JETIR.ORG ISSN: 2349-5162 | ESTD Year : 2014 | Monthly Issue
JOURNAL OF EMERGING TECHNOLOGIES AND INNOVATIVE RESEARCH (JETIR)
An International Scholarly Open Access, Peer-reviewed, Refereed Journal

RESERVATION POLICIES IN TAMIL NADU: THE LEGACY AND INFLUENCE OF THE SATTANATHAN COMMISSION

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Abstract

The reservation policies in Tamil Nadu have a very old inheritance, considerably created by the Sattanathan Commission and its recommendations. Established in 1969, the commission was tasked with assessing the socio-economic environment of different communities in Tamil Nadu and recommending measures to uphold social justice, particularly for backward classes. The Sattanathan Commission's influence can still be seen in the state's affirmative action policies today. One of its main recommendations was to initiate a scheme of reservations for backward classes in educational institutions and government jobs, which intended to address age old inequalities and authorize marginalized communities. The commission also anticipated quotas for different groups, together with Scheduled Castes, Scheduled Tribes, and other backward classes (OBCs). This move laid the foundation for Tamil Nadu's wide-ranging reservation system, which has become a model for other states in India. In this research paper, the researcher tried to bring out the role of Sattanathan Commission to frame a policy to achieve social justice among all sections of the population of the Tamil Nadu State.

Key Words*: Reservation, social Justice, Marginalized Communities, Legacy, Influence.*

Introduction

After independence, India met with a number of problems as legacy of the British rule of good and bad things.[1] India had inherent problems such as caste segmental society, religious, regional and linguistic based distinctions, problems of illiteracy, backwardness and poverty, the minority problems and the unprivileged weaker sections who were traditionally deprived from the main stream of social life.[2] In response to this, Constitutional steps were undertaken to eradicate all kinds of social evils. One among them was emancipation of the downtrodden people, who were denied equality of opportunity for many centuries.[3]

According to the framers of the Constitution 'Equality' based upon individual achievement was not possible in the caste-ridden society. In India, group identification had been historically used for the purposes of discrimination and separateness.[4] The new Indian Constitution serves as mechanism of governing the country and a potential instrument for social transformation. The concept of social justice was the main contention of the Constitution.[5] In that context, the Indian Constitution aims at the reduction of disparities between the high and the low status people and the establishment of an egalitarian form of social structure.[6] In this research paper, an attempt has been made to study the legacy and influence of the Sattanathan Commission in framing the reservation scheme, particularly to backward castes in the state of Tamil Nadu.

Efforts to Identify the OBCs

The Central Government addressed the State Governments to conduct ad hoc surveys for determining the criteria determining the SEBCs. The State Governments did not respond. So, after few years the Central Government asked the Deputy Registrar General to conduct a speedy survey for enabling the Government to finalise the criterion for preparing the Backward Classes list.

The Ministry of Home Affairs requested the State Governments to finalise the list of OBCs, in accordance with their existing list. Some of the State Governments divided the list of OBCs to give concessions to different groups within a OBC category. For instance, in Madras, a section of the OBCs had been treated as "most backward".[7] Later, it was given up. The matter was also discussed at a conference of State representatives on 7 April, 1959, but no unanimous decision was undertaken.[8]

In May, 1961, the Cabinet officially concluded that no national list of BCs should be drawn up. A few scholarship schemes and welfare programmes, started earlier for BCs were dropped. Reservation made in the Central Government services for any group of BCs other than the SCs/STs also dropped. Thus, the category of BCs or SEBCs ceased to exist at the Central level.[9] Subsequently, the State Governments were given the task. On 14 August, 1961, the Ministry of Home Affairs addressed all the State Governments to draw up a State level OBC list for the purposes of Arts.15 and 16.[10] Since the fixation of quota is differed, from one state to another, the Ministry of Education issued a circular on 28 September, 1962 to all the State/Union Governments and Universities, to promote the education of BCs.

(a) 15 p.c. and 5 p.c. of seats should be reserved for the SCs/STs respectively. The total 20 p.c. is interchangeable between the two groups. If the non-availability of SCs arise, it can be filled by the general candidates;

(b) In the prescribed qualifications 5 p.c. of marks was reduced in case of the SC/ST candidates, to get their due representation;

(c) In the prescribed age limit should be relaxed for three more years in the case of SCs/STs;

(d) Without any kind of relaxation, if any SC/ST candidate was having the same prescribed standard of qualification along with the general candidates would be treated as under the general category and admitted to the open seats.

