BLOCK 6
AFFIRMATIVE ACTION

BLOCK 6 INTRODUCTION

In an unequal society, the marginalized people need the help of the state to fulfil their basic needs. The action of the state to provide such help is known as affirmative action. In India, the marginalized sections of society have faced discrimination of the basis of caste, gender, poverty, etc. The Indian state has introduced affirmative action in the form of reservation to the marginalized groups in the public institutions and through development policies. The two units in this block are about reservation and development as part of affirmative action. Unit 13 is about reservation, and unit 14 deals with development.

UNIT 13 RESERVATION*

Structure

13.0   OBJECTIVES

After reading this unit you will be able to:

- Explain the meaning of reservation;

- Discuss the need for reservation; and

- Explain the reservation policies introduced for various groups in India.

13.1   INTRODUCTION

Human beings are not equal. They are born into different communities which do not have equal levels of economic opportunities, social status, political empowerment, educational achievements, etc. Thus, they do not possess equal resources of fulfilling their needs. The levels of inequalities are determined by the relations of individuals and communities with the resources. In this context, people belonging to all communities do not have resources to meet their requirements. In India, there exist inequalities among castes, tribes, and gender groups, and between the poor and the rich. These communities are known as SCs (Dalits), STs, OBCs, men, women and transgender groups. Because of inequalities among them, all communities can not be equally capable of meeting their needs. For all to be able to have equal opportunities, it is essential that the less privileged groups in a society are given special help by the state. The special help is a compensatory step which the state provides to the deprived groups for the inequalities they have faced in the past or contemporary time. Reservations

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131

for the SCs, STs, women, OBCs, and Economically Weaker Sections (EWS) are the compensatory measures to enable the deprived sections in India for achieving their welfare.

13.2 WHAT IS RESERVATION?

Reservation is a device through which some proportion of positions are fixed in employment, seats in representative bodies such as parliament, state legislatures and local self-government institutions, for the weaker sections of society such as SCs, STs, OBCs, women or EWS. The reserved positions can not be occupied by any group which is not entitled for them by law. Why is reservation required? It is needed to help those sections of society who can not meet their needs without the help of the state or any other agency. Is reservation discriminatory against the unreserved categories? It is a discriminatory in the positive sense, not in negative sense. That mean purpose of such discrimination to bring at par with unreserved category of people those who need the state's help. In this sense, reservation is also known as positive discrimination. As reservation is initiated by the state, is also known as affirmative action. The Indian state provides reservation to different categories on different grounds. For the Scheduled Castes (SCs), the principal ground for reservation has been the experience of untouchability undergone by the castes identified as SCs**.** The Scheduled Tribes get it because of their disabilities faced on account of their geographical locations and other characteristics**.** The OBCs get it because of their social and educational backwardness. Women get it because of their discrimination due to patriarchal values in society. And Economically Weaker Section get it because of their poor economic statues. They latter generally belong to those communities which can not get reservation in other categories but need state devices for betterment. They belong to poor persons from the high castes.

13.3 CONSTITUTIONAL PROVISIONS

Reservation to backward classes are provided according to Articles 15 (4) and 16 (4) with the purpose of establishing an egalitarian and secular society. Incorporation of the Articles promising reservation in the Constitution of India was result of debate in the Constituent Assembly. There were three arguments in the Constituent Assembly on reservation. Two of the arguments opposed the reservation. The third one supported it. One argument opposing reservation underlined that it would result in dilution of merit and efficiency. This would also create sectarian divisions in society. The second argument did not oppose to reservations in principles but opposed it on the ground that it would not remove inequalities in society. The third argument, i.e., the argument which supported reservation, emphasized that the backward castes had faced discrimination in the past and continued to face even after the Independence. Reservation for the backward classes in public institutions would solve the problem of inequalities in society. Several other members of the Constituent Assembly who supported the reservation gave the following arguments: the weaker sections deserve to be given special incentives such as reservations, and it would also meet the aspirations of backward classes who have been aspiring. In order to introduce reservations as per the constitutional provisions, the central government passed an Ordinance in 1950. The Ordinance identified SCs and STs for the purpose of

getting reservation. But it did not provide for reservations for other backward classes than the SCs and STs, although it used the term "backward classes" or "weaker sections". This resulted in protest of the backward classes in south India led by the Dravida Kazhagma (DK). In response to this demand, the central government led by Nehru, passed the First Constitutional Amendment, and added sub-close (4) to Article 15, making it 15 (4). The Article 15 (4) provided for the introduction of social groups which are socially and educationally backward. In 1951, the Madras government passed an order giving reservation to the SCs and the backward classes (Shah, ed. 2002). Reservations for the OBCs at the centre and state levels had to be introduced in the light of recommendations of the commissions which had to be introduced by the central and state governments respectively. As you will read in this unit, two commissions – the Kalelkar Commission in 1953 and Mandal Commission in 1979, were appointed to identify backward classes who could be provided reservations in the central government institutions. Different state governments also appointed commissions at different times to identify backward classes who could benefit from reservations.

