

Existence, Non-Recognition and Denial: The Case of Other Backward Classes**Anjaiah S*****Abstract**

If Nehru promised certain safeguards for the backward classes in the Objectives Resolution, the constitution did not contain any rights for them. What is the mandate of the Article 340? Is it to identify the *shudras* or the left out *dalits* from the purview of reservation is one of the big conundrums. What should be the criterion to identify is also another dilemma. Should caste alone sufficient? Should class also be utilised is another matter. The Congress and its complete neglect of the backward classes is due to the concept of “coalition of extreme” strategy adopted by it. That is the reason why the Congress has ignored the first backward classes commission and second backward classes commission reports. But with the rise of the BJP and earlier Janata party the backward classes and their numbers have become very important. In the process BJP has made the Congress party to also gain the support of the backward classes.

Keywords: Phule Ambedkar Article 340 Kalelkar Mandal Census Reservations

Introduction

After India got independence the question of sharing of power and representation began. There were various sections demanding for their due share in the pie of power. The makers of the Indian Constitution compensated the grievances of various sections of Indian society like *dalits*, *adivasis* and minorities. But if there was one section of society which never got anything from the constitution, it was backward classesⁱ. The social nomenclature of this group is called the *Shudras* in Indian society. *Shudras* in Manusmriti were subjected to all kind of handicaps and humiliations and within Hinduism they have been the worst victims of caste system. It is this section which we are calling the other backward classes legally in the constitution of India. It's a legal nomenclature. The word *shudra* is a social nomenclature. Jawaharlal Nehru promised the backward classes some safeguards through his Objectives Resolution. He said:

‘where-in adequate safeguards shall be provided for minorities, backward and tribal areas and depressed and *other backward classes*ⁱⁱ’.

The backward classed were assured of the due representation in the constitution. But the final constitution did not honour the promise made to them as the identification of who were the backward classes was left to ‘the executive whims and fancy’ under Article 340 where in it said that for identifying who are the backward classed a commission would be constituted by the President and the report would be laid on the floor of the Parliament for any debate and decisionⁱⁱⁱ.

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The constitution had enshrined the Article 16(4) in which it was promised that if any section of society is not 'adequately represented' in the state apparatus, then it can claim representation in the form of reservation. But the dilemma for the policy makers was what should be 'the basis' for identifying 'the Backward Classes'. This dilemma persisted for some time till the Constitution was amended through First Amendment.

The immediate provocation for amending the constitution through 1st Amendment was the Supreme Court judgement in the Champakam Dorairajan case in which the apex court struck down the 25 per cent reservation provided for backward classes through the First Communal G.O.in 1921 in the most politically sensitive Tamil Nadu. The Justice Party and its government was responsible for achieving it for these groups i.e. non-brahmins^{iv}. A Brahmin Champakam Dorairajan went to the apex court arguing that her son was denied a seat in an educational institution and instead a person of the backward classes was selected for the seat in spite of her son scoring more marks than the selected person. Her key argument was that the 25 per cent of reservation through Communal GO was 'solely based on caste as a criterion' and is therefore against the spirit of right to equality of the constitution in the new Republic.

The apex court struck down the 25% reservation of the Tamil Nadu. This led to a violent agitation throughout the state under the leadership of Ramaswamy Naicker of the Dravida Khazagam (DK).

Ramaswamy Naicker exhorted the people of Tamil Nadu to oppose the apex court judgement by burning down the portrait of Gandhi and Constitution. He described the decision of the court as the north opposition to the south and the intrusion of foreign culture into their land and culture. The state was burning for months with agitations. It was at this time that the Nehru government decided to bring the 1st Amendment to safeguard the interests of the backward classes by inserting 15(4) and laying down 'the social and educational backwardness' as the criteria for reservations^v. Though Article 16(4) talked of the representation of the backward classes but there was no clearly defined basis on which the representation can be provided. This task was assigned to a Commission under Article 340. The 1st Amendment had effectively solved the problem.

