The Backward Classes — III

Future of Special Treatment

Lelah Dushkin

The caste concessions granted to the Harijans are all temporary. No one has opposed this as a statement of principle. The most common characterisation of special treatment for the Scheduled Castes is that it is a "crutch which, if continued to be used too long, will only weaken its users. Special treatment was also commonly called a 'necessary evil'. Although there are all sorts of subtle variations of emphasis on the words 'necessary and 'evil' the consensus that it is temporary in principle is universal.

Temporary concessions, like temporary taxes, have a way of becoming permanent unless something is done to ensure that they remain temporary. This is the weakest, part of the present system of caste benefits, for little has been done in this direction. The only provision of this kind is the time limit on reserved seats, which has been extended by another ten years and can be extended again.

The logic of the special treatment policy requires that the greatest amount be given at the beginning and that if then paper off as the need for it becomes less, acute. In practice, the reverse has happened. Like a mighty banyan, it has grown steadily, especially since Independence, and has sent down roots into most fields of Government activity.

Special treatment has been in effect on a significant scale for nearly thirty years now. With a new Five Year Plan just begun, new elections a few months away, and a ten-year grace period for reserved seats, this seems the opportune time for Government and the public to devote serious thought to the problem of ensuring that special treatment will be temporary in fact as well as in principle.

There are two main questions to be considered. First, by what criteria will Government determine, when the time comes, that special treatment is no longer necessary? Second, how will the caste concessions he done away with?

The writer's efforts to obtain answers to the first question have borne meagre fruit. Some of the Harijan politicians have a ready reply — 'when our quota of Government jobs is filled' — but Government leaders have said little. Evidence of public thinking on the subject comes more from implications and asides than from direct statements. It would appear first, that for Harijans special treatment in all fields is assumed to be tied up with reserved seats in politics, and second, the political safeguards and the removal of untouchability are considered co-terminus. There is also a reference to continuing special treatment until the Harijans' living standards are levelled up to those of the rest of the population. The main connection however, is between untouchability and reserved seats.

Untouchability and Special Treatment

In 1959, the principal argument of those who favoured extending the limit by another ten years was that untouchability was still prevalent. It was implied, somewhat vaguely that special treatment will go when untouchability does. There was also an implied faith that untouchability will be gone when the question comes up again ten years from now. Will it? Does Government think it can eliminate untouchability from all but a few pockets of the country in only ten more years? It is doubtful that anyone familiar with the situation really expects it to. To say this is not to disparage what has already been done. Untouchability has diminished remarkably during only two or three generations, and one should never underestimate this achievement. The point here is that untouchability is so ramified and deeply rooted that even if greater effort is made and the pace is increased it will still be widespread in one form or another, well after 1970.

Erroneous Connection

What is the answer? To go on amending the Constitution every ten years until the "vested interest in the survival of untouchability" becomes permanent? Or to throw out all the concessions arbitrarily in 1970 without considering whether the Harijans still need help and protection? Perhaps the most promising way to avoid both Seylla and Charybdis is to begin by separating untouchability and special treatment.

The connection between the two is largely erroneous. It is true that the Scheduled Castes were listed on the basis of their untouchability. Although the criteria of untouchability were flexibly applied and were unworkable in some cases, the castes which ended up on the list were, in fact, the Untouchables of their particular localities. But they were not listed because of their untouchability. They were listed because, as a group, they were the most poor, the most illiterate, the most dependent and helpless and did not without safeguards, have a chance of obtaining a share in the portion of British power that was to be transferred to the Indians. Whatever motives one may impugn to the British at that time, it was because this minority was underprivileged that it was listed for special treatment and it was primarily for this reason that the lists and concessions were retained after Independence.

For example, in the State of Travancore, where the S C were listed on the basis of untouchability just as they were in British India, the 1931 Census Superintendent decided that the most workable criterion was the distance to which caste could approach the inner sanctuary of a temple. The castes which could not even enter the outer compound walls were Scheduled. But this was not done so that the Maharajah could issue his
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famous edict a few years later opening some 1,600 temples to all Hindus, including Harijans. He could have issued it without having his subordinates go to the trouble of drawing up a list. The 'list was used for educational and some economic concessions and for nominations to the legislative council. Apparently the castes included would have been the same had the criterion been the lowest literacy rate or the greatest poverty.

