

UNHEARD VOICES[®]

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Reservation & Religion



Reservation and Religion Again

A Supreme Court judgement and a Supreme Court observation have once again brought the standing of religion in granting the reservation. Judiciary, in the past, has made its stand clear in several cases that reservation cannot be granted on the basis of religion. In a few cases, the judiciary might have expressed its different view, considering the merits of that particular case but it was an exception. Despite this, the judiciary is often brought into this issue for some unknown motives. This is a matter of concern as the issue is closely related to the social fabric and unity of this country. One can doubt whether this is an attempt to keep the issue of religion-based issue alive.

On November, 27, 2024, the Supreme Court came down heavily on an attempt to fraudulent exploitation of reservation benefits. It reasserted the association of reservation, which is mainly designed to promote social justice, and religion. The case involves a woman, who had sought a certificate of Scheduled Caste but was found to be a follower of Christianity. The woman in question, had told court that she follows Hinduism. It became evident during the hearing that the woman wanted to avail benefits of reservation by obtaining an SC certificate. The Court ruled that converting to a religion for the sole purpose of availing benefits under the reservation system, without adhering to its beliefs and practices, is unconstitutional. The ruling highlights the importance of maintaining the social ethos of the reservation policy, which is aimed at uplifting historically marginalized communities and addressing caste-based discrimination. SC observations are self-explanatory and do not need any comments. SC merely underlines reasserts provisions and constitutional ethos, which categorically states that religion cannot

be used for reservation.

In another case, involving the West Bengal government, led by Mamata Banerjee of TMC, the Supreme Court observed during a hearing that religion cannot be the basis of reservation. The SC was hearing an appeal against the Calcutta High Court decision, which had struck down Mamata Banerjee' government decision to grant OBC reservation to 77 Muslim communities in the OBC category. SC is yet to deliver its final judgement but its observation is very significant. The case is being heard before the bench of Justice B R Gavai and K V Vishwanathan.

In both the cases, religion is the common factor. One case is related to an individual, whose intention to get an SC certificate was under scanner. The case is a classic example to show how people are being cheated and converted in the name of equality and religion. It is hard to believe that the people, who got the woman converted into Christianity, are not aware of the legal provision about reservation but they continue to mislead the people for their suspicious motives. Same is the case of West Bengal, which declared reservation to 77 Muslim communities under OBC category. The people are well aware of the political motives behind the move. It was mainly to attract Muslim votes and not meant for upliftment of socially deprived people. Shockingly, West Bengal did not bother to undertake any legal exercise, which is mandatory before declaring reservation. This itself, how political parties disrespect the constitution and law for their political motives.

A quick glance in the history shows beyond doubt that reservation for meant only for those Hindus, who were handicapped by untouchability. Neither Islam nor Christianity

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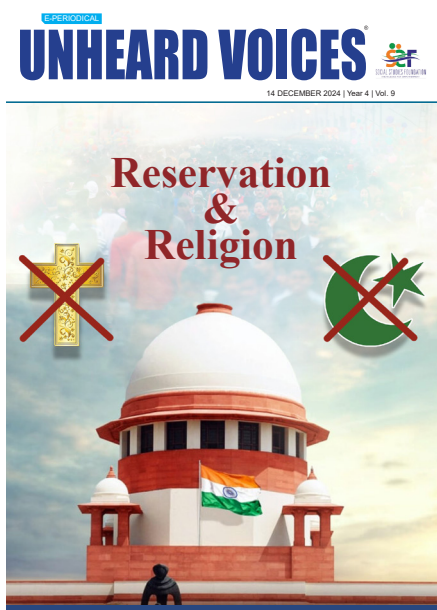
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were ever considered for this provision as two Abrahamic religions never had a caste system. Subsequent decisions by the judiciary have also underlined the constitutional ethos, brushing aside religion-based reservation. We have a public interest litigation in the Supreme Court, which has asked for reservation for those people, who previously belonged to SC community but now have converted to two Abrahamic religions. The NDA government has formed a commission in this regard, which is led by retired Chief Justice of India K G

Balakrishnan. The first victim of reservation to converted people would be obviously those, who are currently benefitted. This is absolutely unacceptable as it is a clear encroachment on their constitutional rights. Curiously, some Muslim and Christian organizations are behind all these moves. Time has come to find out their motives, which would create social unrest in the country. Similarly, people, who are being benefitted because of the current reservation system, need to unite against all these suspicious activities.



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SC ruling on fraudulent reservation claims: A safeguard for Social Justice

On many occasions, judiciary has clarified and ruled about benefits of reservation. In a series of judgements, judiciary has unequivocally stated that benefits of reservation cannot be availed by people, who were previously Hindu but had converted to Abrahamic religions. This time Supreme Court has become tougher on the same case.

Vijendra



On 26th November 2024 in a landmark judgment in *C. Selvarani vs the special Secretary- Cum- District Collector and others* case two judge bench Justice Pankaj Mittal and R. Mahadevan, the Supreme Court of India has taken a strong stance against the fraudulent exploitation of reservation benefits, reinforcing the integrity of the reservation policy designed to promote social justice. The Court ruled that

converting to a religion for the sole purpose of availing benefits under the reservation system, without adhering to its beliefs and practices, is unconstitutional. The ruling highlights the importance of maintaining the social ethos of the reservation policy, which is aimed at uplifting historically marginalized communities and addressing caste-based discrimination.

