

MANDAL COMMISSION

The **Mandal Commission** in India was established in 1979 by the Janata Party government under Prime Minister Morarji Desai with a mandate to "identify the socially or educationally backward." It was headed by Indian parliamentarian Bindheshwari Prasad Mandal to consider the question of seat reservations and quotas for people to redress caste discrimination, and used eleven social, economic, and educational indicators to determine "backwardness." In 1980, the commission's report affirmed the affirmative action practice under Indian law whereby members of lower castes (known as Other Backward Classes and Scheduled Castes and Tribes) were given exclusive access to a certain portion of government jobs and slots in public universities, and recommended changes to these quotas, increasing them by 27% to 49.5%

Setting up of Mandal Commission

The plan to set up another commission was taken by the Morarji Desai government in 1978 as per the mandate of the Constitution of India under article 340 for the purpose of Articles like 15 and 16. The decision was made official by the president on January 1, 1979. The commission is popularly known as the Mandal Commission, its chairman being B.P. Mandal.

Criteria to identify OBC

The Mandal Commission adopted various methods and techniques to collect the necessary data and evidence. The commission adopted 11 criteria which could be grouped under three major headings : social, educational and economic in order to identify OBCs.

Social

- (i) Castes/classes considered as socially backward by others.
- (ii) Castes/classes which mainly depend on manual labour for their livelihood.
- (iii) Castes/classes where at least 25 per cent females and 10 per cent males above the state average get married at an age below 17 years in rural areas and at least 10 per cent females and 5 per cent males do so in urban areas.
- (iv) Castes/classes where participation of females in work is at least 25 per cent above the state average.

Educational

(v) Castes/classes where the number of children in the age group of 5–15 years who never attended school is at least 25 per cent above the state average.

(vi) Castes/classes where the rate of student drop-out in the age group of 5–15 years is at least 25 percent above the state average.

(vii) Castes/classes amongst whom the proportion of matriculates is at least 25 per cent below the state average.

Economic

(viii) Castes/classes where the average value of family assets is at least 25 per cent below the state average.

(ix) Castes/classes where the number of families living in kuccha houses is at least 25 per cent above the state average.

(x) Castes/classes where the source of drinking water is beyond half a kilometer for more than 50 percent of the households.

(xi) Castes/classes where the number of households having taken consumption loans is at least 25 percent above the state average.

Also known as "Creamy layer," this criteria of separation is ignored by the government which is known as the most controversial issue of reservation.

Weighting indicators

As the above three groups are not of equal importance for the purpose, separate weightage was given to indicators in each group. All the Social indicators were given a weightage of 3 points each, educational indicators were given a weightage of 2 points each and economic indicators were given a weightage of 1 point each. Economic, in addition to Social and Educational Indicators, were considered important as they directly flowed from social and educational backwardness. This also helped to highlight the fact that socially and educationally backward classes are economically backward also.

It will be seen from the values given to each indicator, the total score adds up to 22. All these 11 indicators were applied to all the castes covered by the survey for a particular state. As a result of this application, all castes which had a score of 50 % (i.e. 11 points) were listed as socially and educationally backward and the rest were treated as 'advanced'.

Observations and Findings

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

- Assuming that a child from an advanced class family and that of a backward class family had the same intelligence at the time of their birth, it is obvious that owing to vast differences in social, cultural and environmental factors, the former will beat the latter by lengths in any competitive field. Even if a backward class child's intelligence quotient was much higher as compared to the child of advanced class, chances are that the former will lag far behind the latter in any competition where selection is made on the basis of 'merit'.
- In fact, what we call 'merit' in an elitist society is an amalgam of native endowments and environmental privileges. A child from an advanced class family and that of a backward class family are not 'equals' in any fair sense of the term and it will be unfair to judge them by the same yard-stick. The conscience of a civilized society and the dictates of social justice demand that 'merit' and 'equality' are not turned into a fetish and the element of privilege is duly recognised and discounted for when 'unequal' are made to run the same race.
- To place the amalgams of open caste conflicts in proper historical context, the study done by Tata institute of Social Sciences Bombay observes. "The British rulers produced many structural disturbances in the Hindu caste structure, and these were contradictory in nature and impact Thus, the various impacts of the British rule on the Hindu caste system, viz., near monopolisation of jobs, education and professions by the literati castes, the Western concepts of equality and justice undermining the Hindu hierarchical dispensation, the phenomenon of Sanskritization, genteel reform movement from above and militant reform movements from below, emergence of the caste associations with a new role set the stage for the caste conflicts in modern India. Two more ingredients which were very weak in the British period, viz.,

politicisation of the masses and universal adult franchise, became powerful moving forces after the Independence.

Recommendations

The report of the commission was submitted in December 1990. Following are the recommendations as stated in the report.