If caste concessions were not adopted primarily for the removal of untouchability and need not last until that goal has been achieved, what other standards might be used for determining how long it will remain? The most logical would be those directly related to the educational and Other welfare programs, such as literacy rates, income and occupational distribution, for which the 1961 Census will supply much valuable data. A standard combining such criteria appears to be under official consideration at the present time, though no details are available.

**Manner of Abolition**

The problem of how such a standard would be applied leads to the larger question of how the caste concessions will be done away with. There are two main alternatives. One is gradually to reduce the list of castes eligible for concessions. The other is to adjust the concessions themselves.

**Reduction of Schedule**

The first has been suggested by Commissioner Shrikant provided that it be accompanied by adequate sample surveys, etc and be conducted according to 'scientific and uniform' criteria. The 1961 Census paper on the S C & T (the last to be published) will give the Harijan statistics caste by caste. The reasons for this decision are not known, but presumably these data will be used in revising the lists according to the Reorganised States and perhaps also in removing the castes deemed sufficiently advanced. Some revision of the present lists is necessary because of discrepancies caused by die re-drawing of State boundaries.

One wonders, however, how much reliance should be placed on the manipulation of lists as a means of eliminating caste concessions. Quite apart from the political pressures such a procedure would generate and the problem of securing adequate data to supplement the Census, one can foresee numerous practical difficulties of definition and interpretation, both of the criteria to be applied and of "caste" itself.

Moreover, the correlation on which the original listing of the S C depended is weakening. The range of variation is increasing among the Harijan castes and among the individuals and families of a single caste as some people advance more rapidly than others. The different ranking systems (socio-religious, economic, educational, etc) no longer coincide as closely as they once did, for it is possible to rise more rapidly on some than on others. As all these differentials increase, the practical difficulties of using caste as the unit for granting or withdrawing concessions will also increase.

One of the basic paradoxes of the special treatment policy is that it is designed to break down the correlation on which it is based, and that it becomes unfair precisely as it becomes successful. Along with other social and economic changes, it has had no small measure of success. No doubt the Harijans as a whole are more underprivileged than any other group of comparable size. But there are more and more Harijan families who are better off than some non-Harijans, and more and more objection 19 being voiced to the policy of giving them special help when there are others who need it more and cannot get it because they were not born into the right castes.

**Change of Basis**

Of the two alternatives mentioned earlier, therefore, it might be best to place the main emphasis on the conceptions instead of the lists. In most fields, this would not mean abolishing them but granting them on some basis other than caste. This would not prevent the lists from being reduced wherever feasible but neither would it require Government to find criteria for taking all castes off the lists or for determining just when the time has come for it to do away with the whole structure of special treatment. Neither problem would be crucial if the basis for the award of special help were shifted from caste birth to individual or family income, occupation and other categories of need.

This is not a new idea, but to date it has been voiced mainly in relation to the Other Backward Classes, that catch-all category for which the Centre has not yet adopted a definition or a list. The Backward Classes Commission was appointed in 1953 to draw up the criteria and lists and recommend steps to be taken for the O B C. Its report, released in 1956, is worthy of mention because of its aftermath.

Without an up-to-date Census caste investigation, the only nationally uniform criteria it could come up with included so many people (half the population) that, as Pandit Pant told Parliament, "no useful purpose" was served by them. Throughout its investigations, moreover, the Commission was treated to an unseemly display of caste rivalry for inclusion in the list, with each group claiming to be more "backward" than the next and each religious community claiming that casteism was rampant within it. This, together with the Commission's failure to produce workable criteria and the controversial nature of some of its recommendations, encouraged the change in public opinion on caste concessions.

The Commission's Chairman, Kaka Kalelkar reveals in his introductory letter to the report that the competition in backwardness gave him a "rude shock" which, "... drove me to the conclusion that the remedies we suggested were worse than the evil we were out to combat.

This painful realisation came to me almost toward the end of our labours.... It is only when the Report was being finalised that I started thinking anew and found that backwardness could be tackled on a basis or a number of bases other than that of caste.... Once we eschew the principle of caste, it will be possible to help the extremely poor and deserving from all communities."

