

Muslims and Scheduled Castes Since Independence

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MUSLIMS AND SCHEDULED CASTES SINCE INDEPENDENCE

LECTURE I

I am extremely grateful to the members of the Governing Board of the Lala Lajpatrai Institute and to Dr. B. R. Rairikar in particular, for inviting me to deliver the series of Lala Lajpatrai Memorial Lectures. It is indeed a great honour and, at the outset, I would like to thank the organisers of this series for considering me worthy of this honour and for giving me an opportunity to pay tributes to Lala Lajpatrai, one of the makers of modern India and an outstanding leader of our freedom-struggle. It would be presumptuous on my part to remind you of his multifarious activities in the fields of education and social reform apart from his great contribution to the growth of the nationalist movement in India. Recalling Lalaji's services to the cause of India's emancipation Mahatma Gandhi said :

"It is impossible to think of a single public movement in which Lalaji was not to be found. His love of service was insatiable. He founded educational institutions. He befriended the suppressed classes. Poverty, when found, claimed his attention. . . . In the political field he was indispensable. He was fearless in the expression of his views. He suffered for it when suffering had not become customary or fashionable. His life was an open book. His extreme frankness often embarrassed his friends; it also confounded his critics. But he was incorrigible".⁽¹⁾

In view of Lala Lajpatrai's lifelong interest in the problems of minorities especially the Muslims and the untouchables or depressed classes, now known as Scheduled Castes, I thought it would be appropriate on the occasion of Lalaji's birth-anniversary to analyse the problems of these two important minorities in India since independence.

Though many scholars have studied the role of the Muslims in Indian society and politics, they have largely confined themselves to the events that led to the partition of India. Some of them did add a couple of chapters in their books to describe the impact of the Partition on the Muslims in India. However, very few comprehensive in-depth studies of the predicament of the Muslims in post-independence India are available. There is considerable scope for making empirical studies of the Muslims but surprisingly very little has been done in this direction, by researchers in political science. Hence, whatever accounts are available on the problems of the Muslims in the post-independence decades are not only inadequate but are also, by and large, polemical and onesided.

Compared to the literature on the Muslims in India since 1947, more information is available regarding the problems of the Scheduled Castes which have received greater attention both from the scholars as well as the Union and the State Governments. In particular, the annual reports of the Commissioner for Scheduled Castes and Scheduled Tribes and the reports of the Committees (constituted by Parliament and State Legislatures) on the Welfare of Scheduled Castes and Scheduled Tribes provide us with valuable data. I have relied on the available data which is scattered in these reports.

I propose to divide my three lectures under the following heads : (i) Muslims and Scheduled Castes from Partition to the Inauguration of the Indian Republic, (ii) Muslims in India since 26 January 1950, and (iii) The Scheduled Castes in India since 26 January 1950.

Though I am using the terms 'Muslims' and 'Scheduled Castes', I do not want to suggest that these refer to homogeneous and monolithic groups in our society. I am aware that "there are tremendous variations not only in the social organization of different Muslim populations in India but also in the degree and nature of Muslim integration into the surrounding Hindu society".⁽²⁾ It is well-known that the Muslims in India are divided broadly into two groups known as the Ashrafs and the Ajlafs. The Sayyads, Sheikhs, Mughals or Pathans belong to the former group while others such as the Julahas (weavers), Darzis (tailor-), Halwais and Maniars are regarded as Ajlafs. Some sociologists believe that the Arzals constitute a third distinct group among the Muslims and this group includes Mehtars, Halalkhors, Lalbegis and such other 'untouchables'. Though Islam envisages an egalitarian social order, the Muslims in India are divided into caste-like groups which have characteristics of the Hindu caste system such as endogamy, hereditary occupations and social hierarchy. Sociologists such as Ghaus Ansari and Imtiaz Ahmed have, therefore, stressed the need to note the presence of caste among the Muslims in India.

Apart from the caste elements which are present among the Muslims in our country, we should also not lose sight of the antagonism between the Sunnis who form the bulk of the Muslim population and the Shias who constitute a significant minority among the Muslims in India. The clashes between these two groups are as violent and bitter as those between the Muslims and the Hindus. The tension caused by the treatment given by the Sunnis to some of the dissenting sects such as the Ahmadiyas should also be taken into consideration while understanding the nature of the immense divergences among the Muslims in India. It would not be inaccurate to state that the Muslim community is as fragmented, if not more as the Hindu community in India and as is done by S. C. Misra, it would be more accurate to talk in terms of Muslim 'communities' rather than 'community' in India.

It is often assumed that Urdu is the language of the Muslims in India. It should be remembered that all the Urdu-speaking people in India are not followers of Islam. It is equally important to remember that Urdu is not the mother-tongue of all the Muslims in our country. For instance, according to the census of 1971, there were 61,418,269 Muslims in India while the number of Urdu-speaking people was 23,323,047. It is evident that in 1971, more than 50% of the Muslims in India had a mother-tongue other than Urdu. The census reports also revealed that nearly half the total number of the Urdu-speaking people in India reside only in two States of the Indian Union, namely, Uttar Pradesh and Bihar.

In 1947, the Muslims constituted more than a quarter of undivided India's total population. As a result of the Partition, their number was drastically reduced from nearly 95 million to 32 million. However, in the twenty-four years after the division of the country into two independent states of India and Pakistan, the Muslim population in India nearly doubled for, according to the Census of 1971, it was a little more than 61 million. Thus, the Muslims constituted 11.21% of India's population in 1971.

Table I

India's Total Population = 547,949,809 (1971 Census)

Religion	Percentage
1) Hindus including Scheduled Castes.	82.72
a) Scheduled Castes	14.60
2) Muslims	11.21
3) Christians	02.60
4) Sikhs	01.89
5) Buddhists	00.70
6) Jains	00.47
7) Other religions	00.40
8) Religion not stated	00.01

Though the Muslims constitute the second largest religious group in our country, they are in majority only in one State (Jammu and Kashmir) and one Union Territory (Lakshadweep) out of 22 states and 9 Union Territories in the India Union. They enjoy the status of a dominant majority only in 9 out of 356 districts in India (Anantnag, Baramula, Doda, Lakshadweep, Mallapuram, Murshidabad, Punch, Rajauri and Srinagar). They form more than a quarter to one-half of the total population in 19 districts. The total number of districts in which the Muslim population is not more than 20% does not exceed forty. This means that it is only in these forty districts that the Muslims can influence the political process in general and the electoral process in particular.

