

Mandal Commission: Will Tribal Interests Suffer?

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Rs 40.23 crore. It is thus clear that at this rate, even the present rate of progress will not be maintained in the Eighth Plan.

By channelising all the college students and teachers in the mass literacy campaign for one year, presumably the yearly outlay on colleges and universities will also be spent on literacy programmes. Here it is well to remember that, unlike central universities like Delhi, a good part of the funds of most of the colleges and universities comes from students' fees. Will students be asked to pay the fees for one year's non-education? Also, to achieve a real impact, a mass literacy programme will have to be concentrated in rural areas while most of the colleges and universities are in urban, semi-urban areas. How are the students and professors to be persuaded to pay the fees, and work in villages? By compulsion? Shades of the 'cultural revolution' in another country?

The high-level committee surely knows that every year over five million students are idle for four months, between March 15 and July 15, after their HSC examination. It would be more realistic for example to devise a scheme to utilise this student power for constructive purposes before proposing to close down all institutes for a year. In many universities, it has become normal for the results of the examinations to come out after four or even six months, forcing a large number of students into interim idleness. Can the committee suggest a scheme to

utilise this idle humanpower?

It is true that a campaign for mass literacy cannot be run purely as a government's departmental effort. Other organisations, voluntary bodies have to be involved in it. However, one would like to see those organisations associated with it which are reasonably well-run in the first place. By any criteria, the educational institutes in country cannot be rated as the best-run organisations today. Instead of involving them in yet another activity one would like to see them concentrate their talents on their own activities, holding classes and examinations on time, declaring the results on time.

It has to be realised that today there is no political or social organisation or a system of public institutes sufficiently widespread, motivated and well-organised to successfully undertake a literacy campaign to remove illiteracy in one year or even in five years. For such an undertaking, there have to be fundamental changes in the priorities of the society and the government and basic organisational changes not only in educational institutes but in all walks of public life. Till such changes can be brought about, it would be best to concentrate fulfilling the constitutional obligation—of making primary education universal and compulsory—say in the next five years. Even that would be a worthy achievement and will go a long way in bringing a modicum of equity in society.

Backward Classes as the president may, on receipt of the report of a commission appointed under clause 1 of article 340, by order specify, and also to the Anglo-Indian community.'

In other words, with the acceptance of the recommendations of the Mandal Commission's report by the government, from August 7 onwards the Other Backward Classes (OBCs) identified by the Mandal Commission and consisting of 52 per cent of India's population will also be brought under the jurisdiction of the existing commissioner/proposed commission for Scheduled Castes and Tribes. In fact nearly 75 per cent of India's population will now fall under the jurisdiction of the commissioner/commission in the following proportions: OBCs—70 per cent; SCs—20 per cent; and STs—10 per cent. In other words in terms of the proportion of population, the tribals will now constitute only 10 per cent of the population which is under the jurisdiction of the commissioner/commission. As the proposed commission is supposed to have seven members including the chairman and vice chairman, going by the proportions of tribals at the most one member (or perhaps not even one) may be the representatives of tribals.

Further, looking at the ground reality, it is only to be expected that the lone tribal member is not so vociferous as the representatives of OBCs and SCs. Thus the section facing the most complex and difficult problems may also become the least heard at the constitutionally provided apparatus for SCs, STs and OBCs. Since the problems of tribals, apart from being more serious are also of a qualitatively different nature, it cannot be said that merely attending to the problems of SCs and OBCs will automatically take care of the problems of STs as well.

In fact as early as 1960 the Dhebar Commission appointed by the government to look into the problems of tribal areas had clearly opined that the problems of SCs and STs are quite different, and recommended in equally clear terms that there should be a separate Commissioner for Scheduled Tribes. This recommendation was repeated some years later by the National Committee on Development of Backward Areas.

Since then the problems of tribals and tribal areas have become increasingly complex. There is discontent in several areas due to large scale displacement, encroachment of forest rights and other problems specific to tribals or having a different meaning in their context. This had further increased the need for a separate authority. Now the special situation arising out of the Mandal Commission Report, (whereby the Scheduled Tribes are reduced to a hopeless minority in the constitutional apparatus designed to protect them) is really the last straw. Keeping in view the sensitivity and complexity of tribal issues as well as the special situation created by the Mandal Report, a separate constitutional authority should be created for Scheduled Tribes.

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Bharat Dogra

With the acceptance of the Mandal report and the Other Backward Classes being brought under the Commission for Scheduled Castes and Tribes, will the tribals who will now comprise only a very small proportion of the population under the commission suffer neglect?

A SERIOUS side effect of the acceptance of the Mandal Commission's Report, which has been ignored so far in the public debate on this issue, is that the government apparatus that had been constitutionally provided and carefully built up to protect the Scheduled Castes and Tribes may come under such pressure as to lead to a neglect, at least in relative terms, of the problems of the Scheduled Tribes. If this happens, this will be extremely tragic as the tribals of India at present are passing through a particularly sensitive phase due to problems of very large scale displacement in many tribal areas. Thus precisely at a time when particularly intensive and sensitive treatment for tribal affairs was needed, the threat of relative neglect that looms large today is a matter of serious concern.

What is the basis of this threat as perceived not only by several social activists but also serve senior officials concerned with tribal affairs? To grasp this threat, a careful

reading of the relevant constitutional provisions is necessary.

Article 340, clause 1 provides that "the president may by order appoint a commission consisting of such persons as he thinks fit to investigate the conditions of socially and educationally backward classes". The Mandal Commission was appointed under this constitutional provision.

Article 338, clause 1 says that there shall be a special officer for the Scheduled Castes and Scheduled Tribes to be appointed by the president. As is well known the Commissioner for Scheduled Castes and Tribes has been discharging these duties. Recently the Sixty-fifth Constitution Amendment Act, 1990 has provided that a Commission for Scheduled Castes and Tribes should be constituted to fulfil this constitutional role.

However, Article 338 further says in clause 3, "In this article references to the Scheduled Castes and Scheduled Tribes shall be construed as including references to such Other