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

Reservations

13.2 One such change in the attitude of the ruling elite pertains to the provisions of reservation in Government services and educational institutions for the candidates of Other Backward Classes. It is generally argued that looking to the large population of OBCs (52 %), recruitment of a few thousand OBCs every year against reserved vacancies is not going to produce any perceptible impact on their general condition. On the other hand, the induction of a large proportion of employees against reserved vacancies will considerably impair the quality and efficiency of the Government services. It is also stated that the benefits of such reservations will be skimmed off by those sections of OBCs which are already well off and the really backward sections will be left high and dry. Another argument advanced against this approach is that the policy of large scale reservations will cause great hurt burning to those meritorious candidates whose entry into services will be barred as a result thereof.

13.3 All the above arguments are based on fairly sound reasoning. But these are also the arguments advanced by the ruling elite which is keen on preserving its privileges. Therefore, like all such reasoning, it is based on partisan approach. By the same token, while illuminating some immediate areas of concern it tends to ignore much larger issues of national importance.

13.4 It is not at all our contention that by offering a few thousand jobs to OBC candidates we shall be able to make 52% of the Indian population as forward. But we must recognise that

as essential part of the battle against social backwardness is to be fought in the minds of the backward people. In India Government service has always been looked upon as a symbol of prestige and power. By increasing the representation of OBCs in Government services, we give them an immediate feeling of participation in the governance of this country. When a backward class candidate becomes a Collector or a Superintendent of Police, the material benefits accruing from his position are limited to the members of his family only. But the psychological spin off of this phenomenon is tremendous; the entire community of that backward class candidate feels socially elevated. Even when no tangible benefits flow to the community at large, the feeling that now it has its "own man" in the "corridors of power" acts as a morale booster.

13.5 In a democratic set-up every individual and community has a legitimate right and aspiration to participate in ruling this country. Any situation which results in a near-denial of this right to nearly 52% of the country's population needs to be urgently rectified.

13.6 Apprehensions regarding drop in the quality of Government services owing to large-scale induction of S.C. / S.T. and O.B.C. candidates against reserved posts may be justified only up to a point. But is it possible to maintain that all candidates selected on merit turn out to be honest, efficient, hard-working and dedicated? At present, top echelons of all the Government services are manned predominantly by open competition candidates and if the performance of our bureaucracy is any indication, it has not exactly covered itself with glory. Of course, this does not imply that candidates selected against reserved posts will do better. Chances are that owing to their social and cultural handicaps they may be generally a shade less competent. But, on the other hand, they will have great advantage of possessing firsthand knowledge of the sufferings and problems of the backward sections of society. This is not a small asset for field workers and policy makers even at highest level.

13.7 It is no doubt true that the major benefits of reservation and other welfare measures for Other Backward Classes will be cornered by the more advanced sections of the backward communities. But is not this a universal phenomenon? All reformists remedies have to contend with slow recovery along the hierarchical gradient; there are no quantum jumps in social reform. Moreover, human nature being what it is, a "new class" ultimately does emerge even in classless societies. The chief merit on reservation is not that it will introduce egalitarian amongst OBCs when the rest of the Indian society is seized by all sorts of inequalities. But reservation will certainly erode the hold of higher castes on the services and enable OBCs in general to have a sense of participation in running the affairs of the country.

13.8 It is certainly true that reservation for OBCs will cause a lot of heart burning to others. But should the mere fact of this heart burning be allowed to operate as a moral veto against social reform.... When the higher castes constituting less than 20% of the country's population subjected the rest to all manner of social injustice, it must have caused a lot of heart burning to the lower castes. But now that the lower castes are asking for a modest share of the national cake of power and prestige, a chorus of alarm is being raised on the plea that this will cause heart burning to the ruling elite. Of all the specious arguments advanced against reservations for backward classes, there is none which beats this one about 'heart- burning' in sheer sophistry.

13.9 In fact the Hindu society has always operated a very rigorous scheme of reservations, which was internalised through caste system. Eklavya lost his thumb and Shambhk his neck for their breach of caste rules of reservations. The present furore against reservations for OBCs is not aimed at the principle itself, but against the new class of beneficiaries, as they are now clamouring for a share of the opportunities which were all along monopolised by the higher castes.

Quantum and Scheme of Reservations

13.10 Scheduled Castes and Scheduled Tribes constitute 22.5% of the country's population. Accordingly, a pro-rata reservation of 22.5% has been made for them in all services and public sector undertakings under the Central Government. In the States also, reservation for SCs and STs is directly proportional to their population in each State.