By clarifying that such actions constitute



‘fraud on the Constitution’ the Supreme Court has emphasized that any manipulation of constitutional provisions undermines the very purpose of social justice, which the reservation system seeks to achieve. This judgment serves as a crucial safeguard, ensuring that the benefits of reservation reach those who genuinely need them and maintaining the sanctity of the policy in fostering an equitable and inclusive society. The relationship between caste and Abrahamic religions in India has been a subject of significant legal interpretation, primarily focusing on the consequences of conversion and reconversion. Several court rulings have clarified the stance on caste identity, its retention after conversion, and eligibility for caste-based benefits. Some of the significant cases are as following:

G. Michael vs. S. Venkateshwara (1951)

The Supreme Court declared that converts lose their caste upon conversion. The Constitution (Scheduled Castes) Order, 1950, limits SC benefits to Hindus and Sikhs.

Kailash Sonkar vs. Maya Devi (1983)

The Supreme Court held that reconversion to Hinduism restores a person’s original caste status, provided the community accepts them back. The caste is considered ‘dormant’ during conversion and ‘revived’ upon reconversion.

Sossai vs. Union of India (1985)

The Supreme Court ruled that Scheduled Caste (SC) benefits cannot be extended to Hindus who convert to Christianity. The rationale is that Christianity does not recognize the caste system, and conversion eliminates eligibility for SC-specific welfare schemes.

Mana Adim Jamat vs. State of Maharashtra (2006)

The Supreme Court emphasized that only the President of India can amend the Scheduled Castes and Scheduled Tribes lists under Articles 341 and 342 of the Constitution. State governments lack the authority to make changes to these lists.

Supreme Court on Marriage and Caste (2018)

The Court clarified that caste is determined by birth and not by marriage. Marrying into a Scheduled Caste family does not change an individual’s caste status.

Madras High Court Ruling (2022)

A Hindu converting to Islam cannot claim caste-based reservations because Islam does not adhere to the caste system.

A. Raja Case (2022)

The Supreme Court ruled that a person, who converts to Christianity cannot claim SC benefits or contest elections from constituencies reserved for SCs. The individual’s prior SC status

ceases upon conversion.

Karnataka High Court Ruling

The High Court affirmed that caste is determined by birth, not by marriage. An individual from an upper caste cannot claim benefits meant for Scheduled Tribes (STs), even if they marry into an ST family.

Uttarakhand High Court Ruling

Similar to the Karnataka High Court, this judgment reiterated that caste is based on birth and cannot be altered through marriage.

S. Swvigaradoss vs. Food Corporation of India

The Court upheld that specifying or amending the Scheduled Castes and Tribes lists is the exclusive prerogative of the President of India, in consultation with the Governor, as outlined in Articles 341 and 342.

Converts to Sikhism and Buddhism are eligible for SC reservations, as these conversions are historically linked to movements against caste oppression. This distinction has been a subject of debate, with critics arguing that it unfairly excludes Dalit Christians and Muslims who continue to face social discrimination despite their conversion. The Supreme Court’s judgment does not address this larger issue but focuses on the narrower aspect of fraudulent claims by individuals, who convert for benefits without genuine belief or practice.

Recently In a landmark judgment, once again the Supreme Court of India has addressed a critical issue concerning the misuse of reservation benefits. The Supreme Court has categorically ruled that converting to a religion without sincerely adhering to its beliefs and practices, solely to gain benefits under the reservation policy, is unconstitutional. Such actions, the Court emphasized, violate the social ethos of the reservation policy and constitute ‘fraud on the Constitution’. This judgment arose from a case where a woman sought a Scheduled Caste (SC) certificate, claiming adherence to Hinduism to qualify for reservation benefits in employment, despite being a practicing,



Dr Ambedkar said :

“Scheduled Castes were a backward section of the Hindu community, who were handicapped by the practice of untouchability and that this evil practice of untouchability was not recognized by any other religion and question of any Scheduled Caste belonging to a religion other than Hinduism did not therefore arise”.

This is the view expressed by Dr Babasaheb Ambedkar on April 4, 1949 in the meeting of constituent assembly. Dr Ambedkar’s statement has three very crucial elements.

- 1) Scheduled Castes were a backward community of Hindu community, which was handicapped by practice of untouchability.
- 2) Untouchability was not recognized by any religion, other than Hinduism.
- 3) Dr Ambedkar very categorically rejected inclusion of Scheduled Castes, belonging to a religion other than Hinduism.

Christian. The Court’s decision to reject her plea sends a strong message about the integrity of the reservation policy and its intent to uplift historically marginalized communities.

The Case at Hand: Background and Verdict

The petitioner in this case was a woman who applied for a Scheduled Caste certificate to avail herself of reservation benefits in government employment. Upon investigation, it was found that she actively followed Christianity, a religion that does not recognize the caste system. Despite this, she claimed to identify with Hinduism solely for the purpose of availing the benefits provided to Scheduled Castes under India’s reservation policy.

