explored in the next section, much of the conflict surrounding reservation policy can be traced to different beliefs about the nature of the caste system, rather than simple disagreements on policy prescriptions. Characterization of Caste Many economic phenomena spring from path-dependent economic processes, which implies that it is necessary to make a careful study of the historical past of an economic phenomenon to help explain its present. In other words, we must be good economic historians to be good economic theorists. Any attempt to identify the complex interactions between reservations and caste identity must begin with a strong conceptual understanding of caste. In the following section, I will present the major theories concerning the nature of the caste scheme and its source of its lasting influence in India.

**Horizontal Characterization** : In the years since the Mandal commission report, caste has been increasingly understood as a form of traditional social identity, separate and distinct from race. This view rejects the existence of any fundamental organizing principle, such as race, class, or hereditary occupation. Instead caste groups are defined by arbitrary symbols and rituals that exist primarily to define the identity of each caste relative to outside castes. Dipankar Gupta defines the caste system as “a form of differentiation wherein the constituent units of the system justify endogamy on the basis of putative biological differences which are semaphored by the ritualization of multiple social practices.” (Dipankar Gupta.) The caste equilibrium is thus sustained by the loyalty of individuals to their own caste above all others, rather than through a fixed hierarchical power structure. This view of caste can be characterized as horizontal, as compliance is enforced through mutual threats by peers. An article from the Hindustan Times in 1961 illustrates this horizontal enforcement: Everyone of the hundreds of sections into which this nation is divided suffers from discrimination and every group practices discrimination against all others.

**Vertical Characterization:** The vertical approach supposes a strict hierarchy with top-down enforcement, such as that found in a racially segregated society. Vertical theories of caste include therace-based theory of Chakraborty or the purity-based theory of Louis Dumont. Biological and anthropological evidence provide more support for the horizontal formulation of caste over the vertical formulation.

**Mandal commission report:** The Mandal Commission was established in India in 1979 by the Janata Party government under Prime Minister Morarji Desai with a mandate to “identify the socially or educationally backward. It was headed by Indian parliamentarian B.P. Mandal to consider the question of seat reservations and quotas for people to redress caste discrimination, and used eleven social, economic, and educational indicators to determine backwardness. In 1980, the commission's report affirmed the affirmative action practice under Indian law whereby members of lower castes (known as Other Backward Classes (OBC), Scheduled Castes (SC) and Scheduled Tribes (ST)) were given exclusive access to a certain portion of government jobs and slots in public universities, and recommended changes to these quotas, increasing them by 27% to 49.5%. Mobilization on caste lines had followed the political empowerment of ordinary citizens by the constitution of free India that allowed common people to politically assert themselves through the right to vote.
Criteria to identify OBC: The Mandal Commission adopted various methods and techniques to collect the necessary data and evidence. In order to identify who qualified as an "other backward class," the commission adopted eleven criteria which could be grouped under three major headings: social, educational and economic.

Social
- Classes considered as socially backward by others.
- Classes which mainly depend on manual labor for their livelihood.
- Classes where at least 25 per cent females and 10 per cent males above the state average get married at an age below 17 years in rural areas and at least 10 per cent females and 5 per cent males do so in urban areas.
- Classes where participation of females in work is at least 25 per cent above the state average.

Educational
- Classes where the number of children in the age group of 5–15 years who have never attended school is at least 25 percent above the state average.
- Classes where the rate of student drop-out in the age group of 5–15 years is at least 25 percent above the state average.
- Classes amongst whom the proportion of matriculates is at least 25 per cent below the state average.

Economic
- Classes where the average value of family assets is at least 25 per cent below the state average.
- Classes where the number of families living in kuccha houses is at least 25 per cent above the state average.
- Classes where the source of drinking water is beyond a half kilometer away for more than 50 per cent of the households.
- Classes where the number of households having taken consumption loans is at least 25 per cent above the state average.