Congress and Its Opposition to Backward Classes

The Nehru government had decided to appoint the first Backward Classes Commission under the Chairmanship of Kaka Kalelkar, a Chitpavan Brahmin from Maharashtra on 29 January 1953. The commission did not reach an agreement on the criteria to be followed to identify the backward classes. Interestingly, the commission recommended 'caste' to determine the backwardness in its final report. Both the recommendations as well as the criteria adopted by the commission to identify the backward classes were not accepted by Nehru government. The commission had done fairly good work and identified the eligible backward classes. The criteria adopted by the Commission to identify the socially and educationally backward classes consists of (1) low social position in the traditional caste hierarchy of Hindu society, (2) lack of general educational advancement among the major section of a caste or a community, (3) inadequate or no representation in government services and (4) inadequate representation in the field of trade, commerce and industry. The commission, after completing the whole work in a relatively short span of two years, submitted its report on 30 March 1955. It identified a list of 2,399 backward castes or communities for the entire country. Of these, the commission classified 837 as 'most backward'.

But Nehru did not like the recommendations as they are based on caste as the criterion. The stated reason was that the castes and communities excluded from the castes and communities selected by the commission may have not been considered and are therefore left out. The result, as the government feared, would be that 'thereally needy would be swamped by the multitude and would hardly receive special attention' (Ramaiah 1992:1203-1204). Nehru also thought that the recommendations will lead to caste consciousness and social tensions among various sections of society. In any case, he argued, the adoption of socialism and the consequent land reforms would equalise society in the field of society, economy and industry. The Prime Minister Jawaharlal Nehru shared the view of English educated middle class that help should be extended to 'the backward individuals' rather than to 'groups of classes'^{vi}. He also very reluctantly recognised 'the existing fact' of pervasive inequalities which are part of our social structure by saying that 'we may call them by any name you like, the caste system or religious divisions' (Frankel 1991:242). Many of the contemporaries of Nehru, who played a very crucial role in framing the constitution, also believed that the criterion of caste would be inimical to not only the egalitarian and democratic ethos of the constitution but also to 'the efficiency' of bureaucracy 'recruited on the basis of merit' (Frankel 1991:242).

Underlying the fears expressed by the upper caste elites who argued for adoption of economic criterion for identifying the backward classes was the possibility as expressed by the chairman of the commission Kaka Kalelkar himself of 'the group solidarity and unity' which otherwise may not develop if economic criterion was adopted^{vii}. They felt that the need of the hour was social cohesion and harmony in the process of reconstruction of India. Curiously, Kaka Kalelkar himself rejected his own recommendations subsequently. Kalelkar explained his rational in his covering letter by saying that he had been convinced that 'a few dominant individuals from amongst the backward communities' were trying to divide society into antagonistic 'advanced' and backward groups'. He further argued 'their goal was to organise all the backward classes against the advanced communities and aggrandise themselves on the strength of 'numbers' to capture 'power' and 'rule over the country' (Frankel 1991:242). But the real fear of Nehru was that there would be unity amongst the backward classes which had been missing though they have numbers on their side^{viii}. Christopher Jaffrelot goes to the extent of saying that both the upper caste leadership and even Ambedkar did not want to clearly define who constitute the word backward classes fearing that a clearly defined definition would be a double edged sword to both the upper castes and *dalits*^{ix}. If there is no consciousness, no unity and no aspiration, the numbers would make no sense.

The popular model as though inspired by the entrenched elite was that economic criteria should be employed instead of caste to identify the backward classes. Furthermore, the central government formally decided not to implement reservations in the all India services. In fact, Nehru wrote a letter to the chief ministers of various states to adopt any criteria that they deem suitable to identify the backward classes not merely caste alone. This was enough for the chief ministers to adopt any other criteria but caste. They have adopted disparate criteria including income, regional backwardness and the literacy rate. Some states like Uttar Pradesh and Bihar had ignored the recommendations of the first backward class commission altogether. Most importantly a great opportunity was lost to implement reservations for OBCs at an all India level which would have acquired a constitutional legitimacy on a par with SC, ST reservations and since then, the social justice was seen as meant only for SCs and STs leaving a population of 60 per cent 'whom Ambedkar described as 'India's permanent majority' outside of the ambit of reservations^x. So, what would have been a national category called other backward classes a long time ago with clear cut definition is not

materialised. Though the commission did submit its report as early as possible and it was placed before Parliament in September 1956, it was not taken up for discussions in spite of it is creating a lot of uproar until the death of Nehru in October 1964.