The Supreme Court, while dismissing her plea, observed that her actions were a deliberate attempt to exploit constitutional provisions. The Court underscored that the reservation policy is a tool for social justice, designed to address the systemic oppression and exclusion faced by certain communities due to the caste system. Using such provisions without genuine alignment to the socio-religious identity for which they are meant is a betrayal of the Constitution’s intent.

Reservation Policy: A Pillar of Social Justice

The reservation policy in India is rooted in the principle of social justice. It aims to provide equal opportunities to marginalized communities that have faced historical discrimination and social disadvantages. Scheduled Castes, Scheduled Tribes, and Other Backward Classes have been accorded reservation in education, employment, and political representation to level the playing field.

For Scheduled Castes, specifically, the policy recognizes the oppression and exclusion they endured under the caste system in Hindu society. However, individuals who convert to religions such as Christianity or Islam, which do not adhere to the caste system, are generally not eligible for SC-specific reservations. This distinction underscores the policy’s focus on addressing caste-based discrimination rather than economic or general social disadvantage.

The Court’s judgment reiterates that the essence of the reservation policy lies in its commitment to uplift those who genuinely suffer from caste-based discrimination. Any attempt to manipulate this policy for personal gain dilutes its purpose and undermines the struggles of those it seeks to empower.

Fraud on the Constitution: The Supreme Court’s Perspective

The Supreme Court’s labelling of such actions



as “fraud on the Constitution” is significant. The Constitution of India, particularly through Articles 15, 16, and 17, enshrines the principles of equality and social justice. It abolishes untouchability and mandates affirmative action to ensure the upliftment of marginalized communities. The misuse of these provisions erodes their sanctity and effectiveness. The Court’s verdict highlights that fraudulent claim for reservation benefits not only harm genuine beneficiaries but also tarnish the credibility of the policy itself. By safeguarding the policy’s integrity, the Court has ensured that its benefits reach those who truly need them.

The Question of Religious Conversion and Reservation

The issue of religious conversion and its impact on reservation eligibility is a contentious one. Scheduled Castes, who convert to Christianity or Islam, often lose their SC status because these religions do not recognize the caste system. However, converts to Sikhism and Buddhism are eligible for SC reservations, as these conversions are historically linked to movements against caste oppression. This distinction has been a subject of debate, with critics arguing that it unfairly excludes Dalit Christians and Muslims who continue to face social discrimination despite their conversion. The Supreme Court’s judgment does not address this larger issue but focuses on the narrower aspect of fraudulent claims by individuals, who convert for benefits without genuine belief or practice.

Safeguarding Social Ethos and Justice

The Court’s emphasis on maintaining the social ethos of the reservation policy is vital. The policy is not merely a tool for individual advancement; it is a collective effort to address centuries of systemic oppression and create a more equitable society. When individuals exploit these provisions for personal gain, they undermine the broader purpose of social justice. The judgment serves as a reminder that reservation benefits are not entitlements but remedies for structural inequalities. Authenticity and alignment with the socio-religious identity these benefits are meant to address are essential for maintaining the policy’s integrity.

Implications of the Judgment

The Supreme Court’s decision has far-reaching implications:

1. Preserving Policy Integrity: By cracking down on fraudulent claims, the judgment ensures that reservation benefits reach genuine beneficiaries, preserving the policy’s integrity and intent.

2. Deterring Misuse: The verdict sends a strong message that attempts to exploit constitutional provisions for personal gain will not be tolerated.

3. Reinforcing Accountability: The judgment underscores the importance of accountability in implementing and accessing reservation benefits. Authorities responsible for issuing caste certificates must conduct thorough verifications to prevent misuse.

4. Encouraging Policy Reforms: The case highlights the need for clearer guidelines and robust mechanisms to address ambiguities surrounding religious conversion and reservation eligibility.

Balancing Rights and Responsibilities

The Supreme Court’s judgment also reflects the delicate balance between individual rights and societal responsibilities. While individuals have the freedom to choose their religion under Article 25 of the Constitution, this freedom does not extend to exploiting constitutional provisions for personal gain. Rights must be exercised responsibly, with due regard for the larger social good.



Conclusion: A Step Toward Genuine Social Justice

The Supreme Court’s ruling is a significant step toward ensuring that the reservation policy remains true to its purpose. By calling out fraudulent claims and upholding the policy’s integrity, the Court has reinforced its commitment to genuine social justice. The judgment serves as a reminder that the Constitution’s provisions are not mere tools for personal advancement but instruments for creating an equitable and inclusive society. As India continues its journey toward social justice, such judgments play a crucial role in safeguarding the principles of equality and fairness that underpin the nation’s democratic fabric.

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Message from Maharashtra: Caste factor declined again

Maharashtra Assembly elections were held against sort of disturbed social equations thanks to Maratha reservation agitation. Brushing aside all the caste sensitivities, voters gave a huge mandate to the saffron alliance, which never happened in Maharashtra's history when it comes to Assembly elections.