13.11 As stated in the last Chapter (Para 12.22) the population of OBCs, both Hindu and non-Hindu, is around 52% of the total population of India. Accordingly 52% of all post under the Central Government should be reserved for them, but this provision may go against the law laid down in a number of Supreme Court judgments wherein it has been held that the total quantum of reservations under Articles 15(4) and 16(4) of the Constitution should be below 50%. In view of this the proposed reservation for OBCs would have to be pegged at a figure which, when added to 22.5% of SCs and STs, remain below 50%. In view of this legal constrain, the commission is obliged to recommend a reservation of 27% only, even though their population is almost twice this figure.

13.12 States which have already introduced reservation for OBCs exceeding 27%, will remain unaffected by this recommendation.

13.13 With the above general recommendation regarding the quantum of reservation, the Commission proposes the following over-all scheme of reservation for OBCs:-

- (1) Candidates belonging to OBCs recruited on the basis of merit in an open competition should not be adjusted against their reservation quota of 27%.
- (2) The above reservation should also be made available to promotion quota at all levels.
- (3) Reserved quota remaining unfilled should be carried forward for a period of three years and deserved thereafter.
- (4) Relaxation in the upper age limit for direct recruitment should be extended in the same manner as done in case of SCs and STs.
- (5) A roster system for each category of posts should be adopted by the concerned authorities in the same manner as presently done in respect of SC and ST candidates.

13.14 The above scheme of reservations in its too should be made applicable to all recruitment to public sector undertakings both under the Central and State Governments, as also to nationalized banks.

13.15 All private sector undertakings which have received financial assistance from the Government in one form or the other should also be obliged to recruit personnel on the aforesaid basis.

13.16 All universities and affiliated colleges should also be covered by the above scheme of reservation.

13.17 To give proper effect to these recommendations, it is imperative that adequate statutory provisions are made by the Government to amend the existing enactments, rules, procedure, etc. to the extent they are not in consonance with the same.

Educational Concessions

13.18 Our educational system is elitist in character, results in a high degree of wastage and is least suited to the requirements of an over-populated and developing country. It is a legacy of the British rule which was severely criticised during the independence struggle, and yet, it has not undergone any structural changes. Though it is least suited to the needs of backward classes, yet, they are forced to run the rat- race with others as no options are available to them. As 'educational reform' was not within the terms of reference of the Commission, we are also forced to trend the beaten track and suggest only the palliative measure within existing framework.

13.19 Various State Governments are giving a number of educational concessions to other backward class students (Chapter IX, paras 9.30 – 9.33) like exemption of tuition fees, free supply of books and clothes, mid-day meals, special hostel facilities, stipends, etc. These concessions are all right as far as they go. But they do not go far enough. What is required is, perhaps, not so much the provision of additional funds as the framing of integrated schemes for creating the proper environment and incentives for serious and purposeful studies.

13.20 It is well known that most backward class children are irregular and indifferent students and their drop-out rate is very high. There are two main reasons for this. First, these children are brought up in a climate of extreme social and cultural deprivation and consequently, a proper motivation for schooling is generally lacking. Secondly, most of these children come from very poor homes and their parents are forced to press them into doing small chores from a very young age.

13.21 Upgrading the cultural environment is a very slow process. Transferring these children to an artificially upgraded environment is beyond the present resources of the country. In view of this it is recommended that this problem may be tackled on a limited and selective basis on two fronts.

13.22 First, an intensive and time bound programme for adult education should be launched in selected pockets with high concentration of OBC population. This is a basic motivational approach, as only proper motivated parents will take serious interest in educating their children. Secondly, residential schools should be set up in these areas for backward class students to provide a climate specially conducive to serious studies. All facilities in these schools including board and lodging, will have to be provided free of cost to attract students from poor and backward homes, separate Government Hostels for OBC students with the above facilities will be another step in the right direction.

13.23 A beginning on both these fronts will have to be made on a limited scale and selective basis. But the scope of these activities should be expanded as fast as the resources permit. Adult education programme and residential schools started on a selective basis will operate as growing-points of consciousness for the entire community and their multiplier effect is bound to be substantial. Whereas several States are extended a number of ad hoc concessions to backward class students, few serious attempts have been made to integrate these facilities into a comprehensive scheme for a qualitative up gradation of educational environment available to OBC students.

13.24 After all, education is the best catalyst of change and educating the backward classes is the surest way to improve their self image and raise their social status. As OBCs cannot afford the high wastage rates of our educational system, it is very important that their education is highly biased in favour of vocational training. After all reservation in services will absorb only a very small percentage of the educated backward classes and the rest should be suitably equipped with vocational skills to enable them to get a return on having invested several years in education.

13.25 It is also obvious that even if all the above facilities are given to OBC students, they will not be able to compete on an equal footing with others in securing admission to technical and professional institutions. In view of this it is recommended that seats should be reserved for OBC students in all scientific, technical and professional institutions run by the Central Government as well as State Governments. This reservation will fall under Article 15(4) of the Constitution and the quantum of reservation should be the same as in the Government services, i.e., 27%. Those States which have already reserved more than 27% seats for OBC students will remain unaffected by this recommendation.