The other important set back to the Commission was that the sole *dalit* member not only differed with the recommendations and but also wrote a separate dissent note which crippled the recommendations.

Janata Party and Backward Classes

There was no talk of this group till 1977 till the Janata government came to power. It was only with Janata Party coming to power, the Other Backward Classes became important. The Janata Party was looking for an alternative social base completely different from that of the Congress. The Congress was dependent on upper castes, *dalits* (including *adivasis*) and Muslims for winning elections for many decades which was described by Paul Brass as ‘the coalition of extremes’^{xi}. If the provisions of social justice attracted *dalits* and *adivasis* while the provisions of secularism have attracted the Muslims. Of course, Nehru and Gandhi as leaders are sufficient to attract the upper castes to the Congress.

But Janata Party made the Indian polity bipolar in the process of creating its own social base completely different from that of the Congress. As a result, it appointed the second backward classes commission on 1st January 1979. The Ex-Chief Minister of Bihar Bindeshwar Prasad Mandal was appointed as the Chairman of the Commission. The composition of the commission facilitated a unanimous report submitted by the commission. In contrast to the Kaka Kalekar Commission, the composition of the Mandal Commission was composed only of OBC MPs. It had no upper caste MPs neither its chairman was an upper caste person as was the case with the first backward classes commission!.

The terms of reference of the Mandal Commission were to (1) determine the criteria for defining the socially and educationally backward classes, (2) to recommend the steps to be taken for their advancement, (3) to examine the desirability or otherwise for making any provision for the reservation of appointments or posts in their favour and (4) to present a report setting out the facts found by the commission (Mandal Commission Report, 1980: iv-v).

The other major significant step forward compared to the first backward classes commission was that it recognised caste as a very important criterion for identifying the backwardness. It argued:

‘caste is also a class of citizens and if the caste as a whole is socially and educationally backward, reservations can be made in favour of such a class on the ground that it is socially and educationally backward class of citizens within the meaning of Article 15(4)’ (Jaffrelot 2003: 321).

The composition of the commission itself indicates the genuine interest of the Janatha government in implementing the provisions of the constitution in favour of backward classes while submitting its report in 1980. The Mandal commission estimated that OBCs constitute 52 percentage of the country’s population. Since caste wise census was not conducted after 1931, the commission used the 1931 census data to extrapolate the OBC population. The commission subtracted the population of SCs and STs and that of forward Hindu castes and communities from the total population of the country and arrived at 52 per cent of the population.

One of the most important reasons for the Nehru government for not implementing the recommendations of Kalelkar commission was that the commission did not employ the objective criteria and tests for identifying who constitute 'socially and educationally backward classes'. Some members were opposed to the reservation of posts on the basis of the caste. On the other hand, one of the members of the commission strongly advocated for the acceptance of caste as the criterion for backwardness.

The Mandal Commission kept all these complaints in mind in devising what is called objective criteria. It employed a broad collection of methods and techniques to collect the required data and evidence to fulfil the objective criterion. It devised three questionnaires. One is for the state governments. Second is for various ministries of the centre. Third one is for general public. The commission also employed the method of field surveys. A socio-educational field survey was assigned to a group of eminent experts headed by social anthropologist M.N. Srinivas. The expert group's survey also included 'caste studies', analysis of data, village monographs and an examination of legal and constitutional issues. The commission employed 11 criteria in identifying 'socially and educationally backward classes'. Those criteria can be classified under the following major headings: social, educational and economic. The adoption of economic criteria was to add objectivity to the commission and its findings. By applying the above criteria and indicators, the commission had identified 3,743 caste groups as socially and educational backward i.e. Other Backward Classes.