Satyajit

Outcome of the Maharashtra Assembly election has come as a big shocker to non-BJP parties, which had come together under the umbrella of Maharashtra Vikas Aaghadi (MVA). BJP led NDA alliance captured the power against heavy odds and Congress, Shiv Sena (UBT) and Sharad Pawar faction of NCP were rejected by the people. All three major constituents of MVA suffered the most humiliating defeat in Maharashtra's history. Such is the pathetic situation of MVA partners that none of them has even got seats to claim the post of leader of the opposition. Sharad Pawar, who is always described as 'Maratha Strongman', could get the lowest number of seats – ten – in his political career, which spans for 60 years.

Maharashtra Assembly elections were held against the backdrop of Maratha reservation agitation led by Manoj Jarange. His aggressive agitation has disturbed social equations in the state, which was reflected in the Lok Sabha elections. The Maratha community constitutes around 30 percent of the population and has dominated the political stage ever since the inception of Maharashtra. Jarange agitation resulted into Maratha versus non-Maratha split, which was a matter of concern. However, unlike in Lok Sabha election, Jarange agitation miserably failed to leave an impact on Assembly elections. Marathwada region is considered as a bastion of Jarange but BJP led Mahayuti won maximum seats here. A few leaders of MVA were accused of instigating agitation but they



failed to win. Statistics show that non-Maratha voters voted in favour of Mahayuti. But it also shows that the Maratha community also voted for Mahayuti. Scrutiny of statistics reveals that Mahayuti attracted votes from across all the castes and communities, which never happened in Maharashtra's history.

Significantly, Mahayuti performance in reserved seats – 29 for SC and 25 for ST – was exceptionally well in the Assembly election. For example, saffron parties bagged 18 seats out of 29. This includes ten for BJP and four each for Ekanath Shinde and Ajit Pawar led parties. Congress could manage to win only four seats while Sharad Pawar and Uddhav Thackeray won three seats each. An independent, supported by Mahayuti, also won the election. In 2019 Assembly election, BJP-Shiv Sena had bagged 14 seats while Democratic Front of Congress and NCP had won 15 seats. However, Shiv Sena was not divided in the last Assembly election.

However, performance in the June 2024 Lok Sabha election was dismal. Out of 48 Lok Sabha seats, NDA won 18 while MVA bagged 30. Maharashtra has ten reserved Lok Sabha seats and MVA won nine of them while BJP could bag only one seat. In other words, BJP performance was very poor in reserved Lok Sabha seats in Maharashtra in Lok Sabha election.

Pundits are shocked over the huge and dramatic change in political change in a short period of six months. It is unbelievable for them to understand how the saffron alliance could manage to regain the confidence of Dalit voters. The reason for this can be understood from the reality, prevailing in June 2024 and November 2024. NDA performance was poor in Lok Sabha because opposition parties were successful in their campaign that BJP plans to change the constitution. This made a big impact on Dalit voters, who opted for non-BJP parties. BJP tried to counter this campaign but it did not work out. In the Assembly election, the issues of change in constitution became non-existent, leaving hardly any impact on the Dalit voters. In addition, non-BJP parties also campaigned in the Lok Sabha election that BJP plans to close all the welfare schemes, which are meant for SCs and STs. This also made a big impact on the psyche of Dalit and tribal voters and BJP had to pay a huge price for the same. However, this argument became irrelevant when the Shinde government launched various welfare schemes like – Ladki Bahin Yojna and set up welfare bodies for the depressed communities. Change in the constitution became irrelevant as voters are mature enough to understand that any state government cannot introduce any change in

the constitution. MVA made efforts to rake up this issue in the Assembly election but it had very few takers.

What really worked out for BJP was its systematic and strategic plan to attract the Dalit voters. Party reached to all small and big communities in SC category and tried to convince them how opposition parties were misleading them. Additionally, the government announced several welfare schemes for SC and ST communities, which were effectively communicated to them.

The most significant step was the interpretation of Dr Ambedkar, which was always projected by Congress for years. BJP undertook a massive social media campaign to say how Dr Ambedkar was selectively chosen by Congress for political gains. For example, BJP made a big campaign about how Congress put several obstructions for Dr Ambedkar and how Congress humiliated him from the

A campaign was launched on the basis of views of Dr Ambedkar on Muslim community. This disturbed SC voters, who ultimately favoured Mahayuti. MVA never tried to explain their position on these issues, which worked against them. Another campaign was about reservation for Muslims and Christians, who previously belonged to SC category. A campaign was launched, saying that SC and ST category would be the most affected if reservation was granted to converted people.

beginning. BJP made a campaign that Congress ensured defeat of Dr Ambedkar in Mumbai and Bhandara election. It campaigned that Dr Ambedkar was forced to resign from the Nehru cabinet. BJP projected how Congress was opposing reservation since the beginning. Thus, a systematic and aggressive campaign yielded huge fruits for BJP and Dalit votes were attracted to the saffron alliance.

