

## Unfinished Discourse Of ‘Backwardness’ In Independent India

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### Abstract

*This paper discusses the Second Backward Commission (Mandal Commission) and its impact on the discourse of backwardness in India. It provides an overview of the formation and function of the Mandal Commission of India. It was established to address the issue of ‘socially and educationally backward classes’ in country in the late 1980s. The Commission identified backwardness based on eleven social, educational and economic indicators and recommended the formation of a third category of groups eligible for reservations called ‘Other Backward Classes’ (OBCs). The article also highlights the controversy and implementation of the Commission's recommendations between 1990 and 2006. Additionally, it discusses the role of political parties of India and other stakeholders in the debates surrounding reservation policies.*

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**Keywords:** *Backward Class, Mandal Commission, Reservation, Other Backward Castes/Classes (OBCs), Kalelkar Commission, Constituent Assembly of India.*

### Introduction

The discourse on backwardness and ‘reservation for backward classes’ in India has undergone a significant historical evolution, with the contributions of influential figures such as Shahu Maha'raj, Periyar, Ambedkar, and other Bahujan thinkers. The Non-Brahmin Manifesto of 1916 shed light on the monopolization of political, employment, and educational opportunities by the Brahmin community, which constituted only three percent of the population. The demand for proportional representation in the self-rule system gained momentum, and the Justice Party's victory in the 1919 election set a tradition of reserving seats for non-Brahmins.

In the 1930s, there emerged a heightened call for the recognition of representation rights for marginalized communities, notably the backward classes. However, this movement encountered resistance from figures such as B. G. Tilak, who espoused casteist and anti-backward class ideologies. These discriminatory attitudes persisted within the deliberations of the Constituent Assembly of India and in subsequent legislative efforts. Consequently, in response to the inadequacies in addressing the needs of Other Backward Classes (OBCs) within the Indian Constitution, the All-India Backward Classes Federation was established on January 26, 1950.

The lack of a clear definition for OBCs in the Indian Constitution has led to ongoing litigation and setbacks in their empowerment. To address these issues, the First Backward Classes Commission, also known as the Kaka Kelkar Committee, was appointed in 1953. Chaired by Under the leadership of Kaka Saheb Kalelkar, the Commission dedicated two years to compile its report. The primary objectives were to establish criteria for identifying socially and educationally.

Kaka Kalelkar exerted significant effort in delineating the conceptual underpinnings of social and educational backwardness and proposing policy interventions for the empowering OBCs. The commission compiled a roster of socially and educationally disadvantaged communities, emphasizing the imperative to disassociate backwardness from predetermined fate. Various criteria were employed to identify backward classes beyond mere caste considerations. The report acknowledged that social and educational deprivation stemmed not exclusively from the caste system but from multifaceted societal factors.

Policy-level amendments were recommended, including legislative measures addressing marriage and inheritance laws, the eradication of social disabilities, and the promotion of the dignity associated with manual labor. Additionally, the committee advocated for reservations in educational institutions and governmental positions for the Other Backward Classes (OBCs), delineating specific guidelines for seat allocation and selection processes.

Unfortunately, the reservations were not implemented, and the chairman of the committee, Kaka Kalelkar, himself opposed the provision for reservations, leading to the report being disregarded. Jawahar Lal Nehru, the first Prime Minister of India, also expressed his concerns about reservations based on communal and caste considerations.

Despite the non-acceptance of the committee's report by the central government, various states in India, including Mysore, Madras, Kerala, Bombay, Maharashtra, and Andhra Pradesh took proactive steps to promote Article 16(4) for providing reservations for the backward classes. Tamil Nadu was the first state to implement seat reservations for backward classes in the early 20th century, addressing the significant disparity in government service and educational institutions. Over time, Tamil Nadu increased reservation percentages for backward classes, SCs, and STs through different chief ministers. Tamil Nadu stands as a unique case, implementing successful reservations of up to 69 percent, while other states like West Bengal, Orissa, Karnataka, Madhya Pradesh, Rajasthan, Bihar, and Assam followed suit later. The controversy surrounding OBC reservation intensified with the Second Backward Commission's (Mandal Commission) recommendations and V.P. Singh's implementation in the 1990s.

### **The Second Backward Classes Commission: Mandal Commission**

On December 20, 1978, Prime Minister Morarji Desai announced the formation of the second Backward Classes Commission, chaired by B.P. Mandal and comprising four other members, in the Parliament. Commencing its operations on March 21, 1979, the Commission diligently worked towards its objectives and ultimately presented its findings on December 31, 1980. According to Das (2000), the subsequent significant expansion of the reservation system was prompted by the recommendations of the 1979 Mandal Commission. This Commission was tasked with addressing the challenges faced by socially and educationally disadvantaged classes, distinct from those burdened by the stigma of untouchability, yet enduring persistent disparities in opportunities.