The only other party at the national level which talked of OBCs was the Janata Dal. The Janata Dal whose social base was mostly from Other Backward Classes and most of its MPs were OBCs promised in its 1989 election manifesto that it would implement the recommendations of the Mandal Commission if voted to power. Jaffrelot argues 'this second alteration of power resulted once again in a significant erosion of the share of the upper caste MPs (who fell below 40 per cent for the first time) and in a significant rise of OBC MPs. Their share almost doubled jumping from 11 to 21 per cent. Intermediate castes registered a less marked increase from 5.3 to 8 percentage (Jaffrelot 2007: 73).

Though the legacy of Kisan politics of Charan Singh was tied to that of Janata Dal, but the latter's president VP Singh, who promised a socialist principle of reserving 60 per cent of posts within his party to OBCs, announced the implementation of report submitted by BP Mandal in 1980. Though, the commission made many recommendations, VP Singh's main focus was only on the implementation of 27 percent reservation of public sector posts for OBCs^{xii}.

Though the estimated population of OBCs was 52 per cent of the country, the commission recommended only 27 percentage of reservation of jobs in public sector employment as there was 50 per cent constitutional ceiling. The scheduled castes and scheduled tribes had proportional reservation of 15 per cent and 7.2 percent respectively adding-up to 22.5 per cent. Out of the 50 per cent legal limit imposed by the state on the quantum of reservation, if 22.5 per cent is subtracted then the left over 27 per cent is recommended for the OBCs. The legal barrier of 50 per cent was an obstacle for the commission to recommend proportional reservation for OBCs^{xiii}. However, the states which have exceeded the recommended 27 per cent will not be affected by the commission's recommendations.

The Commission recommended the following overall scheme of reservations for OBCs: (1) Those OBCs who were selected on the basis of open competition should not be adjusted

against their 27 per cent reservation, (2) The above reservation should also be made applicable to promotion quota at all levels, (3) The seats reserved for OBCs if not filled up should be carried forward for a maximum of three years and can be de-reserved thereafter, (4) The age relaxation as regards the upper age limit should be extended to the OBCs as is done in the case of SCs and STs, and (5) Every category of each department should follow the roster system as is applicable for SCs and STs currently.

These recommendations are strictly applicable for the recruitment in all the public sector institutions as well as the nationalised banks which work under both the centre and state governments. They are also applicable for private sector undertakings if they receive financial assistance in one form or other from the government. All government educational institutions of all levels including colleges and universities are also covered by the scheme of reservations. It also recommended additional allocation of funds and special framing of integrated schemes for creating an environment which is conducive for the promotion of education and recruitment in services.

When the Chairman of the first Backward Classes Commission Kaka Kalelkar submitted his report to the Nehru government, the latter did not show any interest in the recommendations of the report. The main apprehension expressed by the Jawaharlal Nehru government was that the commission has overwhelmingly relied on the criterion of caste to identify the ‘socially and educationally backward classes’^{xiv}. For Nehru, the word ‘backward’ was very anachronistic. He felt that no caste or community should be branded as backward even if it was so! He also expressed his wish of employing ‘economic criterion’ as a test of backwardness if at all. As he was engaged with the mission of national integration both psychologically as well as geographically for he felt that identifying certain castes or communities or groups of communities as backward on the basis of ‘primordial loyalties’ such as caste and religion would be detrimental to his efforts of national integration. Employing caste criterion for identifying the backward classes will only encourage the fissiparous and disruptive tendencies in the society. He also believed that even if certain groups are socially and economically backward they can be improved with the help of mixed economy in which ‘the state run’ public sector would have a social and economic responsibility. For him, the state’s declared policy of ‘socialist pattern of society’ as is enshrined in the constitution through the insertion of Article 31 A by the 1st Amendment in 1951 would take care of the social and economic inequalities of society.