A major factor which worked against MVA was its enthusiasm to work with Muslim community. A few Muslim organizations had asked for certain promises from MVA and MVA leaders agreed to them. One of the demands by Muslim community leaders was about the Atrocities Act. They had demanded that the



Atrocities Act should not be applicable to them as they do not belong to Hindu religion. The Atrocity Act is a big tool for SC communities, which help them to protect themselves from any atrocities. Some incidents are always reported, indicating that Dalits are tortured by Muslims as well. Demand for the Atrocities Act sent a big message that Muslim community is opposing Dalit interests. This was smartly picked up by Mahayuti, which helped them in rural constituencies.

Another demand by Muslim community was 'incentive' for Muslim boys, who will get married with any non-Muslim girl. This incentive was restricted only for boys and not girls. This also created adverse impact as a sizable number of girls from SC category were victims of 'love jihad'. Exploiting such demands, Mahayuti reached out to SC voters saying that Dalits were not safe in MVA rule, which always favoured Muslim communities. A campaign was also launched on the basis of views of Dr Ambedkar on Muslim community. This disturbed SC voters, who ultimately favoured Mahayuti. MVA never tried to explain their position on these issues, which worked against them. Another significant campaign was about reservation for Muslims and Christians, who previously belonged to SC category. A campaign was launched, saying that SC and ST category would be the most affected if reservation was granted to converted people. The educated class in SC and ST category was more vocal on this issue.

Vanchit Bahujan Aghadi (VBA), led by Prakash Ambedkar, grandson of Dr B R Ambedkar, performed very poor in the election. VBA fielded almost 200 candidates in the Assembly

election but could not win a single seat. Prakash Ambedkar undertook a serious and vigorous campaign during the election. He tried to weave out a different type of social engineering model, which was not accepted by the people. His attempt to cover various depressed communities is yet to gain any success. In the Lok Sabha election, Prakash Ambedkar tried to have some pact with MVA, which was also rejected by the people. Consecutive and consistent defeats in the election have posed a serious question mark before the existence of VBA, led by Prakash Ambedkar.

Bahujan Samaj Party (BSP) fielded 237 candidates. This was the highest number of candidates put up by any political party. However, BSP candidates were nowhere in the race. Similarly, Azad Samaj Party (Kanshi Ram) contested in 28 seats but none of them could win.

Jarange had earlier announced to field or support a few candidates in the election. However, he backtracked at the last moment, leaving many of his supporters in a state of confusion. He announced to forge an alliance of Marathas, Muslims and Dalits. However, this proved counterproductive as all three communities preferred to stay away from this move.

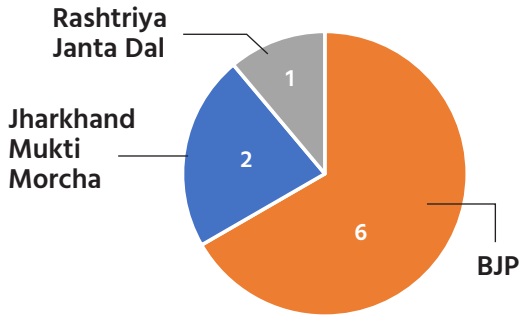
The BJP camp describes this mandate as a strong signal of diminishing role of caste factor in the electoral politics and re-emergence of politics of development and delivery. MVA tried to exploit traditional caste factors but it was futile.

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Jharkhand SC seats 2019

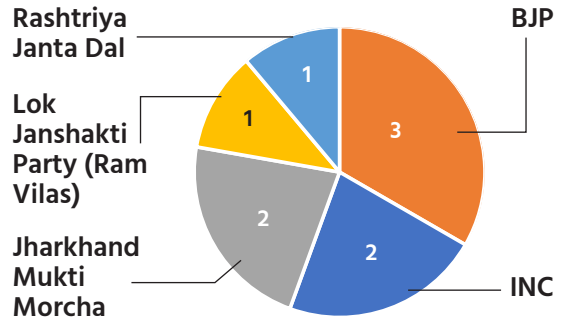
SC- Seats won 2019



In the 2019 Jharkhand Assembly election, a total of 9 seats were reserved for Scheduled Castes. BJP won 6 seats, Jharkhand Mukti Morcha won 2 seats and Rashtriya Janta Dal claimed 1 seat. BJP won 67%, JMM won 22% and RJD secured 12% seats from these reserved constituencies.

Jharkhand SC seats 2024

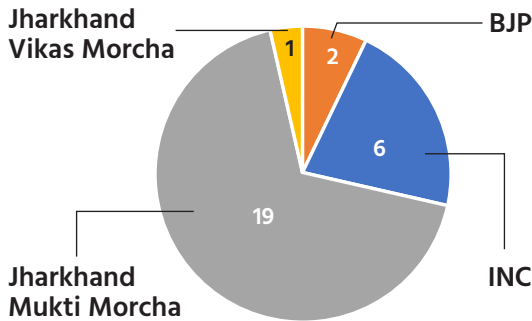
SC- Seats won 2024



In the 2024 Jharkhand Assembly election, a total of 9 seats were reserved for Scheduled Castes. BJP won 3 seats, INC & Jharkhand Mukti Morcha won 2 seats and Lok Janshakti Party (Ram Vilas) & Rashtriya Janta Dal claimed 1 seat. BJP won 33%, INC & JMM each won 22% and LJP & RJD each secured 11% seats from these reserved constituencies.