The term Scheduled Castes has been used since 1935 with reference to the so-called untouchables or Depressed Classes or Harijans as Gandhiji preferred to call them. The term derives its origin from a Schedule which listed the so-called untouchable castes and which was appended to the Act of 1935. Many people seem to believe that the term refers to an undifferentiated monolithic group and are oblivious of the divergences among the various castes which are officially recognised as Scheduled Castes. In terms of economic resources, growth of literacy, political consciousness and degree of urbanisation there are wide variations among the Scheduled castes. It was in view of this diversity prevailing among them that N. K. Bose, a former Commissioner for Scheduled Castes and

Scheduled Tribes warned : "It is not enough to treat all the Scheduled Castes and Scheduled Tribes as one single unit. Even among them, there are poorer and still poorer sections, neglected and even more neglected sections. The same kind of programme for upliftment cannot, therefore, apply uniformly to all these sections." (3)

In 1947, there were nearly 49 million people who belonged to the Scheduled Castes. After Partition, their number was slightly reduced. However, during 1947-71, there was a continuous increase in their number and the Census of 1971 revealed that it had reached nearly eighty million. The Scheduled Castes formed 14.6% of India's total population of nearly 550 million. More than three-fourth of the Scheduled Caste population is found residing in only 9 States of the Indian Union (U. P., Bihar, West Bengal, Tamil Nadu, Andhra Pradesh, Madhya Pradesh, Maharashtra, Rajasthan and Karnataka).

There were nearly four million Buddhists in India in 1971 and according to the Census Report, Maharashtra had nearly 86% of this total Buddhist population in the country. There were only 2487 Buddhists in Maharashtra in 1951. As a result of the conversion-movement launched by Dr. B. R. Ambedkar in 1956, a large number of his followers embraced Buddhism. Hence, the number of Buddhists in Maharashtra shot up to nearly three million in 1961. According to the Government of India, those who embraced Buddhism ceased to belong to the Scheduled Castes and hence, are not entitled to the concessions given to the Scheduled Castes. However, as their conversion to Buddhism has not led to any basic change in their position vis-a-vis the caste-Hindus, I think it is necessary to treat them as if they still continue to belong to the Scheduled Castes and extend to them the benefits of the policy of 'protective discrimination', or 'compensatory justice' guaranteed by the Constitution of India. It is necessary that the Union Government, like the Government of Maharashtra, should extend all the facilities and concessions to these so-called Neo-Buddhists.

During the last phase of our freedom-struggle, the bulk of the Muslim population solidly rallied behind the Muslim League and its leader Jinnah who insisted on creating Pakistan, an Islamic State. There were some Muslims in the Congress who chose to identify themselves with the nationalist movement but their number was not large. The Partition of India was hailed as a triumph of Jinnah and the Muslim League and hoping that Pakistan would prove to be a land of opportunities many educated, experienced and enterprising Muslims preferred to cross over to Pakistan rather than stay in India. Thus, the Partition not only sharply reduced the numerical strength of the Muslims in India but it also deprived them of

leadership in various fields. The Muslims in India helplessly watched their leaders desert them. The communal holocaust which accompanied the transfer of power in 1947 destroyed several homes on both sides and uprooted millions of people. The influx of millions of angry refugees led to an increase in the tension between the two communities for quite some time. The hostile attitude of Pakistan, Pakistan's invasion of Kashmir and the refusal by the Nizam of Hyderabad to merge his state with the Indian Union made the Hindus suspect the motives as well as the loyalties of the Muslims in India.

In the post-partition atmosphere surcharged with suspicion and hatred, the bulk of the Muslim population, as Wilfred Cantwell Smith rightly observed, "neither trusting nor trusted, held aloof. It continued to cower; rejected, mistrusted and afraid".⁽⁴⁾ Though the Muslim Congressmen co-operated with the Congress leaders in coping with the challenging task of nationbuilding after the unprecedented bloodbath, particularly in Punjab and Bengal, they too, were suspected and distrusted. A typical instance of the treatment given even to the so-called nationalist Muslims is found in the correspondence of Dr. Syed Mahmud, former member of the Congress Working Committee and a member of the Bihar Cabinet. In 1948, Dr. Mahmud who was also a close friend of Jawaharlal Nehru was shocked when told that during his absence, the police officials had searched his car and had looked for arms hidden in his house. In a letter to S. K. Sinha, the Chief Minister of Bihar, Dr. Syed Mahmud protested ;

"Do you know that even I, a member of your Government, had to bear the wrath of police officials. My car was searched in spite of the protest of my driver. I learnt of it for the first time through papers. In my absence, some police officials came and enquired at my house what arms there were in the house. This, I think, is the limit."⁽⁵⁾

Earlier, as the British Government was preparing to withdraw from India, efforts were made by the Congress leaders to establish rapport even with these who kept away from the freedom-struggle and were vociferous in criticising both Gandhiji and the Congress. Dr. Ambedkar, the leader of the Scheduled Castes' Federation was included in the first Nehru Cabinet after independence. The important work of drafting the Constitution of India was entrusted to a Drafting Committee with Ambedkar as its Chairman. In view of the changing political situation he urged his followers "not to put their faith in Muslims or the Muslim League" just because they disliked the Hindus.⁽⁶⁾ Though he did not join the Congress and continued to lead the Scheduled Castes' Federation, he joined the Union Cabinet as a Law Minister and safeguarded the interests of the Scheduled Castes.

Ambedkar was not alone in making a bid to safeguard the interests of minorities in free India. Representatives of other minorities also made similar efforts and took interest in the work of the Constituent Assembly. The Assembly had appointed the Minorities Sub-committee which was one of the five Sub-committees set up by the Advisory Committee on the subject of Fundamental Rights, Minorities etc. The minorities Sub-committee received memoranda as well as replies to its questionnaire on minorities. It tried to ascertain the view of various minorities on four major issues. (1) Joint versus separate electorates and weightage, (2) Reservation of seats in the cabinets; (3) Reservation in Services and (4) Administrative machinery to ensure protection of minority rights. In the light of the view expressed in the memoranda and suggestions made therein, the Sub-committee held its discussions on 27th July 1947 and finalised its report.

By an overwhelming majority it recommended the abolition of separate electorates for elections to legislatures. However, it was proposed that seats be reserved for different recognised minorities in the various legislatures. By a very narrow margin (8 votes to 7) it was resolved that no statutory provision should be made for reservation of seats for the minorities in the cabinets. It was, however, suggested that an Instrument of Instructions embodying such a convention be included in a Schedule to the Constitution. Though there was a general agreement about the need to reserve certain number of jobs for the minorities in the administrative services, the proposition to reserve jobs for Muslims in the services was passed by a narrow margin (9 to 7 votes). Reservation in the services for the Scheduled Castes and the Tribes was approved by an overwhelming majority.