After having feared that the identification of who constitute social and educational backward class on the sole criterion of caste would hamper the national integration as the clear cut definition of OBCs was perceived to lead to caste consciousness at an all India level, as it would also lead to the acceptance and constitutional legitimacy of OBCs which was prevented from being achieved after a hard manipulation in the Constituent Assembly, then Nehru wrote a letter to the chief ministers of all states giving them enough discretion not only in employing the criterion but also in providing the quantum of reservation to the Backward Classes. In a letter he indicated to the state governments that ‘it would be better to apply economic tests’ than to go by caste (Anantharaman Commission Report 1970:6-7). The result was highly pernicious from the point of view of OBCs as it scuttled not only all India definition of who constitute the OBCs but also the constitutional legitimacy as well as an opportunity of earliest implementation of the reservations.

The result was that various states adopted various methods in identifying the Other Backward Classes with varying quantum of reservation. The end result was that the earlier

overwhelming emphasis on the social backwardness is reduced and the emphasis on economic factor as a test of backwardness has increased. The result therefore was that states such as Jammu and Kashmir and Bihar have even relied on 'regional backwardness' in the sense of geographical backwardness to declare a set of people as backward. That is the reason why today, irrespective of castes if people live in Jammu region, they can be included in the OBC category and thus can be made eligible for job opportunities. Today, the Brahmins of Jammu region are included in the Other Backward Classes category. Same is the case in Bihar where all of Baniyas are included in the backward class category by the deliberate misinterpretation of Article 15(4). Thenet result is that the unity which was suspected to have been growing among the socially and educationally backward classes was hampered. Today the turns and twists in OBC category are that practically any caste can be inserted into the category of other backward classes. Backward Classes are those whom the judiciary declares backward with a mischief. In fact, the original criterion has given way to the criterion of political expediency. The sole credit for all of this can only be given to Pandit Jawaharlal Nehru giving the ample discretion for state governments in implementing may diluting the reservations for the other backward classes.

Competition between Congress and BJP for OBC Support

The Congress began looking at OBCs only after the BJP began to replicate the Janata experiment with creating a new social base of its own. Congress learned its lessons and understood theimportance of OBCs numbers.No political party has achieved a parliamentary majority in the last 7 general elections of 1989,1991,1996,1998,1998,1999, 2004 and 2009 which necessitated the formations of new coalitions. The congress though won complete majorities up to 1967 general elections and rode to power on the respect of people for socialism began losing its hold from 1967 onwards both at 'nationally' and 'in the state after state'(Sridharan, 2004:481-484)One of the possible reasons offered was the growing politicisation of the social cleavages along caste and regional lines, aprocess though started in 1960s itself due to the Congress's deliberate denial of political space for Other Backward Classes.It led to the emergence of regional parties such as the DMK, SP and RJD whose social base is OBCs.Once the Congress deniedthe intermediary sections their due representation in north India, the backward classes suffered from alienation began starting their own parties of socialist and agrarian inclination such as Praja Socialist Party, Samyukta Socialist Party, Lok Dal and Janata dal.

According to Christopher Jaffrelot, the rise of Other Backward Classes is certainly one of the main developments in the Hindi-belt politics over the last ten years. He opines that their rise for the first time seriously questioned the upper caste domination of the public sphere (Jaffrelot, 2000).This is reflected in the fact that the percent of OBC MPs increased from 11.1 per cent in 1984 to 20.9 per cent in 1989.On the contrary,the share of the upper caste MPs fell below 40 per cent for the first time during the same period. At all India level, the Brahmins had 173 Lok Saba seats in 1952 out of 499.In terms of the proportion of the population, they deserved only 17 seats. Similarly, in 1980, they had 190 seats in the Lok Saba out of 530 while they were entitled to get only 19 seats.The same disproportional representation was there even in Rajya Sabha where in 1952, the Brahmins occupied 70 seats out of 216 but they were actually to get only 8.In 1980 again out of 244, they had occupied 89 seats in contrast to their share of only 9 seats.In a way, they were having a total monopoly over the Parliament till 1980s.

The winning of the Janata Dal in the 9th General Election was the main reason for reversal of these trends as it had given many tickets to the OBCs which ultimately led to the increase of OBC MPs in Parliament. The Janata Dal alone had 62 MPs at the time of the announcement of Mandal implementation. The proportion of OBC MPs was still the highest in 1991, 1996 and 1998. Jaffrelot terms this strategy ‘as continuously pursued at the expense of the upper castes’ (Jaffrelot, 2000). Since then most political parties began giving a large number of tickets to the OBC candidates.