Though the above mentioned concessions were almost accepted by the various states, the prevailing conditions in various educational institutions running under the State Governments differed. So, the State Governments could not follow the concession facilities. There was no substantial progress.[11] Again in 1965, the Kalelkar Commission's Report was discussed in the Parliament, but the matter was totally left to the State Governments.[12]

Creation of Separate Department for the Backward Classes in Tamil Nadu

During the first DMK rule in Tamil Nadu, the 'backward concept' gained momentum. A better definition was given in Tamil Nadu. For the upliftment of the BCs, the D.M.K. Government created a separate department for the BCs.[13]

By passing a G.O., a separate Backward Class Department for the Welfare of the Backward Communities was appointed under a Minister on 2 May, 1969. The works related to Backward Castes and Denotified Tribes, Semi Nomadic Tribes were transferred from Directorate of Harijan Welfare to the Director of BCs.[14] The post of Personnel Assistant to the Director of Harijan Welfare was transferred to the Director of BCs from 3 May, 1969. The district Backward Classes Officers in the cadre of the Deputy Collectors came under the control of the District Collectors.[15]

Appointment of the First Backward Classes Commission in Tamil Nadu

As the efforts undertaken by the Government of India to formulate criteria for identifying the BCs also failed, the task was left to the State Governments by 1961.[16] Consequently, a serious debate arose that OBCs were not entitled for reservation since these Articles refer directly to SCs/STs. Numbers of law suits have been filed on this question. However, there were two factors behind these Articles. The first is "the attainment of equality of all castes by extending protective discrimination. The other is ascertainment of the extent of backwardness with reference to the size of the population of each caste".[17] The obvious implications of these two are that adequacy of reservation was related to the size of the population with reference to castes.

Even though there was no definite quota for the BCs, there was a steady increase in the number of representation of the BCs in gazetted officers' position. For instance, in 1960, their strength was 510.[18] In 1962, among 60 permanent Deputy Collectors in the Executive Branch there were 7 Brahmins, 22 non-Brahmins, 6 SCs, 21 BCs, 2 Christians and 2 Muhammadans occupied the postings.[19]

The Government of Tamil Nadu in 1969, provided free education to all up to the pre-university level in his budget speech.[20] For the Welfare of the BCs, the first Backward Classes Commission was constituted in November, 1969, under the Chairmanship of A.N.Sattanathan.[21] The main objective of the Commission was to study the progress of BCs in educational, economic and employment in Government Services and to suggest measures for their amelioration.[22]

The Commission submitted its report on 26 November, 1970 and pointed out the following facts:

(1) Some forward castes as "small minor groups", should be included in the list of "BCs" for gaining the benefits given to the underprivileged.

(2) The Commission took the term 'caste' as the unit to identify the BCs.

Recommendations of the Sattanathan Commission

(1) The Commission recommended the Government to provide books, slates, pencils, etc. to such children at a cost not exceeding Rs.5/- per head per annum. It recommended the supply of two sets of uniforms free of cost to such children, studying in elementary schools, whose parents have a low income.

(2) The existing hostels attached to high schools under private management may be recognized, so that the students would get hostel accommodations and could avail themselves of the scholarships given by the Government.

(3) The non-residential scholarship of Rs.35/- should be provided in kind rather than in cash.

(4) The Commission stated that the fixation of marks in annual examinations should be modified.

(5) As the drop-outs among girls were high, measures were undertaken to remove the social taboos against girls' education in rural areas.

(6) Since, women were more suitable for the teaching profession, 25 p.c. should be reserved for them in high schools all the teachers in elementary schools should be women.

(7) Even by offering incentives efficient teachers should be appointed in rural areas.

(8) To promote the competitive spirit among the BCs, incentive scholarships should be provided in addition to the regular scholarships.

(9) To improve the standard of slow-learners in schools, special coaching classes should be organized for standards 9, 10 and 11.

(10) Imparting vocational training in high schools should be considered.

(11) As the BC students were encouraged to select science subjects in colleges science groups should be steadily increased in colleges from year to year.

(12) The present rates of residential scholarships of Rs.40/- for city and Rs.35/- for mofussil places should be raised to Rs.60/- and Rs.55/- respectively.

(13) Merit scholarships should be introduced for recognising the performance of BC students in P.U.C. examination.

(14) Loan scholarship should be instituted for professional courses.

(15) Candidates from BCs with exceptional qualifications for research courses in Universities should be sponsored by the Government. A limited number of fellowships of the value of Rs.300/- p.m. in the case of junior scholars and Rs.500/- p.m. in the case of senior scholars may be awarded.

(16) Five BC candidates should be given scholarships to secure admission in foreign universities.

(17) Taking into the account of BCs population, reservation of seats should be increased from 25 p.c. to at least 33 p.c.

(18) The increased percentage of 33 p.c. should be distributed among BCs and MBCs.

(19) All Public Sector Undertakings both directly under the State Government Control and Central Control but located within the state, should control the principle of reservation.

(20) The Government aided or funded Private Sector Undertakings should reserve a certain percentage of appointments to BCs.

(21) In State Services, the reservation principle applied in the matter of promotion should be extended to all the departments.