13.4 RESERVATION FOR SCs AND STs

The origin of reservation to the Scheduled Castes can be traced to Poona pact, which was signed between Gandhi and Ambedkar. According to Poona Pact, the SCs were given reservation in assemblies and Parliament. The Government of India Act, 1935 gave legal sanction to such reservation. The Constituent Assembly had representation of the SCs who were elected to legislative assemblies in British India, and the members of the legislative assemblies constituted the Constituent Assembly. The issue of reservation was discussed in the Constituent Assembly. The Constituent Assembly passed a resolution suggesting reservations for the SCs and STs in the public institutions. Consequently, provisions about reservation were incorporated in Articles 15 and 16 of the Constitution. And these provisions became effective with the operation of Constitution in 1950. In 1947 it was decided to introduce the reservation for the SCs and STs in employment and legislatures. In 1954 it was further extended to the educational institutions. In central-government funded higher education institutions, 22.5% of available seats are reserved for Scheduled Caste (SC) and Scheduled Tribe (ST) students which include 7.5% for STs, 15% for SCs.

13.5 HISTORY OF OBC RESERVATION

Although reservation for various socially and educationally backward classes such as SCs, STs, OBCs, women, and people from the EWS category has been implemented as per provisions of Indian Constitution in the post-Independence period, its history in India can be traced to the colonial period. In 1880, the colonial government set Hunter Commission to suggest measures to give reservation in the government positions to the socially backward classes. Jyotirao Phule made a plea before the Hunter commission to grant reservation to these classes. In 1902 Maharaja Sahuji of Kolhapur introduced 50 per cent reservation for the backward classes in jobs. This is the first example of giving reservation to backward classes in India in modern Indian history. In 1921 Madras government introduced community-wise reservation as follows: 44 percent for non-Brahmins, and16 percent for Brahmins, Muslims, and Christians and Anglo Indians each.

Check Your Progress Exercise 1

Note: i)   Write the answer in your own words.

ii)   Check your answer with the answer given at the end of the unit.

1)   What is Reservation?

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2)   What were the arguments in the Constituent Assembly in favour and against the reservations?

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13.6   RESERVATION FOR OBCs IN THE CENTRAL GOVERNMENT INSTITUTIONS

13.6.1   Kaka Kalelkar Report

For introducing reservation at the central level, the central government appointed the first OBC commission known as Kalelkar Commission in 1953, named after its chairman Kaka Kalelkar. The Kalelkar Commission consisted of eleven members. Most of them belonged to low castes and its chairman Kaka Kalelkar was a Brahmin, a freedom fighter from Gujarat. It submitted the report in 1955. It aimed to identify the socially and educationally backward classes in India. The Kalekar Commission used four criteria for identifying the OBCs: low social position in caste hierarchy in Hindu society; lack of educational progress among the major section of caste or community; inadequate or no representation in the government service; and inadequate representation in the field, trade, commerce and industry. The Kalelkar Commission identified 2399 socially and educationally castes deserving to get reservation in the central government institutions. But the central government did not accept the recommendations of the Kalelkar Commission. It argued that the Commission did not apply objective criteria for identifying backward classes (Shah, ed. 2002; Jaffrelot 2003). And the reservations could not be implemented at the central level till the implementation of report of another commission's the Mandal Commission Report in 1993 about the reservation in central government. You will read about the Mandal Commission report in the next sub-section.

13.6.2   Mandal Commission Report

Rejection of the recommendations of the Kalelkar Report angered the backward classes. From the time of the rejection of the Kelelkar Report in the 1950s till the declaration to implement the Mandal Commission report by the VP Singh government in 1990, the backward classes, socialist leaders and political parties and farmers leaders belonging to farming communities continued to mobilize support for introduction of reservation for the backward classes in the public positions in the centre. Regarding the reservation in the states, as south Indian states had already implemented OBCs reservations from 1950s- 1970s, such demand became more persistent in north Indian states. By the mid-1970s, the reservation for backward classes in public institutions became a common agenda of the socialists, farmers' leader such as Charan Singh who had strong support base among the farming communities such Jats, Yadavs, Kumis, etc, of the All India Backward Class Federation (AIBCF) in the Hindi speaking state. The parties and leaders representing the interests of backward classes became principal constituent of the Janata Party, which formed government at the centre in 1977-1979. They were able to influence the Morarji Desai government to constitute a backward class commission to identify backward classes and suggest measures to introduce reservation for them in the central government institutions. Thus, in 1979 the Morarji Desai-led Janata Party government constituted the Second Backward Class Commission, known as the Mandal Commission. It came to be known as such after the name of its Chairman, B.P. Mandal. The Mandal Commission adopted 11criteria of backwardness and grouped them in three headings such as social, economic and educational in order to identify the backward castes. The commission identified around 3743 castes and communities as backward classes. They formed 52 per cent people belong to backward castes. As there was no caste census after 1931 census, this census had become the only census of identifying backward castes by the Mandal Commission.

The Mandal Commission submitted its report in 1980. Submission of the Mandal Commission report was followed by the demand for its implementation by several political parties and OBC leaders. The Janata Dal was formed by V.P. Singh following his exit from the Congress. The Janata Dal consisted several parties or OBC leaders or the next generation descendants which had earlier been part of the Janata Party. As a result, implementation of the Mandal Commission Report was included in the Janata Dal's election manifesto in 1989 Lok Sabha election. The defeat of the Congress in this election led to the formation of the second non-Congress government at the centre with VP Singh as the Prime Minister (1989-1990). It was a government of coalition known as the National Front, and Janata Dal was the principal partner in the coalition. As implementation of the Mandal Commission was in the Janata Dal's manifesto, the VP Singh government announced implementation of the Mandal Commission Report in July 1990.