According to Yogendra Yadav, the aggregate national turnout of assembly elections held since 1989 shows an upward trend, especially in elections held between 1993 and 1996. The turnout in this period was 67.1, the highest ever. Since the implementation of 73rd Amendment, the Panchayat elections have been fought with more intensity than ever before reflecting the enthusiastic participation by the common people in clear contrast to the economically and educationally richer class’s lowest participation. In terms of urban-rural divide also the former had an edge till 1984 but from then onwards the rural turn out had overtaken’ (Yadav, 2000).

It is therefore because of these reasons, the Congress lost no opportunity when the Supreme Court had declared that state has no power to insist the unaided educational institutions whether of minority or non-minority to share the seats and implement the reservations. The judgement came on 12 August 2005. Naturally the judgement angered the champions of social justice. In order to assuage the hurt feelings of the social justice advocates, the UPA led by Congress took the bold decision of implementing what is called Mandal II by extending one of the many recommendations i.e. reservations in institutions of higher educational institutions in 2006 to OBCs. The Central Educational Institutions (Reservation in Admission) Act, 2006 was brought in. And the Act was enacted on 3 January 2007. However, when it was challenged in Supreme Court, the court stayed the implementation. Later on, the constitutional bench of five judges pronounced its judgement in favour of the Act providing 27 per cent in educational institutions excluding the creamy layer. Finally, the Act began to be implemented from 20th August 2008.

But what is interesting here is that already Mandal Commission had recommended 27 per cent of reservation of seats in central and state educational institutions of scientific, technical and professional category way back in the year 1980 itself. Even in the absence of 93rd Amendment Act, 2006, the state under clause 4 of Article 15 has been empowered to grant such reservations to the OBC categories apart from SCs and STs. But nothing has happened since 1980. The CEI Act 2006 had limited its scope only to institutions supported by public funds. But the 93rd Amendment Act enables the state to extend the reservation facility even to the private institutions whether aided or un-aided. But as no new legislation was brought to harness the full potential of the Act, no additional purpose was served so far by the amendment (Rao 2015: 68-69).

Since BJP was part of Janata government, it is trying to project itself as the successor to Janata government. What helps BJP to attract the OBCs is the latter’s strong religiosity and belief in Hinduism. The BJP has understood the importance of religion in moulding the *shudras* psychology. Since they have been the fourth rung of Hindu religion as *shudras*, they consider themselves as true Hindus. The BJP has nurtured a good number of second rung leadership over a period of three decades from early 1980 in various states. Most of its state unit presidents and chief ministers have been the OBCs picked up from numerically large *shudra* castes.

Conclusion

Since the voting percentage was so low and the political awareness of people was very low, there used to be low voting rate till 1980s. The Congress strategy of winning majority was possible because the upper castes, *dalits* and minorities put together were more than 45 per cent and in a first past the post electoral system that strategy brought them to power. They did not require to broaden their social base as that was sufficient for them to come to power as they were continuously winning the elections. For Congress the slogan secularism and socialism were convenient masks and they did not want to look beyond these groups. This is what explains the attitude of the Congress towards Mandal Commission report. The report of the Mandal Commission was not tabled in Parliament by Indira Gandhi. On top of that when V P Singh implemented the report, the Congress opposed it. One can only recollect what Rajeev Gandhi said about the report while speaking on the floor of the house for five hours! He argued for economic criteria and described the report as '*a can of worms*' which the Congress never intends to open it ! In fact when P V Narasimha Rao government came to power in 1991, he announced 10 % reservation for upper castes on the basis of economic criteria. As a leader who was carrying forward her father's legacy of socialism, Indira Gandhi showed no interest in the report.