In view of the recent decision of the Janata Government to appoint a Minorities Commission, it is significant to note that the Minorities sub-committee of the Constituent Assembly had, by a large majority, rejected such an idea. Two prominent members of the Sub-committee (H. J. Khandekar, and Jagjivan Ram) belonging to the Scheduled Castes were in favour of setting up such a statutory commission. But their suggestion did not receive the support of majority. Hence, Dr. Ambedkar proposed the appointment of an independent officer who would report on the working of the safeguards provided for the minorities in the Constitution. This proposal was accepted by the Sub-committee with some minor modifications. The Advisory Committee on Minorities endorsed nearly all the suggestions of the Sub-committee and its Chairman, Sardar Patel presented its report to the Constituent Assembly.

The question of safeguards for minorities was again discussed in the Constituent Assembly in May 1949. The Assembly at that time, consider-

ed and accepted the recommendations of the Advisory Committee on Minorities which had modified some of its earlier suggestions. With only one dissenting vote, the Advisory Committee on Minorities, recommended the abolition of reservations for all minorities except for the Scheduled Castes and Tribes. It suggested that reservation for the Scheduled Castes and Scheduled Tribes should only be for a period of ten years. The idea of including an Instrument of Instructions in a Schedule to the constitution was also dropped by the Assembly in October, 1949.

Some Muslim members did not concur with the majority in the Constituent Assembly. B. Pocker, a Muslim League leader from Madras, demanded the continuation of separate electorates. His proposal was, however, turned down by the Assembly. Muhammad Sadulla, Muhammad Ismail and Z. H. Lary were not in favour of abolition of reservations for all minorities. Muhammad Sadulla, a member of the prestigious Drafting Committee, created quite a stir in the Advisory Committee by revealing that only four Muslim members of the Advisory Committee were present at its meeting on 11 May 1949 when the historic decision to do away with all reservations except those for the Scheduled Castes and Scheduled Tribes was taken. He also mentioned that while Maulana Abul Kalam Azad chose to remain silent on this issue, only one Muslim member, Tajumul Hussain demanded the abolition of reservations. The Muslim members were fighting a losing battle since the post-partition period, the majority in the Constituent Assembly was not in a mood to continue with the system of separate electorates and guarantee reservation of seats in cabinets and legislatures or jobs in the public services of India.

Some Muslim members vehemently opposed Article 35 of the Draft Constitution (This became Article 44 after the enactment of the Constitution) which directed the Union and the State Governments to make efforts to secure for the Indian citizens a uniform civil code. As this Article was included in the part dealing with the Directive Principles of State Policy, it was not justiciable. Muhammad Ismail, Mahboob Ali Baig, B. Pocker, Naziruddin Ahmad and Hussain Imam expressed their fear that such a provision in the Constitution would lead to blatant interference with the Islamic Personal Law governed by the Shariah. According to many Muslims, the Shariah is an essential part of their religion and is complete in itself and cannot be changed. If a uniform civil code for all citizens is enacted by non-Muslims, it would amount to repealing the Shariah and depriving the Muslims of their right to freedom of religion. Three members of the Drafting Committee, K. M. Munshi, Alladi Krishnaswami Ayyar and Dr. Ambedkar stoutly defended the Article and assured the Muslim representatives that the object of the controversial Article was only to

enable Parliament to unify personal law in India as and when it thought proper to do so. They rejected the contention of the Muslim members that the Shariah was immutable and that a uniform civil code would infringe the right to freedom. The speeches made by the architects of the constitution gave the Muslim members an impression that a uniform civil code would not be introduced unless the majority of the Muslims was willing to accept such a change.

Even a cursory reading of our Constitution would reveal that it does not make any special provision for the Muslims. As the Muslim demands for continuation of separate electorates and reservation of seats and jobs on communal basis smacked of separatism, the Constituent Assembly refused to concede them. This does not mean that the Assembly was oblivious of the apprehensions of the Muslims. Great care was taken by the framers of the Constitution in drafting the part dealing with the fundamental rights of citizens in India. It was in this part that they attempted to accommodate the legitimate interests of the various minorities. All minorities are assured of the protection of their educational and cultural rights. They are entitled to establish and administer educational institutions of their choice. They are given the right to preserve their distinct language, script or culture. These provisions implied that like other minorities, the Muslims are free to establish and administer educational institutions and preserve and promote the Urdu language and literature.

The Constitution prohibits discrimination against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them. Like other citizens, Muslims can also compete for jobs regardless of religion. The right to freedom of religion is guaranteed to all persons in India. Subject to public order, morality and health, all persons are equally entitled to freedom of conscience and the right freely to profess, practise and propagate religion. Every religious denomination or any of its section enjoys the right to establish and maintain institutions for religious and charitable purposes. Above all, citizens are free to move the courts if they feel that their fundamental rights are either taken or curtailed by the action of an individual or a group or the government.

Unlike the Muslims, the Scheduled Castes have special safeguards provided for them in the Constitution. Untouchability is abolished and its practice in any form is forbidden. Regardless of the first three clauses in Article 15 and the second clause in Article 29, the State is permitted to make any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes. Article 46 which is included as a Directive Principle of

State Policy directs the State to promote in particular, the educational and economic interests of the Scheduled Castes and the Scheduled Tribes. Part XVI of the Constituion provides for reservation of seats for them in the Lok Sabha and the Legislative Assemblies of the States. Such reservation of seats, however, would cease thirty years after the commencement of the Constitution. The claims of persons belonging to Scheduled Castes and Scheduled Tribes would be taken into consideration while making appointments to the public services. Such a policy would be implemented subject to the need for maintaining efficiency of administration. A special officer (the Commissioner for Scheduled Castes and Scheduled Tribes) appointed by the President would investigate all the matters relating to the safeguards provided for the Scheduled Castes and Scheduled Tribes. He would submit reports to the President and these would be laid before each House of Parliament.

The framers of the Constitution believed that the fundamental rights guaranteed to the citizens and the special safeguards provided for the Scheduled Castes and Scheduled Tribes would prove adequate in protecting and promoting the legitimate interests and aspirations of the minorities. In the light of the experience of the last twenty seven years after the commencement of the Constitution, it is necessary to look into the following questions : To what extent have the constitutional safeguards succeeded in preventing discrimination against the minorities such as the Muslims and Scheduled Castes ? How far have the governments implemented the constitutional directive of promoting the educational and economic interests of the Scheduled Castes ? Is there a need to strengthen or modify the institutional set-up which investigates into the working of constitutional safeguards ? Do the Muslims and the Scheduled Castes feel that they had a fair deal till now or do they feel that they are treated as 'second-class citizens' by the majority community in this country ? What are the major grievances of the Muslims and the Scheduled Castes ? In the remaining two lectures, I will discuss these questions.