Jharkhand ST seats 2019

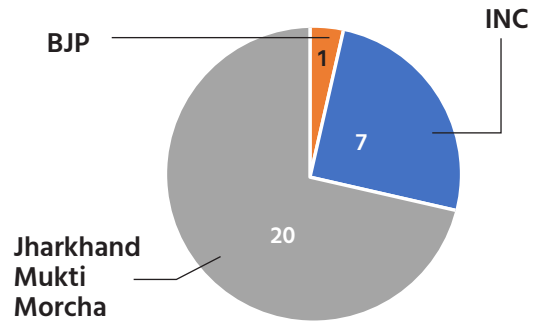
ST- Seats won 2019



In the 2019 Jharkhand Assembly election, a total of 28 seats were reserved for Scheduled Tribes. BJP won 2 seats, INC won 6 seats, Jharkhand Mukti Morcha won 19 seats and Jharkhand Vikas Morcha claimed 1 seat. BJP won 7%, INC won 21%, JMM won 68% and JVM secured 4% seats from these reserved constituencies.

Jharkhand ST seats 2024

ST- Seats won 2024

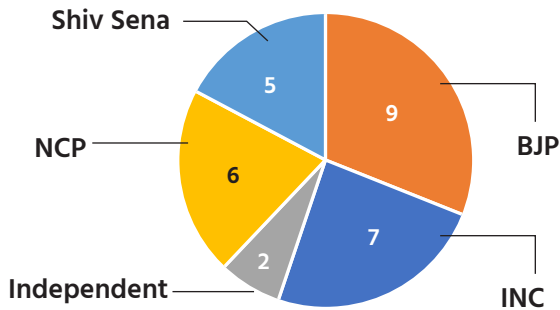


In the 2024 Jharkhand Assembly election, a total of 28 seats were reserved for Scheduled Tribes. BJP won 1 seat, INC won 7 seats, Jharkhand Mukti Morcha won 20 seats. BJP won 4%, INC won 25%, JMM won 71% seats from these reserved constituencies.



Maharashtra SC seats 2019

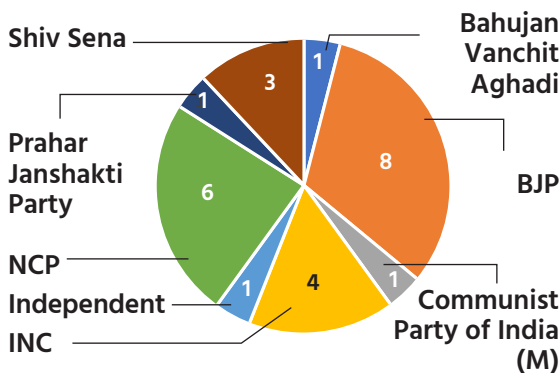
SC- Seats won 2019



In the 2019 Maharashtra Assembly election, a total of 29 seats were reserved for Scheduled Castes. Of these, the BJP won 9 seats, the INC secured 7 seats, the Nationalist Congress Party (NCP) won 6 seats, Shiv Sena claimed 5 seats, and independent candidates captured 2 seats. BJP received 31%, INC garnered 24%, independent candidates achieved 7%, the NCP secured 21%, and Shiv Sena obtained 17% seats from these constituencies.

Maharashtra ST seats 2019

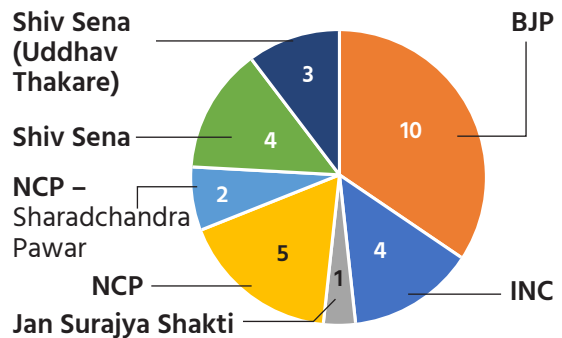
ST- Seats won 2019



In the 2019 Maharashtra Assembly election, a total of 25 seats were reserved for Scheduled Tribes. Of these, Bahujan Vanchit Aghadi won 1 seat, BJP won 8 seats, CPIM won 1 seat, INC secured 4 seats, Independent won 1 seat, Nationalist Congress Party (NCP) won 6 seats, PHJSP won 1 seat and Shiv Sena claimed 3 seats. BVA won 4%, BJP won 32%, CPIM won 4%, INC won 16%, Independent won 4%, NCP won 24%, PHJSP won 4% and Shiv Sena secured 12% seats from these reserved constituencies.