The implementation of the Report led to violent protest in India, especially in north India. Several petitions challenged the announcement to implement the Mandal Commission Report. The Supreme Court took all petitions together in 1992 in Indra Sawhney vs Union of India. It upheld the decision to implement the Mandal Commission Report on the following conditions: One, the creamy layer among the OBCs with certain annual limit (subject to change by the central government from time to time) would be exclude from the benefits of reservation

meant for the OBCs. That means OBC reservation will be given only to the Non-Creamy layers among the OBCs: those whose income will be less than the limit set to exclude the Creamy layer among them. Two, the total limit for reservation to all categories – SCs, STs and OBCs would not cross a limit of 50 per cent of the total positions. Since the SCs and STs have 22.5 per cent reservation, the reservation limit for the OBCs was fixed as 27.5 per cent. In view of the Supreme Court judgement, the recommendations of the Mandal Commission got accepted by the central governments in 1993. In 2006, the UPA-I government extended the reservation for the OBCs to the central government educational institutions.

Check Your Progress Exercise 2

Note: i)   Write the answer in your own words.

ii) Check your answer with the answer given at the end of the unit.

1)   What was the Kalelkar Commission Report?

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2)   What was the Mandal Commission Report?

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13.7   RESERVATION FOR OBCs IN THE STATES

Non-implementation of the Kaka Kalelkar Commission report angered the backward classes. In south India, Periyar-led DK movement, and in north India the socialist and backward classes continued to raise the demand. As you have read in sub-section 13.6.2, in 1979 the Mandal Commission was appointed about the reservation to OBCs at the national level.In the 1970s, several state governments also appointed Socially and Educationally Backward Commissions (SEBC). The purpose of commissions was to identify backward classes and to suggest special treatment to be given to the OBCs as given to the SCs and STs. For example, the Hemvati Nandan Bahuguna Congress government in UP appointed the Cheddi Lal Sathi Commission, and the Karpoori Thakur-led Janata Party government appointed Mungeri Lal commission to identify backward classes and suggest measures to introduce reservation for the backward classes.

Following recommendations of the commissions, reservation was introduced by Ram Naresh Yadav's government and Karpoori Thakur's governments led by Janata Party, in the 1970s. In south Indian states, reservation for OBCs was introduced prior to it was in north Indian states.

13.8   THE KARPOORI THAKUR FORMULA

The provisions for reservation for the OBCs have limitations. The principal among these is as follows. As the OBCs is a group of castes having unequal levels of social, economic, educational and political standards. The OBCs consist of politically and economically influential farming communities such as Yadavs, Kurmis, Jats, Vokaliggas, Gujars, etc. as well of socially and economically marginalized castes who had traditional occupations associated with *Jajmani system*. The latter are also known as the MBCs (Most Backward Classes) or the EBCs (Extremely Backward Classes). Although they consist of large number of castes, singly they have smaller number in comparison to the landed OBCs. The MBCs allege that due to their dominant positions, the landed middle castes OBCs have been able to appropriate larger share of reservation meant for the OBCs. They demand that the OBC quota should be subdivided among different castes constituting the OBCs – the landed middle caste OBCs and the MBCs. Karpoori Thakur formula suggests such sub-division of the quota. Indeed, Karpoori Thakur formula has become the common reference point in demand for sub-division of the OBC quota by the MBCs/EBS in states such as Uttar Pradesh. When Karpoori Thakur was the chief minister of Bihar, he introduced reservation in the 1970s for the OBCs by dividing into dominant and marginalized backward classes known as Extremely Backward Classes (EBCs) or the Most Backward Classes (MBCs).

13.9   RESERVATION FOR WOMEN

The 72rd and the 73rd Constitutional Amendments of 1992 and in 1993 provided 33 per cent reservation to women in the institutions of local self-governance in rural and urban areas in India respectively. Prior to these Amendments women were not entitled to political reservation. The reservation created confidence among women and made them more conscious of their democratic rights. Unlike prior to introduction of the reservation for them in the political bodies at local level, women's presence marked a remarkable increase. However, in practice, several drawbacks have been noticed. In several cases, the women elected representatives became proxies for the male members of the families - their husbands, fathers, brothers, etc. While for the purposes of formalities, the women elected members put the signature, in actual practice the male members worked on their behalf. There are some exceptions, where elected women representatives have fulfilled their responsibilities independently. The reservation for women in the local the institutions of local-self governance was result of such demand of new social movements of the 1980s. In these movements, women have played decisive role. The demand is also raised to introduce 33 percent reservation for women in the higher level of political institutions such as Parliament and Legislative assemblies. Such demands are articulated by civil society organizations, intellectuals and several political parties. But there is no unanimity among the parties on this issue. A section of political leaders oppose reservation for women arguing that reservation for women will cut into the share of backward

classes. The Women's Reservation Bill promising 33 per cent reservation to women in the Parliament was passed by the Rajya Sabha on 9 March 2010 by a majority vote of 186 members in favour and 1 against. The bill has not yet been passed by the Lok Sabha.However, there is consistent demand from civil society organizations to introduce reservation for women in Parliament and the state legislative bodies.