13.26 While implementing the provisions for reservation it should also be ensured that the candidates who are admitted against the reserved quota are able to derive full benefits of higher studies. It has been generally noticed that these OBC students coming from an impoverished cultural background, are not able to keep abreast with other students. It is, therefore, very essential that special coaching facilities are arranged for all such students in our technical and professional institutions. The concerned authorities should clearly appreciate that their job is not finished once candidates against reserved quota have been admitted to various institutions. In fact the real task starts only after that special coaching assistance to these students, not only these young people will feel frustrated and humiliated but the country will also be landed with ill-equipped and sub-standard engineers, doctors and other professionals.

Financial Assistance

13.27 Vocational communities following hereditary occupations have suffered heavily as a result of industrialisation. Mechanical production and introductions of synthetic materials has robbed the village potter, oil crusher, blacksmith, carpenter, etc. of their traditional means of livelihood and the pauperization of these classes is a well-known phenomenon in the countryside.

13.28 It has, therefore become very necessary that suitable institutional finance and technical assistance is made available to such members of village vocational communities who want to set up small-scale industries on their own. Similar assistance should also be provided to those promising OBC candidates who have obtained special vocational training.

13.29 Of course, most State Governments have created various financial and technical agencies for the promotions of small and medium scale industries. But it is well known that only the more influential members of the community are able to derive benefits from these agencies. In view of this, it is essential that separate financial institutions for providing financial and technical assistance are established for the backward classes. Some State Governments like Karnataka and Andhra Pradesh have already set up separate financial corporations etc, for OBCs.

13.30 Cooperative Societies of occupational groups will also help a lot. But due care should be taken that all office-bearers and members of such societies belong to the concerned hereditary occupational groups and outsiders are not allowed to exploit them by infiltrating into such cooperatives.

13.31 The share of OBCs in the industrial and business life of the country is negligible and this partly explains their extremely low income levels. As a part of its overall strategy to uplift the backward classes, it is imperative that all State Governments are suitably advised and encouraged to create a separate network of financial and technical institutions to foster business and industrial enterprise among OBCs.

Structural Changes

13.32 Reservations in Government employment and educational institutions, as also as possible financial assistance will remain mere palliatives unless the problems of backwardness are tackled at its root. Bulk of the small land-holders, tenants, agricultural labour, impoverished village artisans, unskilled workers, etc. belong to Scheduled Castes, Scheduled Tribes and Other Backward Classes. "Apart from social traditions, the dominances by the top peasantry is exercised through recourse to informal bondage which arises mainly through money-lending, leasing out of small bits of land and providing house-sites and dwelling space to poor peasants. As most of the functionaries of the Government are drawn from the top peasantry, the class and caste linkage between the functionaries of Government and the top peasantry remain firm. This also tills the socio-political balance in favour of the top peasantry and helps it in having its dominance over others.

13.33 The net outcome of the above situation is that notwithstanding their numerical preponderance, backward class continues to remain in mental and material bondage of the

higher castes and rich peasantry. Consequently, despite constituting nearly 3/4th of the countries population, Scheduled Castes, Scheduled Tribes and Other Backward Classes have been able to acquire a very limited political clout, even though adult franchise was introduced more than three decades back. Through their literal monopoly of means of production of higher castes are able to manipulate and coerce the backward classes into acting against their own interests. In view of this, until the stranglehold of the existing production relations is broken through radical land reforms, the abject dependence of under privileged classes on the dominant higher castes will continue indefinitely. In fact there is already a sizeable volume of legislation on the statue books to abolish zamindari, place ceilings on land holdings and distribute land to the landless. But in actual practice its implementation has been halting, half-hearted and superficial. The States like Karnataka, Kerala and West Bengal which have gone about the job more earnestly have not only succeeded in materially helping the Backward Classes, but also reaped rich political dividends into the bargains.

13.34 It is the Commission's firm Conviction that a radical transformation of the existing production relations is the most important single step that can be taken for the welfare and upliftment of all backward classes. Even if this is not possible in the industrial sector for various reasons, in the agricultural sector a change in this nature is both feasible and overdue.

13.35 The Commission, therefore, strongly recommends that all the State Governments should be directed to enact and implement progressive land legislations so as to effect basic structural changes in the existing production relations in the countryside.

13.36 At present surplus land in being allotted to SCs and STs. A part of the surplus land becoming available in future as a result of the operation of land ceiling laws etc. should also be allotted to the OBC landless labour.

Miscellaneous

13.37 (1) Certain sections of some occupational communities like Fishermen, Banjaras, Bansoforas, Khatwes etc. still suffer from the stigma of untouchability in some part of the country. They have been listed as O.B.Cs. by the Commission, but their inclusion in the lists of Scheduled Castes / Scheduled Tribes may be considered by the Government.