LECTURE II

In my first lecture, I have referred to the demands of some Muslim members of the Constituent Assembly for continuation of separate electorates and reservation of seats in cabinets and legislatures. They were merely articulating the fear of the Muslims that under a system of joint electorates with no reservation of seats for them in legislatures, they would not get adequate representation. To allay such fears, the Congress leaders declared that all minorities would be treated not only justly but also generously. Apart from setting up a Minorities Sub-committee of the Party, the Congress Working Committee issued a directive by which the minorities were to get proportionate and in any case at least 15% of the Party's nominations in the elections to Parliament and the State Assemblies. During 1966-77, Mrs. Indira Gandhi emerged as a champion of the rights of minorities, especially the Muslims and the Scheduled Castes. Despite all the concern displayed by the ruling party for the Muslims, their representation in the Lok Sabha was always less than adequate as is evident from the following table.

Table II

Election Year	Total No. of Musllam Candidates	Total No. of Constituencies from where the Muslim candidates contested elections	Total No. of successful Muslim Candidates	Members of the Congress Party
1952	37	29	18	17
1957	60	50	19	16
1962	118	94	23	17
1967	132	87	28	12
1971	210	123	30	22
1977	216	132	31	12

It is obvious that the percentage of Muslims in the Lok Sabha was not more than 6% while the Muslim constituted 11% of India's population and

the total number of members of the Lak Sabha increased from 499 in 1952 to 540 in 1977.

Studies of the six general elections and the voting behaviour in India have underlined the role played by voters' primordial loyalties such as loyalty to religion or caste in determining the outcome of the elections. Several studies have pointed out how considerations of religion and caste influence the selection of candidates by political parties. In a constituency, where, for instance, the Muslims have a majority or where the support of sizeable number of Muslim voters is likely to prove crucial, political parties invariably select Muslim candidates to contest on their behalf. I have already referred to the fact that there are only forty districts in which the Muslims constitute more than 20% of the population. It is not surprising that several successful Muslim candidates come from these districts. It is true that in recent years there is an impressive increase in the total number of Muslim contestants as well as Parliamentary constituencies from which they contested. Yet the number of Muslim candidates winning the elections from predominantly non-Muslim constituencies is insignificant.

The representation of the Muslims in the public services is woefully inadequate. According to the figures given by Professor Rasheeduddin Khan, there were only 105 Muslims in the Indian Administrative Service (I.A.S) consisting of 3398 officers. It means that the Muslims formed a bare 3% of the total membership of this most prestigious All India Service. The Muslims had almost the same percentage in the Indian Police Service (I.P.S.). There were only 53 Muslims out of the total of 1661 Police officers in this second important All India Service.⁽⁸⁾ Compared to the Muslims the representation of the Christians was almost exactly in proportion to their numerical strength in the total population of the country. The Christians constituted 2.6% of India's population in 1971 and while their percentage in the two All India Services was 2.44% and 2.04% respectively.

As is evident from the following table, the representation of the Muslims in the lower cadres of the administrative services is also inadequate.⁽⁹⁾

Table III

Muslims in the Central Secretariat in 1971

		Total No. of Officials	Total No. of Muslim Officials
Central Secretariat Service :			
(i)	Selection Grade I	140	02
(ii)	Grade I	395	05
(iii)	Section officers	1666	12
(iv)	Assistants	4507	19
Central Secretariat Stenographers :			
(i)	Selection Grade	130	Nil
(ii)	Grade I	195	Nil
(iii)	Grade II	1954	07
(iv)	Grade III	1326	01
Central Secretariat Clerical Service :			
(i)	Upper Division Clerks	2511	09
(ii)	Lower Division Clerks	6585	30
(iii)	Class IV	5381	39

Confronted with these figures, the non-Muslims give several possible reasons for explaining the inadequate representation of the Muslims in the public services. It is believed that the percentage of literates among the Muslims is not very high. It is pointed out that even educated Muslims prefer to have independent occupations rather than apply for government jobs. It is said that the number of Muslim applicants is invariably small and that most of the Muslim applicants fail to reach even the minimum standards set by the selection committees or Public Service Commissions. In the absence of relevant reliable data regarding the number of literates among the Muslims, the number of job-seekers among them, the total number of Muslim applicants called for interview etc. it is difficult to say whether these explanations are valid.

There is, however, a widespread feeling among the Muslims that in matters of employment, discrimination is made in subtle ways so as to prevent them from entering the public services. Assuming that the Muslims lag behind in education and the percentage of literates among them is much less than the total percentage of literates in India's population, it is difficult to believe that it is so low as to make the Muslims conspicuous by their absence in the various divisions of the country's administrative services. Besides, if the percentage of literates among the Muslims is low, the governments in this country must be held at least partly responsible for their failure to promote education among the Muslims.

The Muslims in India also feel strongly on the question of declining status of the Urdu language though it is recognised as one of the major languages in the Constitution. It is believed that governments are relegating this rich and developed language to a secondary position. The Hindi-speaking states, particularly Uttar Pradesh and Bihar in which nearly half the Urdu-speaking population in the country resides, are accused of following policies which are inimical to the growth of Urdu language and literature. The reports of the Commissioner for Linguistic Minorities in India give details of the difficulties faced by the Urdu-speaking people all over the country. "Not a single primary school or a section teaching Urdu existed during 1959-60 and 1960-61 in a district in Uttar Pradesh where the Urdu-speaking population was more than 63 thousand".⁽¹⁰⁾

In some places where there are Urdu schools there is no adequate number of Urdu teachers. Where teachers are available, there are not enough admissions of students who are willing to offer Urdu as the medium of instruction or even study it as a modern Indian language. Sometimes the State Governments are accused of neglecting their responsibility of publishing Urdu text-books and making them available in time to the students. The shortage of Urdu text-books in some places leaves no alternative to the students but to study some other language rather than Urdu. As few jobs are open for those who acquire education through Urdu there is an increasing tendency among students whose mother tongue is Urdu to prefer English rather than Urdu as the medium of instruction.

It is true that some states such as Maharashtra have established Urdu Akademis and awards are also given every year to Urdu writers. But with the shrinking of the market for Urdu books and a decline in the number of students opting for Urdu as a medium of instruction the prospects for Urdu seem to be bleak. Many Muslims hope that it can still regain part of the status provided it is recognised as the second official language in States such as Uttar Pradesh or Bihar where there is a large number of Urdu-speaking people. In 1954 a petition signed by lakhs of Urdu-speaking

people was submitted by Dr. Zakir Hussain to India's first President Dr. Rajendra Prasad. This petition stressed the need to seek a fair and equitable solution to the problem of giving proper recognition for Urdu in India. The bulk of the Muslim population resented the lack of response from the government which refused to give what they considered to be due to a language recognised by the Constitution as one of the major languages.