13.10   RESERVATION FOR EWS

Apart from social and educational backwardness and experiences of untouchability in India, there are some castes that are economically poor but not socially backward. They are not entitled for caste-based affirmative action under reservation. They are generally known as general category people, not entitled to reservation benefit meant for the SCs, STs and OBCs. The Government of India has defined them as EWS (Economically Weaker Sections). In January 2019, the persons belonging to the EWS category got 10 per cent reservation in positions in the central government institutions. A person whose family annual income fell within the limit of Rs. 8 lakh qualifies to belong to the EWS category. The reservation to the EWS was proposed in the Constitution (One Hundred and Twenty-Fourth Amendment) Bill, 2019 tabled by the Union Government. Under the provisions for reservation to the people from the EWS, a process of recruitment to positions in central government has started in several central government institutions in India.

Check Your Progress Exercise 3

Note: i)   Write the answer in your own words.

ii)   Check your answer with the answer given at the end of the unit.

1)   What is the Karpoori Thakur Formula?

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2)   Who is entitled for reservation as EWS?

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13.11   LET US SUM UP

Reservation is a devise through which the state introduces certain policies of inclusion in the public institutions of the people belonging to marginalized groups of society such as SCs, STs, OBCs, women or EWS. Without such policies, in an unequal society like India, these sections can not fulfil their aspirations. Through reservation, the state fixes or reserves some percentage of the positions in public institutions - educational, administrative, political, etc. These positions meant for the reserved categories can not be occupied by the persons belonging to the non-reserved categories. Reservation is a positive discrimination against the non-reserved categories, the aim of which to compensate by the society for the discrimination suffered by the reserved categories. Reservation is a form of affirmation action by the state. Reservation is granted as per the Articles 15 (4) and 16 (4) of the Constitution. These provisions were outcome of the debated within the Constituent Assembly. The OBCs are entitled for reservation in the central government institutions for jobs and admission to academic institutions after the implementation of Mandal Commission Report in 1993.The OBCs got reservation in different states at different points of time. South Indian states introduced OBC reservations much before the states in north India., For the first time the OBCs, reservation in UP and Bihar was introduced during the non-Congress/Janata Dal governments in the 1970s. Reservation for women in the local self-government institutions was introduced according to the 72nd and 73rd Constitutional Amendments in the 1990s. In 2019, reservation was granted to the Economically Weaker Sections (EWS), the class which belong to the general categories. Reservation to different social groups has contributed to their empowerment to a considerable extent. However, granting of reservation to different castes and groups has not resolved the question of reservation in India. Several new groups continue to demand their inclusion in the categories entitled for reservation. Also, some castes among the OBCs and SCs allege that the dominant castes in the OBC category take larger share of reservation. They demand sub-division of reservation quota fixing some proportion of reserved seats for them.

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13.13 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Exercise 1

1) Reservation is a device through which the state reserves some percentage of positions for the underprivileged social groups and castes in public institutions. The purpose of reservation is to help those sections who do not have resources to compete with the privileged sections of society. The non-reserved sections are not entitled for help of the state meant for the reserved categories.

2) There were two arguments against and one in favour of reservation in the Constituent Assembly. The arguments against were: One, argument suggested that reservation would dilute merit and efficiency; and another opposed it on the ground that reservation would not solve the problem of inequalities in society, though it did not oppose the reservation in principle. The argument in favour of reservation underlined that it was necessary and it would also meet the aspirations of people.

Check Your Exercise 2.

1) It was the report of Kalelkar Commission, named after its chairman Kaka Kalelkar which was appointed by the central government in 1953 to identify socially and educationally backward classes or the Other Backward Classes (OBCs), backward classes other than the SCs and STs, and give suggestion about reservation for these classes. The Kalelkar Commission submitted the report in 1955. It suggested that reservation should be given to reservation in the central government positions. But the recommendations were rejected by the government on the ground that it would led to divisions in the society.

2) It was the report of Mandal Commission, named after its chairman B.P. Mandal, appointed by the Morarji Desai government in 1979. The report was implemented by V.P. Singh government, which became effective from 1993 after the Supreme Court gave verdict in favour of its implementation. But the Supreme Court gave verdict in its favour on the conditions that the creamy layer among the OBCs would be excluded from the OBC reservation, and the limit of reservation would not exceed 50 per cent for all categories. Since there was already reservation limit of 22.5 per cent for the SCs and STs, the Supreme Court fixed the limit of 27.5 per cent reservation for the OBCs.

Check Your Exercise 3

1) The Karpoori Thakur Formula is a way to sub-divide the OBC quota into sub-categories between the dominant communities among the OBCs and the marginalized castes among them known as MBCs (Most Backward Classes) or the EBCs (Extremely Backward Classes). The formula is known as the Karpoori Thakur Formula after the name of Karpoori Thakur, who as the chief minister of Bihar, sub-divided OBC quota into different categories when he introduced OBC quota in Bihar in the 1970s.