(2) Backward Classes Development Corporations should be set up both at the Central and State levels to implement various socio-educational and economic measures for their advancement.

(3) A separate Ministry / Department for O.B.Cs. at the Centre and States should be created to safe-guard their interests.

(4) With a view to giving better representation to certain very backward sections of O.B.Cs. like the Gaddis of Himachal Pradesh, Neo-Buddhists in Maharashtra, Fishermen in the Coastal areas, Gujjars in J&K., it is recommended that areas of their concentration may be carved out into separate constituencies at the time of delimitation.

Central Assistance

13.38 At present no Central Assistance is available to any State Government for implementing any welfare measures for Other Backward Classes. The 18 States and Union Territories which have undertaken such measures have to provide funds from their own resources. During the Commission's tours practically every State Government pointed out that unless the Centre is prepared to liberally finance all special schemes for the upliftment of OBCs, it will be beyond the available resources of the States to undertake any worthwhile programme for the benefit of Other Backward Classes.

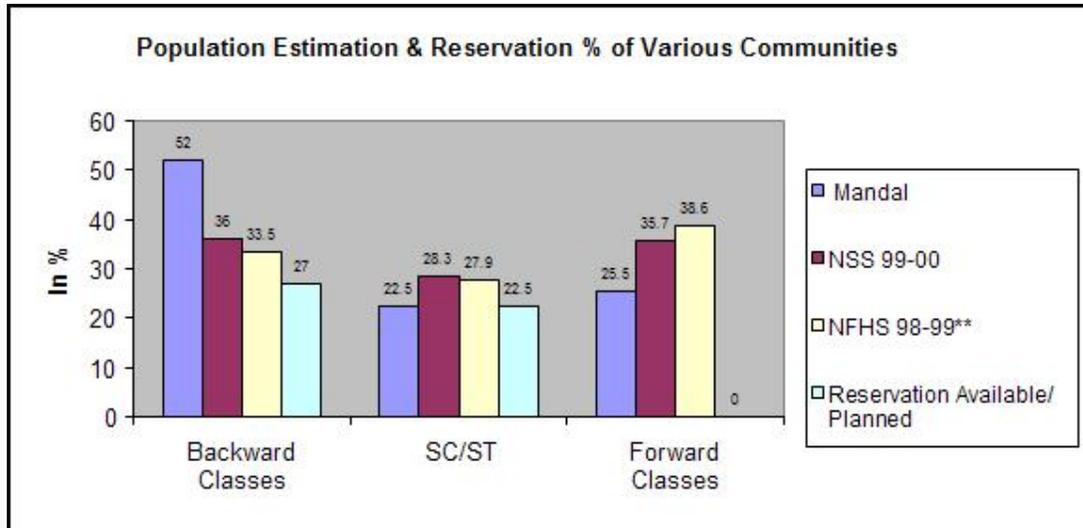
13.39 The Commission fully shares the views of the State Governments in this matter and strongly recommends that all development programmes specially designed for Other Backward Classes should be financed by the Central Government in the same manner and to the same extent as done in the case of Scheduled Castes and Scheduled Tribes.

13.40 Regarding the period of operation of the Commission's recommendations entire scheme should be reviewed after twenty years. We have advisedly suggested this span of one generation, as the raising of social consciousness is a generational progress. Any review at a shorter interval would be rather arbitrary and would not give a fair indication of the impact of our recommendations on the prevailing status and life-styles of O.B.Cs.

Implementation

All the recommendations of the report are not yet implemented. The recommendation of reservations for OBC's in government services was implemented in 1993. As on 27 June 2008 there is still a backlog of 28, 670 OBC vacancies in government jobs. The recommendation of reservations in Higher educational institutes is implemented in 2008.

Criticism



**NFHS Survey estimated only Hindu OBC population. Total OBC population derived by assuming Muslim OBC population in same proportion as Hindu OBC population

The National Sample Survey puts the figure at 32%. There is substantial debate over the exact number of OBC's in India, with census data compromised by partisan politics. It is generally estimated to be sizable, but lower than the figures quoted by either the Mandal Commission or and National Sample Survey.

There is also an ongoing controversy about the estimation logic used by Mandal commission for calculating OBC population. Famous Indian Statistician, Mr. Yogendra Yadav who supports Reservations agrees that there is no empirical basis to the Mandal figure. According to him "It is a mythical construct based on reducing the number of SC/ST, Muslims and others and then arriving at a number.