Those who refused to concede the status of a second official language to Urdu in certain states argued that for granting such a status to any language there must be at least 30 % of the people speaking that language in a State. It was also pointed out that if a language spoken by less than 20% of the total population in a State is given the status of the second official language, such a decision will have immediate repercussions in other parts of the country where other languages are likely to demand for themselves similar status. Assuming that these arguments are valid, one feels that Urdu deserves a better treatment than what it has received so far especially in Uttar Pradesh and Bihar.

Muslims in India also feel agitated on the issue of the Aligarh Muslim University. They have stoutly opposed all attempts made by the Government of India to amend the Aligarh Muslim University Act of 1920 and have sometimes resorted to violence leading to attacks on the Vice-Chancellor. They believe that the Government of India intends to change the historic character of the Aligarh University which was established under an Act passed by the Central Legislature. The funds for the establishment of the University were largely contributed by the Muslims. Though it admitted students regardless of race, caste, creed or sex, it was completely dominated by the Muslims. It was a unitary and residential university and always attracted Muslim students from all parts of undivided India. Only a Muslim could be its Vice-Chancellor and its court as well as the Executive Council could have only Muslims as its members. It soon became a stronghold of Muslims separatism and communalism and hence, the nationalists disliked the political activities of the University's alumni and its teachers. Even now the Aligarh University is described by some people as Mini-Pakistan.

After the commencement of the Indian Constitution, the Aligarh Muslim University Act was amended in 1951 and also in 1965. The Amendment of 1951 vested the overall control of the University in the Government of India and permitted admission of non-Muslims in University Court. The amendment of 1965 curtailed the powers of the Court and increased those of the Executive Council of the University.

This amendment was opposed by the students of the University who were supported by its powerful Old Boys' Association and other Muslim

organisations and political parties such as the Muslim League and Muslim Majlis. The validity of the amendments to the Aligarh Muslim University Act was challenged by Azeez Basha and others and the case was heard by the judges of the Supreme Court.

The petitioners contended that the Amendments violated the provision in Clause 1 of Article 30 in the Constitution. This Article guarantees to all minorities the fundamental right to establish and administer educational institutions of their choice. The petitioners felt that the Amendments took away or abridged this right for, according to them, the Aligarh University was established by the Muslim minority which had every right to administer it. They also questioned Parliament's right to amend the Aligarh University Act. The Supreme Court in a unanimous decision rejected the contentions of the petitioners. Its judgement traced in brief, the history of the Aligarh University. Though it was conceded that the University was established largely because of the concerted efforts of the Muslim minority, it could not be regarded as the Muslim minority institution since it was created under the Act of the Central Legislature. Hence, the Supreme Court observed "Article 30 (1) cannot be read to mean that even if the educational institution had been established by somebody else any religious minority would have the right to administer it because for some reason or other it might have been administering it before the Constitution came into force".⁽¹⁾ The court also pointed out other provisions of the Aligarh Muslim University Act of 1920 which indicated that it was not exclusively administered by the Muslims.

The Aligarh Muslim University Act was amended once again in 1972 on the basis of the recommendations made by the Gajendragadkar committee which looked into the affairs of the Aligarh University and submitted a report. The Amendment of 1972 reduced the influence of donors and Old Boys in the University Court and laid down a procedure which enabled the President of India to choose the Vice-Chancellor who enjoyed enormous power and patronage under the Act. This Amendment was subjected to severe criticism by the Muslims who organised demonstrations to protest against the anti-democratic Act. Some opposition parties joined hands with the Muslims and demanded that the Aligarh University which was a Muslim minority institution should be managed by the Muslims. In 1973, the University had to be closed for an indefinite period as the agitation against the Amendment posed a threat to law and order. On the eve of elections to the U. P. Legislative Assembly, the Muslims supported by some opposition parties mounted pressure. The prospects of losing the Muslim vote at the polls made the Congress leaders modify some of the statutes of the University. The Government, however,

refused to recognise the University as a minority institution. The Muslims were not satisfied by the modifications of the statutes and, especially after the victory of the Janata Party in the parliamentary elections of march 1977, they are demanding restoration of the *statusquo-ante* and a categorical declaration from the Government regarding the character of the Aligarh University as a minority institution.

The Muslims are considerably annoyed by the fervent pleas of some people for the introduction of a uniform civil code for all Indians. In recent years, the demand for deletion of Article 44 from the Constitution has been made by some of them. It is felt by many Muslims that it would be good if the cause of possible mischief is removed once for all from the Constitution. I have already referred to the strong opposition which this Article encountered in the Constituent Assembly. Those who favour the introduction of a uniform civil code point out that other Muslim countries such as Turkey, or Pakistan have reformed the Muslim personal law. They also argue that since the personal law belongs to the temporal and not the religious sphere of life, it should be left to a secular authority such as Parliament rather than Ulamas to decide which rules should govern marriage, succession and such other personal matters.

The bulk of the Muslim population dominated by the Ulamas rejects these arguments and believes that since Muslim personal law based on Shariah is an essential part of Islam, legislative bodies consisting of non-Muslims do not have the right to modify it. According to the orthodox Muslims, it is meaningless to cite the examples of other Muslim countries in which Muslims are in majority and as such are entitled to introduce reforms within the limits laid down by the Quran and the established practice of the Prophet. There are some scholars such as Asaf A. A. Fyze who are willing to consider changes in the Muslim personal law provided such reforms are based on voluntary effort and are accepted by the Muslims themselves. It is significant that even Fyze who is widely known for his study of Islam believes that "it is only a Muslim who can criticize Islam, his own religion; he also (alone?) can tell other Muslims how to be better Muslims and to reform Islam. This rule applies to every religion".⁽¹²⁾ In view of the Muslim opposition to the idea of a uniform civil code neither the Congress nor the Janata Party could muster enough courage to introduce measures in accordance with the Directive Principle of State Policy contained in Article 44 of the Constitution. Muslims have been repeatedly assured that unless the bulk of their population supports the demand for a uniform civil code, no steps would be taken by the Government on its own.