2) The persons belonging to general categories, i.e., those who do to belong to SCs, STs or OBCs, and belong to poor sections whose parental annual income is Rs.8 lakh have been categorized as EWS (Economically Weaker Sections). They are entitled for 10 per cent reservation in central government jobs.

UNIT 14 DEVELOPMENT*

Structure

14.0   OBJECTIVES

After reading this unit, you will able to:

- Define development;

- Explain various approached to explain development;

- Describe the relationship between development and affirmative action

- Discuss the state policies about affirmative action and development; and,

- Analyse the factors that shape the state policies about affirmative action and development.

14.1   INTRODUCTION

At the time of Impendence, India inherited multiple deprivations from colonial rule. Low literacy rate, high level of mortality, social inequality marked by untouchability, gender and regional disparities, economic inequalities, insecurity of land tenure due to feudal land system, lack of infrastructure development, etc. were the major indicators of backwardness of India. Guided by the Constitution of India and in response to popular mobilization, the Indian state introduced affirmative policies or welfare policies. These policies have brought about positive changes in lives of people, especially the marginalized. This unit focuses on development which has been achieved in the Independent India through affirmative action or welfare policies.

14.2   MEANING AND SCOPE OF DEVELOPMENT

Development generally refers to progress in all aspects of human beings and society such as social, political and economic. It involves stages of structural

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change in society from traditional to modern. Generally, this change indicates transformation of a traditional agrarian society to modern industrial society. In social sciences, the concept of development has been viewed differently in sociology and political science on the one hand, and economics on the other. Sociology and political science consider development in terms of transformation which occurs due to the interaction between traditional society and modern political institutions. In this understanding of development, as a result of this interaction both traditional society and modern institutions undergo transformation. Thus, society develops from lower lever to higher level of development. This transformation is also seen as modernisation or development. The theories that explain such development are known as modernisation or development theories. The principal pioneers of modernisation or development theories in Political Science were David Easton, Gabriel A. Almond and Colemen, and in Sociology it was Talcott Parsons. Many political scientists and sociologists have attempted to explain politics and social processes in India by using modernisation or development theories. Modernisation or development theories, indeed, represented non-Marxian alternative of development. Indeed, the sub-title of the book *The Stages of Economic Growth: A Non-Communist Manifesto* (1990) of W.W. Rostow, a development theorist indicates the non-Marxian orientation of modernisation or development theories. In Economics, the notion of development has undergone changes over the years. In this discipline, traditionally development denoted growth and distribution. Subsequently, it also came to mean welfare of the people and human development. The welfare notion of development denotes development achieved through the policies meant to provide welfare to people, especially marginalised, in terms of health, education and removal of poverty. In welfare notion of development, the state plays a dominant role in designing and implementing welfare policies. The welfare notion of development was propagated by John Maynard Keynes, the famous British economist in *General Theory of Employment, Interest and Money* (1964). He argued that capitalist economies suffer from redistribution failure. This happens due to excessive degree of income concentration in capitalist economies. The excessive concentration might lead to political and social instability in a society. In his opinion, a welfare state or state which could implement policies for achieving full-scale employment and public welfare can lead to development of a society. The focus of development shifted in the late 1970s from welfare state to market. It occurred under Margareta Thatcher in the UK and Ronald Reagan in the USA. This led to greater interplay of market forces and retreat of state from various social sectors.

However, influenced by Amartya Sen and Mehbub Ul Haq, notion of development has got widened, especially from the late 1980s. Unlike the notion of development which focused on growth, Sen's and Haq's concept emphasises development with and beyond growth. Amartya Sen conceptualised development in terms of enhancement of human capabilities. It means that human being should get education and be healthy. In other words, development should be human development. This notion of development does not overlook significance of growth. But it suggests that growth should be distributed to develop human capabilities. In *Development as Freedom*, Amartya Sen explains that if people have development in terms of getting education and good health, this can enable them to enjoy democratic right such as freedom. Their deprivation from education,

health or other needs can undermine their democratic rights. Amartya Sen underlines that true justice can be delivered in practical sense by removing deprivation of people. Such notion of justice is different from an idealist notion of justice which promises fair justice without attacking deprivation. He elaborates upon the difference between the idealist and realistic notions of justice through the concepts of *Nayay* and *Niti* in the book *An Idea of Justice* (2009). Sen refers to Indian ancient jurisprudence of *Nyaya* and *Niti* while invoking affirmative action as necessary for addressing underdevelopment and deprivation. *Niti* implies rules, principles and institutions that are meant for ensuring organizational propriety. *Nyaya* denotes a more comprehensive, realistic and inclusive vision of justice. This is about what is possible to achieve. It is about how to prevent injustice rather than how to ideally provide justice. Amartya Sen particularly focuses on gender injustice, the deprivations that women experience in different walks of life can be eliminated and on how they can be included in development. Sen's (along with Maheb-ul-Haq's) notion of development as human development has influenced the way to assess development and policies in some countries. For instance, the United Nations Organisation has been publishing yearly human development reports since 1989 indicating the level of development in different parts of the world. The UN Human development reports are more comprehensive than the Development Reports prepared by the World Bank.

Check Your Progress Exercise 1

Note: i) Use the Space below for your Answers.

ii) Check your answers with the model answers given at the end of this unit.