(Osborne 2001) "The Mandal Commission recommended the creation of a third category of groups eligible for reservations: Other Backwards Classes (OBC). They recommended an additional 1,257 groups to be taken into account in these reservations systems, estimating the total population to be accommodated to originate from around 52% of the total population of India. Additionally, the appointments from the Commission increased the number of seats subject to reservation from 22.5% to 49.5%. While these recommendations led to controversy, ultimately, they were implemented between 1990 and 2006." (2)

### **Mandate of Mandal Commission**

The enactment of the Mandal Commission was guided by a mandate to "identify socially or educationally backward" segments of society. Its primary objective was to examine the issue of seat reservations and quotas for backward communities as a means to address caste-based discrimination.

(Government of India, Mandal Commission Report 1980) "The major objectives of the commission were: Firstly, to determine the criteria for defining the socially and educationally backward classes; secondly, to recommend steps to be taken for the advancement of said classes; thirdly, to examine the desirability of making provisions for reservations in public services and posts in favor of such backward class citizens that were not adequately represented; and fourthly, to present to the President a report revealing their findings and making necessary recommendations." (3)

The Commission employed eleven indicators encompassing social, economic, and educational dimensions to assess levels of backwardness.

(Government of India, Mandal Commission Report 1980) "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 it recommended changes to these quotas, increasing them by 27% to 49.5%." (4)

After the Constitution of free India granted ordinary citizens the right to vote, enabling their political empowerment, mobilization along caste lines became feasible.

### **Methodology and Conceptualizing Backwardness**

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.

(Smrutishikha, 2020) "Social: castes/classes considered as socially backward by others; castes/classes primarily dependent on manual labor for their livelihood; classes where at least 25% females and 10% males above the state average get married at an age below seventeen years in rural areas and at least 10% females and 5% males do so in urban areas; classes where there is at least 25% higher female participation in work than the state average.

Educational: classes where, in the age group of 5-15 year-olds, the number of children who have never attended school is at least 25% above the state average; the rate of student drop-out in this age group is at least 25% higher than the state average; amongst these classes, the proportion of matriculates is at least 25% below the state average.

Economic: classes where the average value of family assets is at least 25% below the state average; the number of households living in kuccha houses is at least 25% higher than the state average; more than 50% of the households need to fetch drinking water from beyond a half-kilometer radius; the number of households that have taken out consumption loans is at least 25% above the state average" (5)

(The Wire 2019) "The three aforementioned groups are not of equal significance for the intended purpose; hence, distinct weightages were assigned to the indicators within each group. Three values were allotted to social indicators such as, education was given 2 points, and economy was given one point. Recognizing the interconnectedness of social, educational, and economic backwardness, particular

emphasis was placed on incorporating economic indicators to underscore the correlation between these conditions. Justice Sawant, in the landmark Indra Sawhney (Mandal) case of 1992, elucidated that integrating reservation policies with broader social and economic measures aimed to mitigate inequality and address sociological and economic disparities, particularly in response to mounting global concerns regarding economic inequity. Mandal case observed that “Economic criteria by itself will not identify the backwardness of backward classes under Article 16 (4) and the economic backwardness of backward classes under 16 (4) has to be on account of their social and educational backwardness.” (6)

The Mandal Commission employed a scale ranging from 0-22 to assess classes, utilizing 11 indicators uniformly applied across all surveyed castes within a particular state. Consequently, any caste scoring 50% or more (i.e., 11 points) was categorized as socially and educationally backward, while all other castes were deemed 'advanced'. The Second Backward Commission found 3,743 castes and communities as backward, comprising an estimated 52% of the total population, with Hindu Backward Classes collectively representing 43.7% and religious minorities 8.4%.

As per data from the National Commission for Backward Classes retrieved on December 20, 2018, by April 12, 2018, the commission had included 2,479 OBCs in the central OBC list. The Mandal Commission's report, submitted in December 200, concluded that while the economic upliftment of Other Backward Classes ostensibly addresses a national imperative to eradicate widespread poverty, it also underscores a nuanced concern. Namely, the relevant issue pertains to social and educational backwardness, of which financial deprivation is merely a consequence alongside two discernible, caste-based impediments. To overlook these issues, particularly those entrenched within the social fabric of childhood, would necessitate profound structural and perceptual changes among the ruling elite of the nation.