II. Observations
The commission estimated that 54% of the total population (excluding SCs and STs), belonging to 3,743 different castes and communities, were 'backward'. Figures of caste-wise population are not available beyond. So the commission used 1931 census data to calculate the number of OBCs. The population of Hindu OBCs was derived by subtracting from the total population of Hindus, the population of SC and ST and that of forward Hindu castes and communities, and it worked out to be 52 per cent. Assuming that roughly the proportion of OBCs amongst non-Hindus was of the same order as amongst the Hindus, the population of non-Hindu OBCs was considered as 52 per cent.

Assuming that a child from an advanced class family and that of a backward class family had the same intelligence at the time of their birth, it is obvious that owing to vast differences in social, cultural and environmental factors, the former will beat the latter by lengths in any competitive field. Even if a advanced class child's intelligence quotient was much lower compared to the child of backward class, chances are that the former will still beat the latter in any competition where selection is made on the basis of 'merit'.

In fact, what we call 'merit' in an elitist society is an amalgam of native endowments and environmental privileges. A child from an advanced class family and that of a backward class family are not 'equals' in any fair sense of the term and it will be unfair to judge them by the same yard-stick. The conscience of a civilised society and the dictates of social justice demand that 'merit' and 'equality' are not turned into a fetish and the element of privilege is duly recognized and discounted for when 'unequal' are made to run the same race.

To place the amalgams of open caste conflicts in proper historical context, the study done by Tata institute of Social Sciences Bombay observes. “The British rulers produced many structural disturbances in the Hindu caste structure, and these were contradictory in nature and impact .... Thus, the various impacts of the British rule on the Hindu caste system, viz., near monopolisation of jobs, education and professions by the literati castes, the
Western concepts of equality and justice undermining the Hindu hierarchical dispensation, the phenomenon of Sanskritisation, genteel reform movement from above and militant reform movements from below, emergence of the caste associations with a new role set the stage for the caste conflicts in modern India. Two more ingredients which were very weak in the British period, viz., politicisation of the masses and universal adult franchise, became powerful moving forces after the Independence.

III. Recommendations

The report of the commission was submitted in December 1980. The following are the recommendations as stated in the report: It may appear the upliftment of Other Backward Classes is part of the larger national problem of the removal of mass poverty. This is only partially correct. The deprivation of OBCs is a very special case of the larger national issue: here the basic question is that of social and educational backwardness and poverty is only a direct consequence of these two crippling caste-based handicaps. As these handicaps are embedded in our social structure, their removal will require far – reaching structural changes. No less important will be changes in the perception of the problems of OBCs by the ruling classes of the country.

IV. Review of literature

Jaffrelot, Christophe (2005). Dr Ambedkar and Untouchability: Analysing and Fighting Caste.It envisages that the Babasaheb was the pioneer of this mission I, e, He always tried to make struggle against to untouchability and caste system which was a bad evil in the then and is yet prevalent in this society. To remove the system of untouchability reservation was necessary that was introduced by the Babasaheb.

V. Significance of the study

The reservation policy has led to mobilization of the backwards class. it has also changed the very nature of policies by caste to the centre of politics politicalazation and mobilization. No study of politics in India will be complete without looking at the reservation issue in a dynamics way. Although several studies relating to the caste system and its interface with politics of reservation of polity. The manifesto of political parties, campaign strategies content of electioneering reflect an even more keen sense of caste sensibility the mandal issue.

VI. Conclusion and suggestions

The Mandal Commission was set up in 1979 by the Janata Party government under Prime Minister Morarji Desai with a mandate to make out the socially or educationally backward. The Mandal Commission recommended compensatory discrimination policies similar to those adopted after independence for the Scheduled Castes and Scheduled Tribes for a large proportion of the Indian population who were classified as Other Backward Classes. The recommendations of the Mandal Commission have generated significant controversy since their publication in 1980. We use the 55th round of India’s National Sample Survey (NSS) on consumer expenditure which for the first time distinguishes Other Backward Class from other castes and tribes to examine whether the Other Backward Classes deserves recognition as a distinct social group requiring particular social welfare programs.

References

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