1) What are different ways in which political scientists, sociologists and economists have used the concept of development?

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2) What are the differences between growth and human development as models of development?

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14.3 AFFIRMATIVE ACTION, WELFARISM AND DEVELOPMENT

We all know that India has economic and social disparities marked by poverty and caste and gender-based discrimination. Affirmative action means policy initiative by the state for welfare and development of socially, educationally and educationally marginalised communities. Edward J. Kellough in the book *Understanding Affirmative Action: Politics, Discrimination, and the Search for Social Justice* defines social justice as strategy whose purpose is to provide employment, educational opportunities to those groups which suffer racial, ethnic or gender-based (women). Thus, affirmative action aims to remove lack of opportunities of health, education or employment. It provides redistributive justice by creating special opportunities for the disadvantaged groups in the form of various policy. Affirmative action includes policy initiative by the state such as reservation in jobs in public institutions for jobs and political representation for marginalised social groups – SCs, STs, OBCs, women, and Economically Weaker Sections (EWS) which mainly include the high castes. You read about reservation as a measure of affirmative action in unit 13. Affirmative action also includes policy initiatives to remove poverty and other disadvantages. Thus, affirmative action includes public policies for the welfare of people. It can lead to development in terms of growth, distribution, as well human development as discussed above.

14.3.1 Constitutional Provisions for Affirmative Action

This sub-section of the unit specifically focuses on the constitutional provisions about affirmative action which can result in economic growth of economy, social welfare and human development. To secure holistic development, the constitution makers in India opted for affirmative action and made it obligatory on the state to devise effective strategies in this direction from time to time. As you have read in unit 4 on Fundamental Rights and unit 5 on Directive Principles of the State Policy in the course BPSC-102, Indian Constitution has provisions for affirmative action to remove the social and economic disparities. Especially, these provisions focus on protection of rights and development of the Scheduled castes, scheduled tribes, backward castes, minorities and backward regions. The provisions for development of the marginalised communities can broadly be divided into four categories:

1) *Educational and cultural safeguards*: Article 46 of the Directive Principles of State Policy makes it obligatory on the state to promote and take special care of the educational and economic interests of the weaker sections, particularly Scheduled Castes and Scheduled Tribes and protects them from social injustice and all forms of exploitation. The V and VI Schedules of the Constitution provide for protection of rights, culture and customs. The V Schedule is about the plain tribes and hill tribes, and the VI Schedule is for hill tribes of Meghalaya, Tripura and some parts of Assam.

2) *Social safeguards*: The article 17 (Fundamental Right) of the constitution abolished untouchability and made it a punishable offence. To this end, Protection of Civil Rights Act, 1955 and Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act), 1989 were passed as two major

legislative enactments. The state governments and union territories are meant to implement these Acts in their respective regions. Central assistance is provided to them from time to time for this purpose. Additionally, article 24 (Fundamental Right) prohibits children below the age of 14 from working in factories, mines or other hazardous employments. New legislative initiatives have been taken to enact laws that provide further safeguards to the most marginalized communities. The most prominent amongst these are the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013. It aims at identifying and eliminating insanitary latrines, prohibiting employment as manual scavengers and hazardous manual cleaning of sewer and septic tanks, and identifying and rehabilitating manual scavengers.

3) *Economic safeguards*: There are special economic safeguards for the tribals in scheduled areas. The governors of such states having scheduled areas have special powers. These states also have Tribal Advisory Councils (TACs) as constitutional bodies with special authority related with the regulation of land transfer and allotment in tribal areas and regulation of business therein. Besides, the TACs can also make laws on diverse subjects concerning the tribals in their areas such as forest, public health and sanitation, inheritance of property, marriage and social customs. Special grants are allotted for the development of these states from Consolidated Fund of India. As tribal areas generally have poor infrastructure – roads and other amenities, special assistance programmes are constitutionally guaranteed to them. Article 339 empowers the President to appoint a Commission to report on the administration of scheduled areas and welfare of tribal communities in their respective states.

4) *Political safeguards*: The constitution provides special provision for political representation in political institutions. According to Article 330 of Indian constitutions, seats are reserved for SCs and STs in the Lok Sabha, and in the Vidhan Sabhas according to Article 334. According to Article 81, the President of India may appoint persons (not more than two) from the Anglo-Indian community to the Lok Sabha. Reserved seats are also granted to scheduled castes, scheduled tribes and women (one third) in Panchayats and Zila Parishads under Article 243-D. This article was inserted in the Indian Constitution in 1992 by the 73rd Constitutional amendment.

5) **Reservation in public employment, and admission to public educational institutions:** The Constitution allows reservation in government jobs and admission in academic institutions to the persons belonging to SC, ST, and OBC communities. Article 16 that provides for equality of opportunity in matters of public employment includes special clauses for reservation of appointments and posts in government services for the backward class of citizens (Article 16, clause 4). Clause 4 (a) of the same article provides for reservation in matters of promotion within government services for Scheduled castes and scheduled tribes. In the central government institutions, the percentage of reservation for SCs and STs in 22.5, and for the OBCs it is 27.5 percent. While such provisions had existed for the SCs and STs following the implementation of the Constitution, in the central institutions it was introduced for the OBCs after the implementation of Mandal

Commission Report in 1993. However, the reservation of the OBCs had been in existence in several states prior to the implementation of Mandal Commission Report.