Maharashtra SC seats 2024

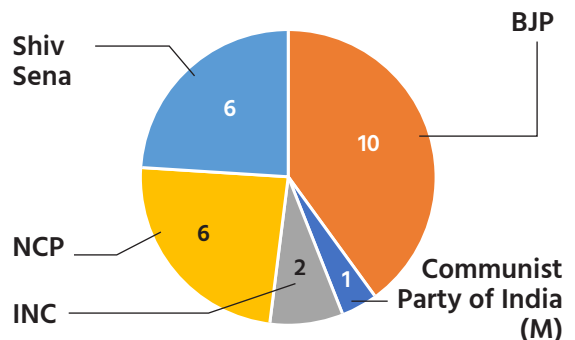
SC- Seats won 2024



In the 2024 Maharashtra Assembly election, a total of 29 seats were reserved for Scheduled Castes. Of these, the BJP won 10 seats, INC secured 4 seats, Jan Surajya Party won 1 seat, NCP won 5 seats, NCP (Sharadchandra Pawar) won 2 seats, Shiv Sena claimed 4 seats and Shiv Sena (Uddhav Thakare) captured 3 seats. BJP secured 35%, INC & Shiv Sena garnered 14% each, Jan Surajya Party won 3%, NCP won 17%, NCP (SP) won 7%, Shiv Sena (Uddhav Thakare) won 10% independent candidates achieved 7%, the NCP secured 21%, and Shiv Sena obtained 10% seats from these constituencies.

Maharashtra ST seats 2024

ST- Seats won 2024



In the 2024 Maharashtra Assembly election, a total of 25 seats were reserved for Scheduled Tribes. Of these, BJP won 10 seats, CPIM won 1 seat, INC secured 2 seats, Nationalist Congress Party (NCP) won 6 and Shiv Sena claimed 6 seats each. BJP won 40%, CPIM won 4%, INC won 8%, INCP and Shiv Sena secured 24% seats from these reserved constituencies.



Dr. Ambedkar on labour and labour legislation

Dr. Babasaheb Ambedkar was elected as Labour Minister in January 1942. He immediately took several steps to protect the interests of work force. His concern for labour is not much discussed.

UV Team



Dr. Ambedkar's concern for labour was not only at the policy level but also at the political level. He floated the Independent Labour Party (ILP) in August 1936, which projected itself as a party of workers. The programme of the ILP, published in 1937, described it as a labour organization, which was self-explanatory.


Offering land resettlement and public works to aid the unemployed and landless, it promised the following:

- To legislate measures to save peasants from the clutches of money lenders
- To put up a strong opposition to land revenue

- To campaign for a more equitable system of tax
- To establish land mortgage banks and agricultural producers' cooperatives and marketing societies.

It also promised protection to tenants and khot landlords.

More can be understood about his views on protecting the interest of the labour by reading some of the volumes of a weekly named Janata founded by him in the 1930s. The weekly stated that the existing political parties, particularly the Congress, had betrayed the workers as they were under the control of capitalist powers. It also criticized the



Gandhian attempts to organize an alternative trade union centre based in Ahmedabad, Mazdur Mahajan, following the 'trusteeship' principle. Dr. Ambedkar was of the opinion that this attempt by Gandhi would split the working-class movement. The ILP was projected as a party of workers and peasants and quintessential for the fight against the imperial powers. In the provincial elections held in 1937, ILP won 14 seats out of the 17 it contested. This included 11 reserved (out of 13) and three general seats (out of 4). Soon thereafter, ILP got involved in a number of mass struggles of workers and peasants, in particular the fight for the abolition of khoti landlordism, climaxing into a march of 20,000 peasants to the Bombay council hall on March 12, 1938. To break this unity of workers led by

Dr. Ambedkar took steps to amend the Maternity Benefits Act and the Workmen Compensation Act of 1923. In 1944, he began to amend the Factories Act of 1934 with several modifications. According to the modifications, all industries were required to provide washing facilities for workers. Changes also took place in working hours and earned leave facilities. The modifications also clarified that the only condition required for a worker to claim seven days holiday.

Dr. Ambedkar and other Communist leaders, the Congress government in Bombay started using emergency powers and introduced an Industrial Disputes Bill in the Bombay Legislative Assembly in September 1938. This Act, also known as the first of the 'black acts' against Bombay workers, made conciliation compulsory and, under certain very ill-defined conditions, made strikes illegal. Dr. Ambedkar was quick to expose the anti-labour nature of the bill, describing it as the 'Workers' Civil Liberties Suspension Act' and defended the 'right to strike' of the workers as equivalent to the 'right to freedom'. He made it clear that under conditions described in the Bill, India once and for all would lose the possibility of any free union growing up in the country.

He addressed several conferences outside the legislature concerning the problems of

Indian labour. India, in the meantime had become a founder member of the International Labour Organization (ILO), established in 1919, the only non-independent country. In 1928, the ILO opened a branch office in Delhi. As a consequence, India had adopted the ILO's tripartite principle (of coming together of government, business and labour). In 1942, the Government of India set up a permanent Tripartite Labour Organization, which included a committee on conventions to examine ILO standards. The Government also organized an Indian Labour Conference, named Tripartite National Labour Conference. The first Tripartite National Labour Conference was held on January 22 and 23, 1940, the second on January 27 and 28, 1941, and the third on January 30 and 31, 1942. Dr. Ambedkar, as a member holding the portfolio of labour in the Viceroy's Executive Council (1942-46), addressed the fourth Tripartite National Labour Conference on August 7, 1942 in New Delhi. It was during this conference that for the first time representatives of employers and employees were brought face-to-face.