Smt Hansa Mehta expressed the new viewpoint aptly in January 1957 when she said, "The premium placed on caste handicaps is leading not only to unwarranted group jealousies but also...
indirectly to perpetuation of the caste system. We have to consider whether it would not be wiser to give aid on the basis of a particular category of need rather than on the basis of a particular caste or tribe. This will eliminate those people who nominally belong to backward classes but virtually have attained a social and economic status that would not entitle them to additional safeguards and privileges."

The reaction to the B C C report has not brought an end to demands for the expansion of special treatment in kind, amount or number of castes eligible. But it may be that in Mysore's claim for more money on grounds that 90 per cent of its population belongs to Backward Classes in the demands of O B C organisations for huge concessions in education, reservation of 10 to 60 per cent of Government jobs (even for a 15-year monopoly of them), and so on, we are witnessing the extreme phases of a habit of public thinking that is on the way out.

Caste Lists Not Drawn Up

The Centre is moving in another direction. It has either rejected or ignored the major B C C recommendations. It now shows no intention of drawing up its own caste list of O B C. It did not enumerate the O B C in the 1961 Census and has asked the States to delete the O B C caste column from Government records. It has warmly applauded the new income-based educational policy of Maharashtra and Gujarat and has made clear its wish that the other States also adopt economic criteria of "backwardness".

It should be clear that the principles stated by Kaka Kalelkar, Smt Mehta and many others apply equally well to the Scheduled Castes. It would be fairer to all concerned if special assistance were granted on the basis of income and the specific needs each form of it is designed to meet.

But, one might say, for the Centre to refuse to adopt lists or special treatment for the O B C is one thing; for it to do away with lists or concessions it has already adopted for the Harijans and which have already built a certain vested interest in their perpetuation, is another.

There are two main practical considerations against such a change: the arguments of administrative and political realism.

Administrative and Political Objections

In a sense, special treatment is no more than a great administrative short-cut for ensuring that the least privileged sections of the population get the opportunities deemed rightfully theirs. For the administrators, it is less difficult to award benefits only to members of certain castes than to award them only to persons who have less than a certain income. This would be true even if deceit were the exception and not the rule in stating incomes before officials. Moreover, concessions with caste safeguards are relatively less subject to usurpation by those who are not intended to be the main beneficiaries. Thus concessions granted on the basis of economic or other categories of need, without caste limits, will be more difficult to administer and perhaps more susceptible to unfair influence and diversification. None of these obstacles is insurmountable, however. The Government of India has applied income limits to its O B C post-matric scholarships for years without any serious complaints of maladministration on this score. Maharashtra and Gujarat have taken on a tremendous administrative task in awarding their expanded O B C concessions on a purely income basis, yet the system is working as well as caste concessions are elsewhere in spite of the upheavals caused by the bifurcation of the bilingual Bombay State.

In effect, the administrative argument is not so much against making the shift to need concessions as against making it hastily or abruptly. It will take time to work out the procedures for implementing the new system. And the changeover from the old to the new will probably be fairest to all concerned if it is done gradually as part of a phased programme.

Question of Timing

The Harijans are not politically as strong as their numbers would indicate. But they comprise, a section of voters so large that no party can ignore them, and their representatives in New Delhi have acted with growing unity of late. Can Government put through a major change in their status (i.e., cease to recognize them as a minority) against their wishes? The prevailing view is that the majority must not make the decisions without some measure of consent from the minority. But can one expect the Harijan leaders themselves to demand the abolition of special treatment? This is too much to ask of them.

Here again, however, the situation is not hopeless. All the Harijan leaders have at least paid lip service to the desirability of abolishing special treatment eventually. Some may push its present continuance for their own selfish purposes, but many seem to be clinging to it from the fear that without it they will lose everything. If the educational and economic concessions were given on the basis of income and need few Harijans would actually lose them. The Harijan leaders recognize this, but they tend to be highly suspicious of the motives of those who call for an end to caste concessions. They apparently feel that without caste safeguards, not enough non-Harijan officials could be counted on to administer the concessions in good faith. Non-Harijans, for their part, sometimes exaggerate the effects of special treatment and condemn it impatiently without adequate appreciation of the real difficulties under which the Harijans labour. In sum, then, the political problem boils down to questions of timing and of establishing some degree of mutual confidence where mutual suspicion now exists.