In the first 7 cabinet formations i.e. from 1952 to 1977, there was not a single OBC member in the cabinet. The Morarji Desai government in 1977-1979 was the first to take an OBC cabinet minister. He was Purushotam Kaushik who held an insignificant Tourism and Civil Aviation Ministry and was a Kurmi from Bihar. Subsequently, Charan Singh the proponent of Kisan politics also took only one OBC minister. In the entire post-independence government formations of Congress, the Congress took an OBC minister for the first time only in 1980-1984 under Indira Gandhi. He was P. Shiva Shankar, an OBC of Kapu community from Andhra Pradesh. That too because of rapid expansion of TDP amongst the backward classes in a Congress dominated Andhra Pradesh. Then Rajiv Gandhi did not bother to take any one in his ministry. V.P. Singh was the first prime minister under whom the number of OBC cabinet ministers had reached to 2! The subsequent Chandrashekhar and P.V. Narasimha Rao took one each in their cabinets. The current Parliament has a total of 135 MPs, the highest ever.

In fact, today all most all political parties are vying for OBC votes and are in search of projecting OBC leadership. A party like BJP which was known for preferring upper caste leadership turned to the caste based political mobilisation by projecting OBC leadership in Gujarat, Bihar and Karnataka. Today in all most all the states the OBCs have occupied the post of president of state party units. Leaders like Kalyan Singh, Narendra Modi and Shivraj Singh Chauhan have been projected as the poster boys of the BJP to woo the backward classes. It is to this formidable challenge of BJP wooing the OBCs, the Congress began responding by projecting its own leaders like Veerappa Moily as the face of the OBCs.

Notes:

ⁱSome people argue that backward classes under Article 340 mean the left out *dalits* who otherwise should have been in the SC list but due to the paucity of time were left out.

ⁱⁱLok Saba Secretariat, *The Constitution and the Constituent Assembly :Some Select Speeches*, New Delhi,1990,p.15.

ⁱⁱⁱAmbedkar used this term in this resignation letter. He also said “ I am Sorry” as there are no safeguards for backward classes in the constitution. See *Babasaheb Ambedkar: Writings and Speeches*, Vol.14, pp: 1317-1327.In fact he mentioned it as one of the reasons for his resignation from the cabinet.

^{iv} Justice pressure sufficiently strong to force the government of Madras to issue a Government Order 16 September 1921 which came to be known as the First Communal G.O. See Eugene F. Irschick (1969) *Politics and Social Conflict in South India: The Non-Brahmin Movement and Tamil Separatism, 1916-1929*, Bombay: Oxford University Press, p: 237.

^vMenon, Nivedit (2009) “First Amendment”, in Rajiv Bhargav (ed.) *Politics and Ethics of Indian Constitution*, New Delhi: Oxford University Press.

^{vi}This is a sure sign of a prime minister who is completely disconnected from the rural reality of the Indian villages. One must only recollect what Rammanohar Lohia said about Nehru and his *un Indian* mindset in his book.

^{vii}Here one must recollect the intention behind *the graded inequality* and the damage it has done to the lower castes and their interests.

^{viii}The only weapon of the backward classes is their numbers. India is a democracy one side and its electorate are very illiterate on the other.

^{ix}Jaffrelot, Christophe (2009) “Containing the Lower Castes: The Constituent Assembly and the Reservation Policy”, in Rajeev Bhargav (ed.) *Politics and Ethics of Indian Constitution*, New Delhi: Oxford University Press.

^xAmbedkar, B R (1989) *Babasaheb Ambedkar: Writings and Speeches*, Vol.9 Bombay: Government of Maharashtra, p. 160.

^xPaul Brass (2003) *India's Politics Since Independence*, New Delhi: Cambridge University Press.

^{xii}It is interesting to note that both V P Singh and Arjun Singh were Kshatriyas!. Perhaps the Kshatriyas are relatively less inclined to maintain caste status quo compared to the crafty Brahmins.

^{xiii}Caste census will breach the 50% ceiling once it is done. Lies damn lies and statistics.

^{xiv}Nehru was so risen above caste or parochial proclivities that he has personally intervened in the appointment of one fellow Kashmir Brahmin to the post of chief of army during his time

by passing the seniority rule! Of course, one should forget the fact that his own sister can become the ambassador to Soviet Union.

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