Underlying all these controversies and agitations in the post-Partition decades is the fear of losing identity as Muslims that continues to haunt the followers of Islam in this country. The tremendous hold which religion has over them makes them extremely sensitive in all matters which have a direct or indirect bearing on their religious beliefs. As Sir Sayyad Ahmed Khan rightly observed, "Ask them to leave anything and they would say that it was sanctioned in Islam; ask them to learn anything, they would say it was prohibited in Islam".⁽¹³⁾ They have not as yet learnt to identify themselves as citizens of India regardless of race, religion, caste, sex or place of birth. They still prefer to regard themselves as Muslims first and believe that they are second-class citizens of India against whom discrimination is made by the overwhelming majority of Hindus. It is difficult for them to separate purely religious issues as they cannot easily imagine the possibility of such a demarcation of spheres of life. It is not easy for them to envisage their role as citizens of a nation-state regardless of their religious beliefs in the absolute sovereignty of Allah and the brotherhood of Muslims. They accept the authority of Shariah which for them is "one comprehensive system of law that is divine in origin, religious in essence and moral in scope".⁽¹⁴⁾ They seem to believe that it represents a higher law than the Constitution and that while the former cannot be changed, the latter can be amended provided it does not violate the former. In case of a conflict between the two, they take it for granted that the Shariah has to prevail over the provision in the Constitution.

If the Ulamas tell them that Islam is in danger they do not hesitate in taking up arms in its defence. Assuming that attack is the best way to defend, they resort to violence. Some of them sincerely believe that by doing so they are merely promoting the cause of Islam. Sometimes sheer frustration combined with a feeling of insecurity makes them turn against other groups. This does not mean that the Muslims alone are responsible for communal riots which have disturbed peace and order in India in the last 27 years. To hold them exclusively responsible for the communal clashes would be travesty of truth. In quite a large number of such incidents there was enough evidence to prove that the Muslims were victims of the aggressive designs of the Hindus.

An analysis of the communal conflicts upto 1972 reveals that the fifties were relatively free from frequent outbursts of communal hatred. The early 'sixties witnessed an increase in the number of communal riots. There were only 26 incidents of communal violence in 1960. In 1961, there were only 60 such riots including the one at Jabalpur. In 1966, there were 133 such incidents while in 1967, their number rose sharply to 209. The

riots in Ranchi in 1967 reminded the people of the communal frenzy of 1947. The following table gives an idea of the sharp increase in the number of communal clashes upto 1970 and then a rapid decline in their number in subsequent years.⁽¹⁵⁾

Table IV

State	1968	1969	1970	1971	1972
Andhra Pradesh	44	6	18	16	8
Assam	11	14	34	22	9
Bihar	98	99	79	66	30
Gujarat	4	213	19	28	22
Haryana	1	—	—	1	1
Jammu & Kashmir	—	—	4	3	—
Kerala	8	22	5	14	13
Madhya Pradesh	18	26	44	21	22
Maharashtra	39	23	164	35	30
Madras	2	4	7	7	3
Mysore	7	11	8	12	16
Orissa	6	12	7	9	3
Punjab	—	—	1	3	1
Rajasthan	10	15	13	10	8
Uttar Pradesh	83	28	48	43	45
West Bengal	13	41	60	30	25
Delhi	1	5	8	1	2
Manipur	—	—	1	—	1
NEFA	1	—	—	—	—
Tripura	—	—	1	—	1
TOTAL	346	519	521	321	240

The increase in the incidents of communal violence in the early sixties led to a spurt of political activities of the Muslims in India. In the decade after the commencement of the Constitution, the Muslims, by and large, voted for the Congress. In December 1947, a conference of Muslim leaders was held at Lucknow. It was addressed by such stalwart as Maulana Azad, and Dr. Syed Mahmud who advised the Muslims in India to wind up the

Muslim League and eschew communal politics. Some Muslim leaders from South India refused to break away from the Muslim League and decided to revive its activities under the new banner of the Muslim League of the Indian Union. However, till the 'sixties it was not a political force to be reckoned with in Indian politics as it did not receive much response from the Muslims themselves. For quite some time, the Muslims seemed to be sulking at their leaders such as Chaudhari Khalikuzzaman who left them in the lurch and went to Pakistan. During the 'fifties, the Tablighi Jamaat, the Jamiat-ul-Ulama-e-Hind and the Jamaat-e-Islami whose founder Maulana Abdul Ala Maudoodi had also left for Pakistan, concentrated on the task of organising relief operations and establishing schools. They concentrated on instructing the Muslims about the doctrines of Islam and its rituals. These three religious-cum-social organizations kept away from electoral politics. They opposed the idea of a uniform civil code and insisted on conformity with Shariah.

It was after the Jabalpur riots early in 1961 that an All India Muslim Convention was held at Lucknow. Its president Dr. Syed Mahmud declared that the Muslims did not find their life, honour and property safe. Though the leaders of the Jamiat-ul-Ulama-e-Hind participated in its deliberations, militant Muslim organizations such as the Muslim League and the Jamaat-e-Islami were kept away from the Convention. In 1964, however, they were also invited to send their representatives to take part in the conference of Muslim leaders once again convened by Dr. Syed Mahmud at Lucknow in August 1964. This conference was held after the riots at Rourkela and Jamshedpur where not only some Muslims were killed but there was also destruction of their property. It was decided to float a new organization called the Muslim Majlis-e-Mushwara and as its very name suggested, the emphasis was to be on mutual consultations among various Muslim organizations and groups. It was a loose association of an assorted group of Muslim organizations including the Tamir-e-Millat and the Ittehadul Mussalmin from Andhra Pradesh and the Majlis from U. P. With its help, the opposition parties were able to engineer the defeat of the Congress in U. P. in 1967. The results of the fourth general elections of 1967 revealed that the Muslim voters had turned away from the Congress which could no longer take their support for granted. In April 1968, Dr. Syed Mahmud whose politics of consultations and compromise was not liked by the militant elements in the Muslim-Majlis-e-Mushwara had to resign from the organization in disgust as he found to his dismay that the Muslims were once again adopting the political style of the leaders of the pre-partition Muslim League.

* During the 'sixties and early seventies', the Muslim League acquired considerable strength in certain parts of India though in recent years it

it is fragmented due to internal dissensions and intense factionalism. The League had only 5 members in the Madras Legislative Assembly of 1952. Its tally increased particularly in Kerala where, by 1967, it had 14 members in a House of 133. In a state where no single political party commanded an absolute majority in the Assembly it was possible for such a bloc of 14 members to bargain with other political parties and succeed in securing a share in political power. Since then it had been in and out of the Congress-CPI coalition in Kerala. When it was a partner in the Congress-CPI alliance, Mrs. Indira Gandhi described it as a progressive force rather than a reactionary communal political organization. It is said that "Mr. Shammad, State Secretary of the Kerala Muslim League, in a speech on 28 th September 1973 at Cannanore, asked how the Prime Minister (Mrs. Gandhi) could distinguish between the Muslim League in U. P. and the Muslim League in Kerala and characterise one as communal and the other non-communal when both formed part of the same all India body, namely the Indian Union Muslim League".⁽¹⁶⁾ By the end of 1970, the Muslim League claimed membership of five lakhs. In the Parliamentary elections of 1971 the Muslim voters rallied behind Mrs. Indira Gandhi and contributed a great deal to the massive majority won by her in the Lok Sabha.