National Sample Survey's 1999-2000 round estimated around 36 per cent of the country's population is defined as belonging to the Other Backward Classes (OBC). The proportion falls to 32 per cent on excluding Muslim OBCs. A survey conducted in 1998 by National Family Health Statistics (NFHS) puts the proportion of non-Muslim OBCs as 29.8 percent L R Naik, the only [Dalit](#) member in the Mandal Commission refused to sign the Mandal recommendations. He said that there are two social blocks among the OBCs: upper caste ([Jat](#) and [Gujjar](#)) and upper OBCs ([Yadavs](#), [Kurmis](#), etc.) and Most Backward Classes (MBCs). He feared that upper OBCs would corner all the benefits of reservation.

Here we shall present the study of the Mandal Commissions's list of the OBC for the state of West Bengal only for the sake of brevity. In this list, Urao (along with its synonyms Bandot, Haro, Karkata, Luidu, Shitheo, Tigga and Tirki) has been listed as an OBC (OBC No.176). On the other hand, it is already in the list of Scheduled Tribes for the state with a slight difference of spelling "Oraon" (ST 33). Similarly, Scheduled Tribes Kharia (OBC 105; synonym of Lodha, ST 23 in the ST List), Kherwar (OBC 107; ST 17, with a spelling

Kharwar), Koda (OBC 113; ST 20, spelled Kora), Bhotia (OBC 33; ST 5, spelled Bhutia), Brijia (OBC 39, ST 7, with a spelling Birjia), Gonda (OBC 68; ST 12, spelled Gond) and Lakra (OBC 123, and Lakar OBC 122, which is actually a surname adopted by many members of the Scheduled Tribe Munda), which are already declared STs for the state. Tharu (OBC 171) is a widely studied scheduled tribe. Thapa (OBC 170) is a synonym of ST Sherpa (ST 5, same as Bhutia, Tota, Dukpa, Kagatay, Tibetan, Yolmo). Many famous ST surnames have been listed as OBC Mahato (OBC 129), etc. Other anthropologically famous scheduled tribes listed as OBC are Kuki (OBC 118), Lushei (actually Lushai; OBC 124), Koli (OBC 116) and Rohangia.

Similar manipulation has been done with many Scheduled Castes also. For example in the state of West Bengal, Bhangi has been listed as OBC (No. 26), with a rider "excluding those in the Scheduled Caste". On the other hand the SC list for West Bengal shows that Bhangi (at place no. 22 in the SC list) is an unconditional SC for the whole of the territory of the state. Halalkhor has also been listed as an OBC (No. 73) with a similar condition as above, but this caste is also an unconditional SC (No. 21, spelled Halelkhori). A sub-caste of Dom (Maghaiya-Dom) has been listed as OBC at place No. 126. Dom as a whole has been a Scheduled Caste (No.17 in West Bengal SC list) for ages. Bahelia (SC No. 2) has been listed by its synonym Chirimar (OBC 45). Bagal (OBC 11) is already there in the SC list at place number 1, with a spelling Bagli. Although Nat is an SC (No. 47), its sub-caste Karwal-Nat has been made an OBC (OBC 97). Jaliya Kaivartta (SC 23) is just the Sanskritized name of Machua listed as OBC (OBC 125). All the Nav-Buddhists (Neo-Buddhist) have been include in the OBC list, which is again an anomaly, because the Nav-Buddhists enjoy their SC status.

Not only synonyms or alternative spellings of the SCs and STs have been recorded as OBC, but also there are other types of manipulations like same OBC caste has been listed twice or sometimes thrice in the list of the same state. An example of this type of manipulation is Kahar in Bihar list (No. 23 as well as No. 70), Kewat (at no. 115 as well as 84.)

At any rate the list is vitiated by such inclusions. The Kuki tribes (ST) actually live in Nagaland, Meghalaya, Mizoram and Tripura, none of which are neighboring to West Bengal. Even if any member of the tribe migrates to West Bengal or anywhere else in India, either it retains its ST status of the mother state or becomes General population. It is difficult to believe that some Kuki tribes live in West Bengal as OBC. Lushai tribe (ST) live mainly in Mizoram and are the principal Mizo tribe. They are also found in Manipur as ST. Koli (ST) are found in a widespread area ranging from Orissa to Rajasthan up to Karnatak. Rohangia ((OBC 158) are actually a distant tribe which mainly live in Myanmar but are also found in Bangla Desh-Myanmar-Tripura border areas). Introduction of such castes to the West Bengal OBC list seems to be an act of fertile brain and raises doubt whether any actual survey was done at all. At any rate a small number of these tribes could be present in the

former East Bengal (now Bangla Desh) in areas adjoining former state of Assam and Myanmar before partition.