Initiation and Timing

Government is faced with the difficult task of finding a middle way between waiting too long before abolishing special treatment and ending it too abruptly. The political considerations, like the administrative, argue for a gradual approach. And in coping with the administrative problems, it will be necessary to demonstrate, step by step, that the new system can operate without injury to the Harijans' legitimate interests. With adequate consultation, their cooperation can be secured in working out a satisfactory transition.

The initiative should probably come from the top leadership of
Government. What is needed now is a public commitment that Government will move toward abolition of special treatment during the present decade. A statement of this policy by the Prime Minister, the Home Minister and the Railway Minister would do much to create a favourable climate of opinion. If the efforts to work out the most appropriate transitional arrangements could begin soon after the elections, the full grace period could be utilised. During the decade it should then be possible to complete the changeover in most fields and to work out the order and timing of the steps which remain in the others.

The changes would presumably vary according to the type of concession and the field in which it is granted. It will be simpler in some cases than in others to make the transition from caste to need concessions. In still others, need concessions are not appropriate, and different ways to abolish special treatment will have to be found. A general indication of some of these problems and possibilities is given below.

Abolition in Each Field Removal of Disabilities

Little in the way of transitional steps seems necessary for the schemes to combat untouchability directly because most of them do not involve the award of caste concessions. Indeed, one wonders how much of this effort would really be affected if the list of Scheduled Castes were abolished tomorrow. Only the Untouchability Offences Act, curiously enough, for it cannot operate without a list.

The work of changing social attitudes and customs by non-violent demonstration and persuasion went on for decades before the Act was passed and had real accomplishments to its credit without Government aid. Government grants to voluntary agencies with long experience in the field can continue without a list. The announced policies of integrating wells housing and hostels might encounter some difficulties but could still be implemented if there were a genuine desire to do so. The same is true of the new official schemes for changing attitudes toward the dirty occupations, which are very small and experimental in any case. Finally, the improvement of the living and working conditions of sweepers and scavengers is not generally done on a special treatment basis even now, and there is no reason why it should be in the future.

In effect, then, just as the abolition of special treatment need not wait until untouchability is eradicated, so the schemes for the direct removal of disabilities can continue as long as is necessary after special treatment is gone. Important; as they may be, however, it is difficult to see how they can be successful except as supplements to more fundamental changes. The evidence would all indicate that the major means for the removal of untouchability are indirect: primarily changes in economic status and living conditions, and education.

Economic Welfare

The major problems of the Harijans are shared, in greater or lesser degree with most other inhabitants of the country and can be adequately dealt with only in a much broader context than that of S C welfare. State laws for protection against exploitation—especially those pertaining to land tenure and indebtedness—rarely contain special provisions for Harijans. Caste concessions are somewhat more common for specific forms of assistance which may follow up the laws and for the development of cottage industries. Many of these schemes tune had only indifferent success, however, and there seems to be no correlation between their effectiveness and whether or not they are special treatment measures.

Where the welfare schemes cope with the needs of certain S C groups, such as municipal sweepers or village tanners, it does not particularly matter whether they are on a caste basis or not because the recipients would be the same in either case. Most of the S C schemes, however, supplement those operating for the general public and are usually more generous. Where the S C schemes involve a greater contribution from the State, on the ground that the Harijans cannot afford the contributions required of beneficiaries under the general schemes, it would seem only fair to put them on an income basis.

The Study Team on Social Welfare and Welfare of R eckward Classes (1959) recommended that, while retaining the Schedules of Castes and Tribes, economic criteria be applied within the groups in administering all forms of assistance. In the case of housing, for example, rationalisation according to income level would mean outright grants to those below a certain minimum and loans on easy terms to those between it and upper limit; those above the maximum would be eligible only for the general housing schemes. This would provide a feasible intermediate step. After procedures are worked out and enough money becomes available, the next step will be to apply the same gradation of benefits to everyone irrespective of caste.