### **Commission's Recommendations**

The Commission put forth several significant recommendations aimed at implementing reservations and providing financial assistance to the identified backward classes. Rao highlighted some of these recommendations, stating:

(Rao 1967)

- “The Commission recommended a reservation of 27% for Other Backward Classes (OBCs) in public employment, taking into account the Supreme Court’s limitation that the total reservation should be no higher than 50%. This is despite the OBC population being nearly twice that figure. The existing reservation of 22.5% that applies to SC/ST categories should also be carved into consideration.
- The Recommended reservation of 27% to OBCs should be extended in promotion quotas for all levels.
- Private sector organizations that have received any form of financial assistance from the government should be made to abide by the reservations reform outlined if they carry out any further recruitment proceedings in the future/.
- The 27% curfew for OBCs should be extended across central and state educational institutions specializing in scientific, technical, and professional fields too.
- When aiming to especially protect OBC minority groups, separate Ministries/Departments should be erected at the central and- state levels in line with their arrangement elsewhere.
- To determined minority groups such as Gaddis in- Himachal Pradesh, Neo-Buddhists in Maharashtra, Fishermen in Coastal states, and Gujjars in Jammu and Kashmir should receive specific attention in the form of reduced constituencies that articulate them particularly well.
- Unless considerable changes take place in rural economic production, the Commission extensive recommends new state governments embrace progressive

land legislation useful for older land threshold limitations that currently seem work carefully with many conditions.” (7)

Though the report was submitted in December 1980, but neither Rajiv Gandhi nor Indira Gandhi implemented the report. It was V. P. Singh after coming to power in December, 1989 announced his decision on 7<sup>th</sup> August, 1990 to implement Mandal Commission recommendation on reservation to the OBCs in State employment. This decision created a lot of hue and cry among the anti-reservationists. All the news agencies started publishing views against reservation.

(Jaffrelot 2006 and Yadav 1994) “from 1947 to 1991 there had been 15 cabinets with 243 Cabinet Ministers: of these, Brahmins made up 30.86%, non-Brahmin and non-Muslim Upper castes 39.92%, Muslims 11.52%, Sikhs 4.94%, SCs and STs 6.58%, Christians 6.56%, and OBCs (Hindu) 4.53%. This also indicates that Brahmins and non-Brahmin Upper Castes collectively had 70.78% representation in the cabinet for over 50 years, while SCs and STs made up only 6.58% and OBCs 4.53%.” (8&9)

Similarly, a 2012-2013 Committee on the Welfare of Scheduled Castes and Scheduled Tribes reported on the representation of SCs and STs in all Groups of posts as of 1.1.2008. According to this:

(Kumar: 2015) “the number of SCs in the Group A position on that day were 12,281 and 4,754 for STs: total number for Group A officers was 97,951. This report stated that the representation of SCs in Group A was 1.64% as of 1.1.1965 and 12.5% as of 1.1.2008. For STs, representation was 0.27% 1.1.1965 and 4.9% on 1.1.2008. According to the Ministry, the number of SC/ST officers working as Secretaries, Additional Secretaries and Joint Secretaries in the Government of India as of 10.1.2012.” (10)

It is nonetheless important to explore the debates around the implementation of the reservation policy, particularly after the Mandal Commission's recommendation.

## **Conclusion**

There have been two kinds of arguments concerning the recommendation of Mandal Commission. The supporters of the commission argue that the recommendations of reservation policies aim to address the long-standing discontent of certain sections of society as required by the Constitution. It is seen as a moral and social obligation to ensure that oppressed and marginalized individuals have equal opportunities and confidence. The reservation is limited to central government services, which constitute only 1% of the total population. Within this 1%, 27% has been reserved for backward classes, indicating that the reservation does not adversely affect the majority.

Contrary to popular belief, the recommendations are not based solely on caste but consider the situation of castes in each state. For example, certain castes are included in some states but excluded in others. The objective is to correct the significant underrepresentation of SC, ST, and other backward class populations, who constitute 52% of the nation's population but hold a mere 4% of Class I government and public sector employment positions. This inequality must be rectified.

Opponents of reservation policies often argue against increasing reservations based on the notion of merit. However, this argument resembles the British colonial practice of granting higher positions to Britishers and lower positions to Indians. Denying equal opportunities to the backward groups perpetuates the dominance of the oppressed. To achieve equality, reservations are necessary, and resisting them requires introspection and reflection on our inherent biases. In short, the reservation recommendations seek to address historical grievances, uplift underprivileged sections, and promote equality by providing opportunities for those who have been marginalized.

On the other hand, there are views that oppose the recommendation of Mandal commission on the following grounds: Firstly, the criteria employed to define the other backward castes/classes are questionable. There may be concerns regarding the accuracy and fairness of the criteria used to identify and classify these groups. Secondly, the use of outdated census data and assumptions of a constant population growth rate when making population projections is problematic. This approach may not accurately reflect the current demographics and dynamics of the backward castes/classes. Thirdly, there are allegations of mishandling and misrepresentation of facts and figures related to the identification process of the other backward castes/classes. This raises doubts about the reliability and integrity of the data used to determine their representation and eligibility for reservations. Fourthly, the sampling procedure used may lack objectivity, and there may be gaps and deficiencies in the data collection process. These issues can undermine the accuracy and validity of the information used to determine the backward castes/classes and their entitlement to reservations. And finally, there have been questions on the terminological use of the caste as well. In nutshell, the arguments of the opposition concern with the criteria, data quality, and objectivity in the identification and representation of other backward castes/classes, raising doubts about the fairness and effectiveness of the reservation system.

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