The elections of 1977, however revealed that the Muslims in many parts of India, especially in the North, chose to vote for Janata and its allies. The atrocities committed during the 19 months of emergency while implementing the family planning programme and the slum clearance schemes resulted in complete alienation of the Muslims in the North and they turned against the Congress. The Indian Muslim League was divided on the issue of its alliance with Congress. While its leaders from the South favoured its continuation, the leaders from the North decided to align with the opposition. Syed Abdullah Bukhari, the Shahi Imam of Jama Masjid in Delhi campaigned against the Congress. In his speeches he disclosed that some Janata leaders had assured him that if they came into power they would not introduce any change in the Muslim personal law and would restore the original character of the Aligarh Muslim University. Disappointed by what the Congress did for them in thirty years after independence, the Muslim voters seemed to have decided to give a chance to the opposition with the hope that at least the Janata and its allies would keep their promises.

It is evident that the bulk of the Muslim population is conservative and clings to the traditional way of life governed by its religious beliefs. In recent years, the late Hamid Dalwai made dauntless efforts to convince the Muslims about the need to reform the community from within but he

had to face strong opposition. Though the non-Muslims hailed him as a great social reformer, the number of Muslims who responded favourably to his pleas for secularism was negligible. He concentrated mostly on the question of reforming Muslim personal law and advocating the acceptance of a uniform civil code for all Indian citizens. Unfortunately, he did not give adequate attention to the economic problems and the legitimate grievances of the Muslims who were hostile to him and to his organization, the Muslim Satyashodhak Samaj.

In the absence of any powerful reform movement, conservative Muslims led by an urban middle-class elite are likely to oppose in the near future all measures which aim at facilitating the processes of secularism and modernization. In such circumstances, any ruling party will hesitate to introduce such measures which are likely to lead to the withdrawal of the electoral support of the Muslims. Political parties which believe in secularism and socialism will have to accept the challenge and win over poor Muslims to their side. Certainly, it is not an easy task but given the determination to resolve the basic economic problems of poverty and increasing concentration of wealth in the hands of a few persons and given also a sympathetic understanding of the Muslims in India, it will be possible to draw the Muslims gradually into the struggle for the establishment of a secular and socialist society in India.

LECTURE III

In my first lecture, I have referred to the provisions in the Indian constitution which aim at safeguarding the interests of the Scheduled Castes. In this lecture, I would examine the measures taken by the Union and the State Governments to implement these constitutional guarantees.

The Indian parliament passed the *Untouchability (Offences) Act, 1955* to make the practice of untouchability a cognizable offence punishable under law. The Union and the State Governments were expected to appoint committees to look into the implementation of the Act. But on 3rd April 1964 the Union Ministry of Home Affairs admitted that "no such committees had come into existence or having come into existence they had become dormant".⁽¹⁷⁾ In view of the inadequate punishment provided in the Act it was decided to amend it in 1972. The amended Act now known as *Protection of Civil Rights Act, 1955*, provides for more stringent punishment to the offenders. It came into force from 19th November, 1976.

During 1955-64, the number of cases registered and challaned under this Act was not very large.⁽¹⁸⁾

Table V

Year	No. of cases registered with the police	No. of cases Challaned	Convicted*	Acquitted	Compounded	pending
1955	180	180	80	12	12	76
1956	693	599	149	106	156	188
1957	492	415	87	35	85	208
1958	550	477	127	83	92	175
1959	481	401	105	70	82	114
1960	509	438	89	74	122	153
1961	489	438	187	141	138	52
1962	389	338	77	91	81	89
1963	383	314	77	47	80	110
1964	371	316	157	53	50	76

In the last five years, however, there is a sharp increase as is evident from the following table⁽¹⁹⁾.

Table VI

Year	No. of cases registered with the police	No. of cases Challaned	Convicted	Acquitted	Compounded	Pending
1971	526	439	91	96	138	114
1972	1515	1416	631	253	233	299
1973	2949	2356	1207	312	388	449
1974	1908	1588	669	247	288	384
1975	3528	2588	936	480	611	561
1976	3099	2598	86	360	155	1997

It should be remembered that the number of cases registered and challaned in 1976 includes cases only from three States, Uttar Pradesh, Maharashtra and Gujarat. Data regarding the cases in other States was not made available even to the Commissioner for Scheduled Castes and Scheduled Tribes when he finalized the draft of his annual report.

The recent increase in the cases registered and challaned under the Protection of Civil Rights Act, 1955 is the result of the increasing awareness among the Scheduled Castes of their rights and their efforts to seek justice as well as the growing tensions in the rural areas between the upper-caste landowners and landless labourers belonging to the Scheduled Castes. The percentage of cases pending before the courts is also high and the delay in deciding such cases is likely to have adverse effects on the Scheduled Castes.

Apart from the incidents of atrocities against them, the policy of reserving seats in educational institutions and jobs in the administrative services for them has also become a subject of heated debates in recent years. Yet it is not realized by many that there is still a wide gap between the literacy level of the Scheduled Castes and that of the general population.

The slow progress of education among the Scheduled Castes is partly due to the large scale wastage and stagnation in their education. Apart from the unconscionable delay in disbursing the scholarships to them the authorities often fail to carry out the instructions regarding admission, relaxation of rules or exemption from fees etc. It is also found that not all the members of the Scheduled Castes have taken advantage of the educational facilities extended to them. In 1962-63, the Government of Maharashtra carried out an enquiry which revealed that the students belonging to Mahar caste were receiving 85.8% of post-Matric Scholarships though the Mahars constituted only 35% of the total population of Scheduled

Castes in Maharashtra. In contrast, the Mangs with a population of 32.6% received only 2.2% of the Scholarships.⁽²⁰⁾ Similarly in Bihar the Chamars who constitute 29% of the State's population of the Scheduled Castes have a relatively higher literacy level. In contrast, the Dusadhs who form 26% of the Scheduled Castes population of Bihar have a low level of literacy. In particular, literacy level among women belonging to the Scheduled Castes is extremely low. This means that apart from the educational backwardness of the Scheduled Castes their unequal development is also a serious problem.