Some OBC caste names given in the list are obsolete or forward castes. Tyagi is an upper caste, which lives in UP, Haryana and Delhi. This caste was earlier called Taga. But with a general trend of all the North Indian castes to Sanskritize their names, Taga people adopted a new name Tyagi which was similar to Taga. But still in the remote village especially by the illiterate people Tyagis are often called Taga. We find the name of Taga in Haryana Mandal list (OBC 74), Delhi (OBC 81) and Uttar Pradesh (OBC 109, as Taga-Bhat). The principles and norms set in the very beginning regarding the criterion for the Non-Hindu communities have been violated flagrantly, hence now the Roman Catholic is not a religion but a caste in the eyes of the Mandal Commission (Latin Catholic, OBC 106, Kerala). Anglo-Indians, who are the off-springs of the British rulers, have also been made an Other Backward Caste (OBC 6, Kerala). Although it has been decided at the outset that only occupational castes among the Muslims and Christians and the castes bearing the same name as a Hindu OBC or SC will be included as a Muslim or Christian OBC caste, the set rule was violated wherever political expediency dictated. For example Kayastha (Muslim) has been made an OBC (OBC 93, Uttar Pradesh) which does not fulfill the criteria set for inclusion of non-Hindu castes. A last word about credibility of the Mandal survey. Presence of obsolete and archaic caste names like Taga (for Tyagi in Haryana, Delhi and UP), Bhui-har (for Bhumi-har in Bihar), Domb (for Dom in all the southern states), listing of Kuki, Lushai, Rohangia tribes in West Bengal which are not found in West Bengal today but actually some of each of them lived in East Bengal in undivided India neighbouring Tripura, Meghalaya etc., and many such factors cannot be explained unless it is assumed that the Mandal list is not result of a recent survey, but it has been compiled by editing the caste list of 1931 census. But the editing was most inefficient. These names could not have crept in unless the old united Bengla caste list of 1931 was just copied and some named SC & ST, as well as well known forward caste names were just deleted, to arrive at the current OBC list of Mandal.

Every state's OBC list has the same story. The entire list seems to be manipulated, but most carelessly and inefficiently manipulated. Most famous scheduled castes like Dusadh (Dhari), Mochi, Domb (Dom) and Bhangi have been put as OBCs in many states. If the Government does not reject this whole Mandal list, all the SCs and STs listed as OBC will have to be deleted from the respective SC and ST lists. Because the Mandal Commission was a constitutional body which had done a survey and this survey was done at a later date than the surveys for the SC and ST, which were done during the British period without the authority of our present Indian Constitution. Indeed any act (or survey) done under the authority of Indian Constitution automatically supersedes any act (or survey) of the British administration if there is an overlap or confusion.

Protest

A decade after the commission gave its report, [V.P. Singh](#), the Prime Minister at the time, tried to implement its recommendations in 1989. The criticism was sharp and colleges across the country held massive protests against it. Soon after, [Rajiv Goswami](#), student of Delhi University, committed self-immolation in protest of the government's actions. His act further sparked a series of [self-immolations](#) by other college students and led to a formidable movement against job reservations for [Backward Castes](#) in [India](#). First student to die due to self immolation was Surinder Singh Chauhan on Sep 24, 1990.

Arguments against reservations

The opponents of the issue argue:

- Allocating [quotas](#) on the basis of [caste](#) is a form of [racial discrimination](#), and contrary to the right to [equality](#). Although the exact relation between caste and race is far from well established.
- As a consequence of legislating to provide reservations for [Christians](#) and [Muslim](#), religious minorities in all government education institutions will be introduced which is contrary to the ideas of [secularism](#), and is a form of anti-discrimination on the basis of religion.
- Most often, only economically sound people (and rather rich) from the so-called lower castes will make use of most of the reserved seats, thus counteracting the spirit of reservations. Political parties know reservations are no way to improve the lot of the poor and the backward. They support them because of self-interest of the “creamy layer”, who use the reservations to further their own family interests, and as a political flag of ‘achievement’ during election campaigns. In fact, several studies show that the OBC class is quite comparable with the general caste in terms of annual per capita consumption expenditure, and the top strata of OBC is ahead in a host of consumption areas.
- The quality of these elite institutes may go down, because merit is severely being compromised by reserving seats for certain caste-based communities.
- There are no efforts made to give proper primary education to truly deprived classes so there is no need to reserve seats for higher studies. The government schools in India have absolutely no comparison to the public schools in the developed countries, and only about 65% of the Indian population is literate. The critics argue that “reservation” only in higher institutions and jobs, without improving primary and secondary education, cannot solve this problem.
- The government is dividing people on the basis of castes for political advantages.

- The caste system is kept alive through these measures. Instead of coming up with alternative innovative ideas which make sure equal representation at the same time making the caste system irrelevant, the decision is only fortifying the caste system.
- The autonomy of the educational institutes are lost. Not everyone from the so-called upper classes are rich, and not all from so called lower classes are poor. The reservation policy of the Indian Congress will create a huge unrest in the Indian society. Providing quotas on the basis of caste and not on the basis of merit will deter the determination of many educated and deserving students of India. Multi-national companies will be deterred by this action of the government, and foreign investment in India may dry down, hurting the growth of the Indian economy. Doubtless, urgent actions to improve the lot of the majority, which has not benefited from development — not achieved after 55 years of reservations for scheduled castes — are essential. But this must not hazard improving the economy's competitiveness in a very competitive world. There are already talks of reservations in the private sector. If even after providing so many facilities to reserved categories during education, if there is no adequate representation of those people in the work force, there must be some problems with the education system.