(22) To get better representation, as the BCs demanded preferential treatment in promotion also it could be met by making more frequent direct recruitments.

(23) Requests have been made for reservation in All-India Services for BCs as in the case of SCs/STs.

(24) The representation of Ex-serviceman should be increased.

Economic Measures

(25) Loans ranging from Rs.250/- to 5,000/- must be sanctioned to BCs to enable them to start cottage industries and to carry on petty trades.

(26) The people, those who built houses and lived not less than 5 years on poramboke lands should be issued patta, confirming their right for the occupation of that area.

(27) A state wide health survey on the weaving community is recommended by the Commission in order to recover them from diseases spread out of their profession.

(28) For the improvement of cottage industries, craft based education should be given attention.[23]

The first Backward Classes Commission of Tamil Nadu identified a category called “Most Backward Castes”. It was difficult to reserve seats for them in the concerned fields. Secondly, the caste based test encouraged the BCs to identify them as MBCs. Thirdly, the Commission suggested reservation of 33 p.c. in favour of BCs.[24] Hence, it was so, the percentage of reservation would exceed 50 p.c. of the total reservation. It would violate the interests of the Constitution and the nation by denying to a greater extent of opportunity to the merit candidates.[25]

In reservation, the revision undertaken in 1954 was in practice till 1970. As per the recommendations of the Sattanathan Commission, it was revised in 1971.[26] Accordingly, 31 p.c. of seats were reserved for BCs. To maintain the verdict of the Supreme Court, seats were reserved for the SCs/STs in proportion to their population.[27]

According to the 1971 Census, the total population of Tamil Nadu was 412 lakhs. Of the total population of 412 lakhs, the SC population constituted 73.16 lakhs and of STs was 3.11 lakhs, which brought out 17.76 p.c and 0.76 p.c respectively of the total population.[28] Accordingly, 18 p.c. of seats were reserved for the SCs/STs and 51 p.c of seats were reserved for open competition. Similarly the roster points

were also increased to 100.[29] Thus, in Tamil Nadu Reservation policy is put into practice on par with the provisions of the Constitution. On that line regular measures are undertaken to eliminate the disparities in all aspects.[30]

The "Most-Backward Class" should be created along with the provision of the Constitution. Reserving certain seats for them in educational institutions would create disparity, inequality, discontent and frustration among the BCs.[31] The creation of MBCs and raising the percentage of reservation in favour of BCs were opposed.[32] Even in the reduction of general category and increase in the backward list did not provoke any kind of agitation in Tamil Nadu.

The caste groups were divided into forward and backward sub-castes. In which Christian converts from the SCs were treated as backward. Labbai and Deccani Muslims were backward and Urdu speaking Muslims were forward, Adi-Saiva, Karghata, Kalaveli Vellalas were forward and Thuluva Vellalas, Sozhia Vellalas were backward. All Reddys were forward except Ganjam Reddys. Gavara and Vedugar Naidus were backward; but the Kamma Naidus were forward. Similarly, the Chettiyars were also divided into forward and backward sub-caste groups. When some of the castes were pushed into the general pool, at that time also, the forward non-Brahmin communities did not protest.[33]

In the survey of the Tamil Nadu Backward Class Commission found out that in the OBCs list 11.7 p.c. of the total BCs population occupied 37.3 p.c. of the non-gazetted and 48.2 p.c. of the gazetted posts. So, in the OBCs list, other minor and weaker backward classes have not been able to utilize the reservation scheme. The Government services and the educational opportunities were utilized by the forward non-Brahmin sub-castes, such as Vadugas, Veerakodi-Vellalas, Gavaras, Sourashtras, Thuluva Vellalas, Devangars, Sozhia-Vellalas, Aghamudayans and Sadhu Chettis.[34]

In the Allahabad Conference of All-India Backward Classes Federation, all the Indian States were appealed to follow the then highest 49 p.c. of reservation in educational opportunities for achieving social equality of the downtrodden communities.[35] To achieve scientific socialism in our country the downtrodden backward and scheduled communities who were at the bottom of the Indian Social Structure have to be attended first through the Directorate for the advancement of the Welfare of the Backward Communities'.[36]

Conclusion

The legacy and influence of the Sattanathan Commission in shaping Tamil Nadu's reservation policies are thoughtful and long lasting. The commission's recommendations, mainly the beginning of reservations for backward classes in education and government jobs, laid the foundation for the state's positive action. By prioritizing social justice, the commission helped to develop marginalized communities, leading to increased representation and participation in various sectors. Tamil Nadu's reservation system, one of the most far-reaching in India, has played a main role in reducing socio-economic disparities and promoting inclusivity. The Sattanathan Commission's vision continues to direct and influence the state's policies, guaranteeing that the benefits of development and growth are shared equally.

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