Article 16(4) of the constitution declares that the State can make any provision for the reservation of appointments to posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State. But in *B. S. Kesava Iyengar V. State of Mysore (1956)*, the Mysore High Court declared that *this is an enabling provision and not a mandatory one*. In *C. A. Rajendran V. Union of India (1968)*, the Supreme Court also held that Article 16(4) does not impose any constitutional duty on the government to reserve posts for the Scheduled Castes and the Scheduled Tribes either at the initial stage of recruitment or at the later stage of promotion. Since then, the Constitution has been amended many times but Article 16(4) was not amended to make it obligatory for the government to reserve posts for the Scheduled Castes and the Scheduled Tribes. As a result of the judgements given by the Supreme Court, neither the Union Government nor the State Government can reserve or carry forward more than 50% vacancies for the Scheduled Castes and the Scheduled Tribes in a particular year.

At present 15% of the posts under the Government of India are reserved for the Scheduled Castes. However, their representation in the administrative services continues to be very poor in the top cadres though in the lowest cadre of Class IV servants, they seem to have been given more than adequate share of the jobs in 1975.⁽²¹⁾

Table VII

Class	Total Strength as on 1st January 1975	Scheduled Castes	Percentage
I	35,061	1,201	3.4
II	54,129	2,695	5.0
III	16,32,397	1,74,119	10.7
IV	12,38,818	2,30,864	18.6

If we take into consideration their representation in the All-India Services and the Central Services Class I and II only, it will be evident from the following table that their representation is woefully inadequate in the Engineering services and the Indian Statistical Service as well as the Indian Economic Service.⁽²³⁾

Table VIII

Sr. No.	Name of the Service	Total No. of Officers	Scheduled Castes	Percentage
1.	I. C. S./I. A. S.	3,237	277	8.56
2.	I. P./I. P. S.	1,753	143	8.16
3.	I. A. and A. S.	560	35	6.25
4.	Military Engineering Service	626	21	3.35
5.	Indian Defence Accounts Service	168	11	6.55
6.	A. F. H. Q. Civil Service	639	03	0.47
7.	Central Engineering Service (Roads) Class I	175	08	4.57
8.	Telegraph Engineering Service	838	23	2.74
9.	Central Information Service Class I & II	625	59	9.42
10.	Indian Statistical Service (Grade I to Grade IV)	327	09	2.75
11.	Indian Foreign Service	548	36	6.57
12.	Indian Economic Service	451	21	4.66
13.	Central Engineering Service (Civil) Class I	398	20	5.03
14.	Central Engineering Service (Electrical) Class I	95	05	5.26
15.	Central Power Engineering Service (Class I)	223	07	3.14
16.	Indian Income Tax Service	1,826	109	5.97

The percentage of officers belonging to the Scheduled Castes in the banking sector is also extremely low as is evident from the following table.⁽²³⁾

Table IX

Banking Category	Percentage of Scheduled Castes in various categories of staff		
	Officers	Clarks	Subordinate staff
14 Nationalised Banks	1.01	5.92	14.29
Reserve Bank of India	1.12	9.39	17.33
State Bank of India	0.57	4.47	18.75

It is often argued that the policy of reservation of posts for the Scheduled Castes is implemented at the cost of the principle of merit and that such a policy has led to a rapid decline in the efficiency of the administrative services. Such an argument is based on a wrong assumption that the candidates belonging to the Scheduled Castes are by and large incompetent and that others are invariably persons of ability and merit. It is true that there is a marked deterioration in the efficiency of the administrative services of our country but it is not due to the influx of the Scheduled Castes whose representation in the higher cadres continues to be far below the required minimum of 15 per cent. It is difficult to believe that the efficiency of the administrative services has declined steeply solely on account of the presence of the Scheduled Castes members occupying nearly 20% of the lowest positions in the administrative services.

In recent months some people have been clamouring for the acceptance of the criterion of economic backwardness rather than birth in a Scheduled Caste or a Scheduled Tribe for preferences to be given in government jobs. This demand is supported particularly by the poorer sections among the other castes. Economic backwardness is a relatively vague criterion and any attempt to implement a policy of reservation based on this principle is bound to bristle with many practical difficulties. Assuming that economic backwardness is accepted as the basis for reservation of posts, the bulk of the Scheduled Castes population will be entitled to the benefits of such a policy. It should be remembered that nearly 35% of the Scheduled Castes are landless labourers. Among the Scheduled Caste landholders, nearly 52% have holdings of less than 2.5 acres. Above all, it should not be forgotten that the Scheduled Castes are doubly handicapped because of their economic as well as social backwardness.

In the Lok Sabha elections of March 1977, out of 542 seats, 78 were reserved for the Scheduled Castes. Out of 3,977 seats in the Legislative Assemblies of the States and the Union Territories, 540 were reserved for

them. The Constitution does not, however, provide for reservation of seats for the Scheduled Castes in the Rajya Sabha and the Legislative Councils of the States. It is true that the number of MPs or MLAs belonging to the Scheduled Castes is not negligible. Yet, almost all the candidates contesting for reserved seats can get elected only with the support of the majority of voters who do not belong to the Scheduled Castes. A political party which derives its support exclusively or mainly from the Scheduled Castes is not likely to capture many seats in the Lok Sabha or State Assembly elections. Hence, it often gets involved in the politics of alliances or coalitions. Some sections of such a party will be tempted to merge or align closely with the ruling party.

The record of the Scheduled Castes Federation clearly reveals how its redoubtable leader Dr. B. R. Ambedkar had to steer it through difficult times because of these compulsions of the political situation. Unfortunately the Republican Party of India which came into existence after his death in December 1956 did not have a leader of his stature and experience. Riven by intense factionalism which was mostly based on personal ambitions, jealousies and rivalries, it soon became a fragmented and an extremely weak political organization. The vacuum created by the eclipse of the Republican Party of India was filled for some time by the Dalit Panthers, a new militant organization which too, dissipated its strength and vitality in a short period.

Today the Scheduled Castes appear to be dejected and angry as they feel that they are deserted by their own leaders. They also feel more insecure particularly in the rural areas. There is a growing awareness among them that they have gained very little in the three decades after the achievement of independence. They are sure to fight bitterly for their rights. Others should better remember the warning given by Dr. Ambedkar while presenting the Draft Constitution to the Assembly.

"To diehards who have developed a kind of fanaticism against minority protection I would like to say two things. One is that minorities are an explosive force which, if it erupts, can blow up the whole fabric of the State. The history of Europe bears ample and appalling testimony to this fact. The other is that the minorities in India have agreed to place this existence in the hands of the majority.... they have loyally accepted the rule of the majority which is basically a communal majority and not a political majority. It is for the majority to realize its duty not to discriminate against minorities. Whether the minorities will continue or will vanish must depend upon this habit of the majority. The moment the majority loses the habit of discriminating against the minority, the minorities can have no ground to exist. They will vanish."⁽²⁴⁾

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