Education

In education, caste concessions of both main types are awarded on a significant scale. The grants in money or kind are made at all stages of education, the reservations being mainly for admission to higher technical and professional institutions.

The principle that scholarships and other grants should be made only on the basis of income-cum-merit has received growing support, and a number of States have said they intend to move toward its adoption. Steps taken to dare have applied mainly to the O B C however. The Harijans generally continue to receive their grants on a caste basis. The logical step here, as with economic concessions, would be to apply income limits to them, too, as a transition to the day when all grants for education above the level at which it is free for everyone can be awarded solely by merit and income.

The reservations and other concessions in respect of admissions are more difficult to cope with. Here it may not be appropriate to apply income limits to the castes which enjoy them but instead to apply time limits to the reservations themselves, as more BC candidates qualify. This question probably cannot be answered at present. The task now facing the authorities is to operate the system of caste concessions on more rational lines. Two essential steps have been suggested. First, the determination of standard minimum qualifications which would apply to everyone. Second, the application, above this minimum, of the procedure recommended by the
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Mysore High Court to select those actually admitted on a merit basis as far as possible. Once this system is in operation (where it is not already), the problem of gradually abolishing it can be tackled. This might be done by some combination of setting income or time limits, reducing the caste lists and reserved percentages, and raising the minimum qualifications. The determination of the details and their application will not be easy in view of the political pressures involved.

**Government Jobs**

In politics and government jobs, the concessions are almost entirely of the reservation type and will be far more difficult to deal with than those involving expenditures. In pre-matric education the shift from caste-to income-based concessions is a step toward free and compulsory education for all children; and for some welfare services it is a step toward a national system of social security in a socialist society. But these considerations do not apply to political seats or government jobs. In neither field is there the expectation that the seats or posts can eventually be held by everybody or awarded on ground of need. In these fields, merit—as determined by the electorate or by the examinations and selection boards—must ultimately prevail. The problem is to find some means of doing away with present discrimination, both for and against the B C, so that it can prevail.

Government jobs are the more difficult of the two, if only because there is no time limit on these concessions, and their extension does not require a Constitutional amendment. In theory, special treatment in this field is a means of giving a fair chance to individuals who have the intelligence and aptitude for the jobs but cannot do quite as well as their competitors at examinations and interviews because they have not had comparable advantages. It has become common, however, to regard the concessions as a means of securing adequate representation of the castes in the services, which gives special treatment an altogether different emphasis. Thus, the reserved percentages are "quotas" which are to be filled in each Class of Government service.

This quota concept has a certain ring of permanence about it, but it does not necessarily conflict with the temporary nature of special treatment. Presumably, one would simply wait until the quota for a particular class was filled and then go about reducing the percentage of reservation by a specified amount every couple of years, much as was done with Anglo-Indians in the Railways. Harijans have already filled their quota in Class IV posts and will probably do so at the Class III level in a few years. But if the above procedure is to be adopted for the quotas in Class II and I posts "consistent with the maintenance of efficiency of administration" (an required by the Constitution), then one must acknowledge that special treatment cannot possibly be abolished in ten years’ time, perhaps not even in twenty. May be this will happen; in any case, it is not something a foreigner should pass judgment on.

There is another way of looking at the problem which may prove worthy of consideration. This starts with the individual emphasis which has always been the theoretical policy of Government. Here, abolition of special treatment means seeing to it that Harijans will get posts entirely on their own merit. If applies not only to the progress of the Harijans over a period of time but also to the advancement of the individual appointee during his career.

**Reserved Promotions**

Until reserved promotions were upheld by the Supreme Court, reservation generally operated only at the recruitment stage; after that a man was on his own. Although one cannot tell what the impact of the decision will be, the newspapers have been unanimous in their disapproval. Their primary concern is the potential damage to administrative morale and efficiency. It is also noted that statements to the effect that continuance of the "crutch" past the recruitment stage in necessary look like an admission of defeat for the existing reservations. Numerous reservations have been expressed about the advisability of providing an opportunity for another vested interest in caste concessions to get established at a time when they are to be modified or withdrawn elsewhere.