Critics of the Mandal Commission argue that it is unfair to accord people special privileges on the basis of caste, even in order to redress traditional caste discrimination. They argue that those that deserve the seat through merit will be at a disadvantage. They reflect on the repercussions of unqualified candidates assuming critical positions in society (doctors, engineers, etc.). As the debate on OBC reservations spreads, a few interesting facts which raise pertinent question are already apparent. To begin with, do we have a clear idea what proportion of our population is OBC? According to the Mandal Commission (1980) it is 52 percent. According to 2001 Indian Census, out of India's population of 1,028,737,436 the Scheduled Castes comprise 166,635,700 and Scheduled Tribes 84,326,240, that is 16.2% and 8.2% respectively. There is no data on OBCs in the census. However, according to National Sample Survey's 1999-2000 round around 36 per cent of the country's population is defined as belonging to the Other Backward Classes (OBC). The proportion falls to 32 per cent on excluding Muslim OBCs. A survey conducted in 1998 by National Family Health Statistics (NFHS) puts the proportion of non-Muslim OBCs as 29.8 per cent. The NSSO data also shows that already 23.5 per cent of college seats are occupied by OBCs. That's just 8.6 per cent short of their share of population according to the same survey. Other arguments include that entrenching the separate legal status of OBCs and SC/STs will perpetuate caste differentiation and encourage competition among communities at the expense of national unity. They believe that only a small new elite of educated [Dalits](#), [Adivasis](#), and OBCs benefit from reservations, and that such measures do nothing to lift the mass of people out of backwardness and poverty.

Arguments offered in support of reservations

- People who support reservations keenly invite all the anti-reservationists to lead the life of a backward class citizen and live within the means that they have for themselves. It is their contention that in a experimental set-up like this the differences in achievement/performance would disappear or reduce down to experimental errors/random error. Underlying idea being that everyone is born equal but into an unequal circumstances. And when the circumstances have been a result of a social system then the system either needs to be abandoned or reformed.
- Reservations are a political necessity in India because vast influential sections of voting population see reservations as beneficial to themselves. All governments have supported maintaining and/or increasing reservations. Reservations are legal and binding. As shown by Gujjar agitations (Rajasthan, 2007–2008), increasing reservations is also essential for peacekeeping in India.
- Although Reservation schemes do undermine the quality of education but still affirmative Action schemes are in place in many countries including USA, South Africa, Malaysia, Brazil etc. It was researched in Harvard University that Affirmative Action programmes are beneficial to the under-privileged. The studies said that Blacks who enter elite institutions with lower test scores and grades than those of whites achieve notable success after graduation. They earn advanced degrees at rates identical to those of their white classmates. They are even slightly more likely than whites from the same institutions to obtain professional degrees in law, business and medicine. They become more active than their white classmates in civic and community activities.
- Affirmative Action has helped many - if not everyone from under-privileged and/or under-represented communities to grow and occupy top positions in the world's leading industries. (See the Section on Tamil Nadu) Reservation in education is not the final solution, it is just one of the many solutions. Reservations is a means to increase representation of hitherto under-represented caste groups and thereby improve diversity on campus.
- Although Reservation schemes do undermine the quality of education but still they are needed to provide social justice to the most marginalized and underprivileged is our duty and their human right. Reservation will really help these marginalized people to lead successful lives, thus eliminating caste-based discrimination which is still widely prevalent in India especially in the rural areas. (over 60% of Indian population stays in Villages).
- But meritocracy is meaningless without equality. First all people must be brought to the same level, whether it elevates a section or delevels another, regardless of merit. Only after that merit becomes meaningful. Privileged people have never

known to go backward due to reservations or lack of "meritocracy". Reservations have only slowed down the process of the 'forward' becoming richer and backward becoming poorer.

- The government of India, is bound and empowered by the constitution of the country to secure for all citizens equality in social, economic and political sphere.
- Reservations will go a long way in capacity building with regard to the human resource of the country. In the long run, it has tremendous economic benefits as it will raise the productivity of the majority of the potential workforce of the country.
- In a perfectly functioning society the institutions and various walks of life must represent the many sections roughly in proportion to their share in population. In India it is clearly not the case and hence the need for reservations.
- India does not have the economic or institutional capacity for undertaking a grassroots based solution to the problem, so reservations remain the only practical solution for social anti-discrimination