14.4 DEVELOPMENT THROUGH WELFARE SCHEMES

14.4.1 India's Development Model

The foundation of India's development was laid by Nehruvian model of development. This model envisaged a development strategy in which the state and private sectors would participate jointly. In this model, the state or government played leading role. Keeping in view the equity goals of our constitution, from time to time, the state introduced several welfare policies targeted at various sections – poor, SCs, STs, OBCs, etc, for their welfare. The main purpose of such policies has been to empower and uplift the weaker sections of the society. Such policies are introduced both by the central and state governments in order to establish an egalitarian society by removing poverty, economic disparities and discrimination based on caste and gender inequalities. Some of these policies have been initiated by the centre and some by the state governments. These are either exclusively funded by the centre or are jointly by the central and state governments. Some of them are exclusively introduced by the state governments with the financial support of the central government. The Nehruvian model of development had limitations. The period of operation of Nehruvian model (1950s-1980s) was also known as an era of licence permit raj. In the licence permit raj, the role of state has generally been viewed too as regulatory. A business firm was supposed to get licence from government agencies to run its business. This took lot of time leading to delay in starting business and was mired in corruption. The central government led by P.V. Narasimha Rao in 1991 introduced reforms which came to be known as liberalisation. Under these reforms, the dominant role of the state in comparison to the market declined. In his book, *Democracy and Development*, Kohli argued that under the impact of reforms, state policies in India have become "pro-business" from being based on socialism. The pro-business tilt in India's policies began with shift in policy orientation of Indira Gandhi and Rajiv Gandhi governments. Poverty remains a glaring aspect of Indian social reality with millions of people subsisting on less than Rupees one hundred per day, nearly half of India's children remaining malnourished. Inequality has constrained the impact of growth on poverty alleviation. This, however, did not lead to removal of poverty alleviation or welfare policies. Indeed, the central and state governments introduced several welfare-oriented policies even during the reform era.

14.4.2 Development through Welfare Schemes

Many welfare policies have been introduced by the central and state governments in India since Independence. Some of these have been exclusively introduced by the central governments and some by state governments and some jointly by the central and state governments. Indeed, with slogan of *Garibi Hatao*(remove poverty) in 1971 Lok Sabha election, poverty became one of the central issues of political and policy agendas in India. As a part of its affirmative action strategy,

the policy included special incentives for SC/ST children in the field of secondary education. Some of the important ones are: incentives for children belonging to indigent SC/ST Families, ensuring timely payment of scholarship by the state governments, revision of scholarship amount as per the needs of the communities, pre-metric scholarship for all children of families engaged in occupations like scavenging, tanning and flaying, increase in recruitment of teachers from SC/ST communities, improving educational infrastructure for schools in rural and backward areas. The most important among poverty removal schemes are such as 20-point programme introduced during emergency era, employment generation (MNEREGA), food for work programme, and financial incentives through Jan Dhan scheme.

Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), 2005 is world's largest anti-poverty programmes. It makes the government responsible to provide up to 100 days of wage labour on government funded (public) work for a local poor person who applies for work. Work under this programme is planned by the local community or panchayat. The records of the money spent, and work completed under the programme must made available publicly. MGNREGA contributed not only in economic empowerment/providing economic opportunities, it has also contributed to social and political dimensions: political awareness, confidence, restraining migration. In Madhya Pradesh, single day earning from the programme enabled a poor family to get two adequate meals for two weeks. Ritika Khera, *The Battle for Employment Guarantee* (ed. 2011) mentions that MGNERGA had prevented migration of labourers from their native places to other areas in search of employment as it was now available in or near their villages. The wage received through the MGNREGA enhanced material well-being of the poor families. At least one third of beneficiaries should be women. Jean Dreze and A.K. Sen (2015) *Economic Development and Social Opportunities*, argue that of many deprivations have been reduced to a considerable extent. They, however, underline that a lot needs to be done before ignorance, poverty, diseases and inequalities of opportunities have ended. Age-specific mortality rates have declined; life expectancy has gone up to 60 years in 1995 over around 30 years in 1947. The progress has also been made in India since Independence in other aspects of life such as living conditions, elementary education, nutritional characteristics, protection from illness, social security, and consumption levels. Panagariya and More (2013) in their study show that scheduled castes population under Below Poverty Line (BPL) fell sharply from 40.6% in 2009-10 to 29.4% in 2010-11, and scheduled tribes from 45.3% to 43% during the given period. However, the gap between these groups and the forward castes remains high. In January 2019, the government passed a bill providing 10% quota in educational institutions and government jobs for the economically backward people within upper castes. This is well above the existing quota for SCs, STs and OBCs. This implies that with this additional quota the prescribed threshold of 50% set by the Supreme Court in the Indira Sawhney and others versus Union of India case will be crossed. In a way the new legislative dispensation marks a recuperation of the economic criterion of affirmative action that remained outweighed by the measure of social backwardness for a long time. The new initiative is aimed at promoting the development of poor amidst the socially advanced communities. Besides, several state governments in India have introduced welfare policies which are exclusively state government policies.