The way out of this dilemma, one suspects, is to concentrate on making the Harijans able to compete on a merit basis instead of lowering merit standards for them on a caste basis. For candidates who are held up at the post to which they were originally appointed because they have not attained the standard of efficiency required for promotion, Commissioner Shrikant has recommended that Refresher Courses be started exclusively for them in the Department itself. If special treatment has to be adopted for promotional posts, this seems the most beneficial, as well as the fairest form for it to take. As The Hindu commented on May 6, 1961, "Wider opportunities for education and facilities for intensive training for members of the backward classes within the various services, so that they can qualify for higher posts and get them as of right by merit, should be a matter of getting them their due than pitching them into jobs for which they do not have the equipment." This approach need not conflict with the quota system, but could supplement it and speed up its abolition. And, of course, it would have obvious psychological advantages for the Harijans and their non-Harijan colleagues.

**Political Representation**

As noted earlier, special treatment in other fields is considered to be dependent on reserved seats, though there is no legal provision to this effect. The principle that reserved seats are temporary has always been explicitly endorsed by all sides, but the exact time limit has been subject to change.

When the British first announced their plan for statutory reservation in the Communal Award, they provided that reservation could come to an end in ten years and must do so in twenty. In Poona, during Gandhiji’s epic fast, the negotiators agreed that the question of a time limit should be settled by a referendum at a future date. They could not agree, however, on when and how the referendum should be held. It is perhaps significant that Shri Rajagopalachari’s compromise, which broke the deadlock and enabled Gandhiji to give up his fast, was to shelve the issue.

A ten-year limit was fixed in the Constitution but "this is perhaps
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the only occasion when an amendment was anticipated and provided for when the original Article was passed by the Constituent Assembly. (The Economic Weekly, December 12, 1959; p 1657). It came as no surprise that in December 1959 Parliament passed the Eighth Amendment Act extending reservation by another ten years. The surprise lay in the bizarre performance enacted in the Lok Sabha and the extraordinary indifference of Congressmen to their three-line party whip. Whether this came from resistance or from apathy is hard to say. Many regrets were expressed on the floor of the House before the Bill was passed.

If passage of the amendment was difficult in 1959 because so many Congressmen did not show up to vote, any such Bill introduced in 1969 will meet with more difficulty. Resistance to the idea has developed a firmness of late that was not much in evidence in 1959. When Pandit Nehru told the Convention of SC & T Legislators last February, "I hope all of you will bear in mind that there should he no further extension", he expressed a feeling that has been frequently expressed in the Press.

Abolition of Double-Member Constituencies

Reservation of seats is supposed to protect the underprivileged SC & T until such time as they can hold their own in the elections of a more integrated society. If reservation is to be abolished in 1970, it should be done in a way that will assuage Harijan fears that loss of reserved seats will lead to loss of everything else they are struggling for. Perhaps the most appropriate way would be to substitute convention for statute. This would involve an agreement by the political parties to put up Harijans for all the reserved seats during the first post-expiry elections. This is easier said than done, but with adequate preparation it might be possible. In this context, the recent history of the Bill to abolish double-member constituencies may be discussed in some detail.

Although a private Bill was introduced late in 1959, the official Bill was not passed until the end of February 1961. During the intervening months, opinion in the meetings of the Congress Legislature party was sharply divided, with Harijan? on both sides, and the High Command evidently changed its mind more than once. On December 8, 1960, when the Party voted on the Bill, only 229 of the 555 Congress MPs turned up to cast their votes: 124 for, 95 against, and 10 invalid. The High Command thereupon decided to shelve the Bill, then reversed itself, and on December 23, the Law Minister introduced it for consideration at the next session.

Of the various arguments, those which prevailed among the legislators were apparently those of administrative and political expediency. Administratively, it was said, the double-member system is "inconvenient, and cumbersome". With approximately twice as many candidates canvassing an electorate twice the normal size, it entails heavy expenditure and creates "confusion among the voters and misunderstanding among candidates of the same political parties." Therefore, the MPs, "prefer smaller constituencies which involve less expenditure and trouble."