For example, Food for Work Programme introduced by Maharashtra government. Amma Canteen in Tamil Nadu. Among such programmes include Ambedkar Village Programme in introduced by the Mayawati government in Uttar Pradesh. Ambedkar Village Programmes focused on villages which had substantial proportion of Dalit population.

Atul Kohli in his book *The State and Poverty*, argues that success of poverty alleviation programmes of the 1970s and 1980s in Indian states such as UP, Karnataka and West Bengal depended on some factors such as nature of leadership, organization and ideology and grass-root organisations. In *Poverty Amid Plenty in the New India* (2012) also Atul Kohli notices regional variations in the impact of development policies in India's states: the states can be identified as *neo-patrimonial*, *social-democratic*, and *developmental* in the light of level of development (success of the policies). Bihar and Uttar Pradesh are categorised as *neo-patrimonial*. In these kinds of states factors such as under-institutionalisation, dominance of single leader surrounded by minions, prevalence of patron-client type relationship, politicisation of bureaucracy, symbolic appeal to build political support, use of public resources for personalistic and narrow gains hamper development gains. In *social-democratic* states such as Kerala and West Bengal (till the 2010s), politics is marked by mobilisation of lower castes and classes, presence of left of the centre political party which systematically incorporates the well-organized support into a socialist-democratic power bloc. In West Bengal, it led to tenancy reforms. There, however, been mixed distributive success in West Bengal. It suggests that redistributive success is more likely when governmental power rests on a broad political base where influence of upper castes and classes is minimised on the regional state. The social-democratic state in such areas uses this power to channel resources to help the poor. In the *developmental states* of sorts, the government worked closely with business groups to promote growth. Such states are Karnataka, Gujarat, Andhra Pradesh, Punjab and Haryana. In Karnataka, Gujarat and Andhra Pradesh governments have promoted manufacturing or service industries. In Punjab and Haryana, they have promoted agriculture and agriculture-related industries.

14.5   CHALLENGES TO DEVELOPMENT

Formulation and implementation of development agenda through affirmative action faces several challenges in India. These include corruption and lack of transparency, declining role of the state during reform period, lack of awareness within a large section of the poor, and role of touts or agents. Although people's access to public information about the details government policies has increased to a large extent due to usage of the Right to Information (RTI), it has not been useful in curbing corruption in several instances. Social schemes meant for the empowerment and development of marginalized communities often do not reach them. It happens due to the mismanagement of funds and lack of transparency about the affirmative action policies. Especially, at the villages levels the problem gets compounded due to lack of communication, ignorance and nexus between the corrupt bureaucrats and the intermediaries. Increasing role of the market forces along with the decline of the state's role has impacted the poor adversely. The drive towards privatization could be moderated in critical social sectors like health and education. In this regard, Ashwini Deshpande in her study (2008)

identifies several instances of labour market discrimination against the scheduled castes. The discrimination exists in the form of wage differentials, unfair hiring practices. The privatisation in government enterprises has affected the marginalized sections in two ways: first, decrease in scope of decent employability and increase in the unorganized labour in the rapidly growing real estate industry; and second, Privatization of critical social sectors like health and education making it unaffordable and inaccessible to the ordinary citizens.

Check Your Progress Exercise 2

Note: i)   Use the Space below for your Answers.

ii)   Check your answers with the model answers given at the end of this unit.

1)   What were the features of Nehruvian model?

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2)   What does shift from socialism to pro-business in policies mean?

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3)   What are challenges before welfare schemes?

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14.6   LET US SUM UP

Affirmative action and welfare policies form an important part of development model in India. In India, this type development model aims to improve conditions of people by removing social and economic disparities in India. In this, the state has played the central role from the time of Independence. The state introduced policies that removed poverty, untouchability, gender disparity to a considerable extent. However, the poverty, social inequality, gender discrimination continues to persist. This is because of challenges such as corruption and transparency

which affect implementation of welfare-based development agenda. Since the 1990s, monopoly of the state to introduce development policies has been shared by the market. This has diluted the leading role of the state in development in terms of implementing welfare policies or affirmative action for the marginalised sections of society. The developmental discourse in India has largely been growth-centric. However, welfare-oriented policies continue to be introduced by the central and state governments and are resulting in removal of deprivations of the poor in a considerable way.

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14.8 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise-1

1) Sociologists and political scientists view development in terms of transformation of society and polity from one stage to another. Such transformation happens as a result of interaction between traditional social and political systems and modern social and political values and institutions. The economists view development in terms of growth and redistribution of resources, and human capabilities.

2) Growth is about growth in the GDP (Gross Domestic Product) of a country, and human development means development of human capabilities in terms of gaining education, improvement in health and fulfilment of other needs of people.

Check Your Progress Exercise-2

1) In Nehruvian model of development, the state and private sector played joint role in which state had a leading role. Under this model, the state introduced several welfare policies for the betterment of various sections of the society.

2) Shift from socialism to pro-business indicates a departure from Nehruvian model in which state played leading role in devising the policies to a situation in which the private sector or business groups played decisive role in policy formulation.

3) Corruption, lack of transparency, lack of awareness on the part of people, role of intermediaries, lack of adequate funds, and ineffectiveness of the RTI in several cases are major challenges before the welfare schemes.

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