Political Reasoning

This preoccupation with the practical aspects of the system which affect the legislators personally is also characteristic of the political reasoning. In operation, the system places a double burden on the general candidate, who does most of the campaigning, yet may lose his seat in the end through SC-bloc double voting. The SC candidate is usually little known, his election is regarded as the concern only of the Harijans, and he usually rides in on the other man's coat-tails. Once elected, the man in the unreserved seat is regarded as the Representative of the constituency, his Harijan colleague as a sort of Assistant MP in charge of Harijan Affairs. The general seat incumbents, therefore, want to be rid of the extra burdens and risks, the Harijans of their "inferior" status of dependence, real or alleged, on their non-Harijan counterparts. For the SC & T Legislators who would like to build a more effective backward class bloc in Parliament, such independence would appear to be essential. This may have been what the leading Harijan exponent of the Bill, Shri Jagjivan Ram, had in mind when he argued that the Harijans should "stand on their own legs". It is perhaps noteworthy that the first all-India Convention of SC & T Legislators, of which he was the prime mover, met at Hyderabad early in February 1961.

Be that as it may, what public preparation or pressure was there for the Bill? Surprisingly little, considering that it would directly affect all voters in a year's time. When Pandit Pant was questioned last September about bringing up an official Bill, he is reported to have attributed the delay to his anxiety to avoid unnecessary controversy in the House on the subject. We had learnt from some friends,' he said, 'that there was some difference of opinion on this matter.' He, therefore, felt it would be better to straighten out things before introducing the Bill. (Times of India, September 7, 1960.) This seems, characteristic of the affair. Reportedly, the opposition parties and the State legislatures were not concerned. More important, throughout the months of straightening-out inside Congress, the public either knew nothing about it or was unusually misinformed and vague on the subject.

There are exceptions, of course, but most people do not seem to have realised until very late that the Bill would not end reservations, and that in all the new reserved constituencies the Harijans would be a definite minority of the electorate. This in spite of a statement by the Election Commission that "in most cases" the Harijans in reserved single-member constituencies "would form less than 10 per cent of the total population." Once this was clear, press opposition to the Bill, and to reservation itself, stiffened considerably, but that was after Congress had decided to vote the Bill.

Disquieting Reaction

As the facts become known and the constituencies are bifurcated, the reported reaction of the general public, though natural enough, is disquieting. The non-Harijans in the new S C constituencies resent the new system on the ground that they, the majority, will be practically disenfranchised by being pre-

November 18, 1961
vented from setting up or voting for a candidate of their own. Now, they say, they will be forced to accept a representative of the backward minority as their MP. The crucial question is not whether these assertions are just, but how widely they will be accepted and acted on. It is now feared that the new system will produce widespread indifference to the elections on one side, an eventual demand for separate electorates on the other, and spoil whatever chance reserved seats may have for integrating the body politic. It may do that.

But it need not. There is some hope. Whatever its defects, the system will at least require politically interested Harijana and non-Harijans of the same party to work more closely with each other than they have heretofore. The Harijan candidate will be anxious, if only in their own self interest, to prove to the non-Hanjan voters that they can represent the whole constituency well. If the non-Harijans are willing to take this in good faith and give it a try and, in course of time, find that a Harijan MP is not so bad after all then the Harijans can gain the confidence really to "stand on their own legs" without reservations. If this can happen during the next ten years, then single-member constituencies may prove a Merino: in disguise and make the transition from statutory to conventional representation a smoother one. These are big "ifs".

Conclusion

The two trends of special treatment — toward abolition and toward expansion or consolidation — seem to be coinciding more and more with the two main types of concessions. For all concessions which involve expenditure by Government, the policy gaining momentum is to shift to economic rather than caste criteria, either directly or by way of first applying economic limits within the caste groups. The shift to need concessions is neither so obvious nor so appropriate a way out for reservations and their related concessions. Here, the reduction of caste lists may be useful but the full solution is more difficult to find and the political pressures are the greatest. Here too, three developments during 1961 —

Mysore's expansion of OBC reservations for admission to technical institutions, albeit in more refined form, the establishment of single-member reserved constituencies without adequate public preparation, and the Supreme Court's endorsement of reservation for promotions in Government service — may not augur well for the abolition of special treatment in ten years' time.

(Concluded)