Dr. Ambedkar visited Dhanbad in December 1943 to enquire about the conditions of coal labourers. He visited several collieries himself and even went down to a 400 feet deep mine to see the conditions of coal cutter labourers. He closely watched the condition of female labourers and the amenities provided by the government and the colliery owner. He also visited Koderma in April 1944 to see mica mines to understand the problems of mica labourers.

After these visits, Dr. Ambedkar argued that all industries should establish equal pay for equal work irrespective of sex. He advocated workers getting paid holiday. Later, on his recommendations, the following were implemented:

- A labour welfare fund was set up
- Working hours were reduced from 10 hours to 8 hours
- Female labourers were given maternity leave.

With the federal constitutional structure created after the enactment of the Government of India Act 1935, labour was placed in the concurrent legislative list and this generated the problem of uniformity. In a country as large as India, uniformity in labour legislation will always remain a matter of importance. Dr. Ambedkar believed that labour achieves security through legislation. It obtains the right to safety, care and attention, through the conditions of welfare enforced by the government. In the context of labour, he



believed the three principles had the following definitions:

- Liberty is not merely the negative conception of absence of restraint; it involves the idea of government by the people, not only in name, as in parliamentary democracy, but in fact as well. Liberty of labour means ensuring that the state ensures the right to equal opportunity and provides the fullest facilities for growth to every individual according to his needs.

- Equality means the abolition of privileges of every kind in law, in the civil service, in the Army, in taxation, in trade and in industry: in fact, the abolition of all processes which lead to inequality.



- Fraternity means unifying all classes and all nations. It was under his leadership that the Government of India took keen interest in dealing with industrial problems and problems of labour welfare and undertook the responsibility of ensuring the right to prescribe fair wages and fair conditions of service. The standing committee, which was set up by him in 1942, met thrice in a year and in addition to discussing the Wartime Labour Legislation, also discussed issues such as the following:

- Hours of work;
- Earnings of labour;
- Dearness allowances;
- Rounding-off wage payments in view of shortage of small coins;
- Supply of essential food articles to labour;
- Consideration of a fair wage clause in government contracts;
- Appointment of labour officers in industrial undertakings; and
- Collection of statistics under the Industrial Statistics Act.

He was very critical of the fact that despite

12 years of the passing of the recommendations of the Royal Commission on Labour (which submitted its report in 1929), neither the employers had shown any willingness to recognize trade unions voluntarily, nor the provincial governments had acted to ensure that. He, therefore, moved the Indian Trade Unions (Amendment) Bill in November 1943 for:

- Compelling employers to recognize trade unions

- Making any attempt by any employer, of non-recognition of a trade union (which has observed all the conditions prescribed in this measure and which has therefore qualified itself for recognition), an offence punishable by law.

During his tenure, Dr. Ambedkar took steps to amend the Maternity Benefits Act and the Workmen Compensation Act of 1923. In 1944, Dr. Ambedkar began to amend the Factories Act of 1934 with several modifications. According to the modifications, all industries were required to provide washing facilities for workers. Changes also took place in working hours and earned leave facilities. The modifications also clarified that the only condition required for a worker to claim seven days holiday was that the worker had worked for a period of 12 months in continuity.

The Bill also provided for what should be considered as interruptions and declared certain interruptions, such as interruptions arising out of sickness, accident, authorized leave, lock-out period and a strike period, provided the strike is legal, valid for claiming as holidays with pay. On holidays with pay for factory workers, Dr. Ambedkar opined that a worker is to be paid at a rate equivalent to the average of his earnings during the three preceding months barring overtime. He followed the British pattern of 48 hours of working hours per week and opposed the practice of 12 hours work in industry by workers.

He also moved the Payment of Wages (Amendment) Bill in November 1944. He was opposed to Section 5 of the Payment of Wages Act, which had classified factories into two categories: - factories with workmen fewer than 1,000 and factories with more than 1,000. The bill was passed in 1946 and came into force in 1948. During his period as a labour member, Dr. Ambedkar also invited V. V. Giri to head the commission on 'Forced labour'. But the commission could not be established because the Indian Princes protested to the Viceroy against the idea of such a commission.

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Maharshi Vitthal Ramji Shinde was well aware about the political dimension of this social ill. For this, he formed the Untouchability Eradication Association. He is largely credited for creating self-respect among the deprived people. Shinde strongly believed that isolated and remote efforts were not adequate and emphasized having coordinated initiatives.



Remembering Maharshi Vitthal Ramji Shinde

Dr. Randhir



Maharshi Vitthal Ramji Shinde (1873–1944) is recognized as a social reformer and thinker in Maharashtra. His work holds extraordinary significance in the social history of India. He contributed in diverse areas, including religion, history, research, and comparative linguistics, through his original writings. He was born in Jamkhandi, a princely state in Karnataka, where he also received his school education. He pursued his undergraduate degree (B.A.) at Fergusson College, Pune. Between 1901 and 1903, he studied comparative theology at Manchester College, Oxford.

Among all his contributions, the eradication of untouchability was his priority. Before Shinde's time, Mahatma Phule had undertaken significant work for the upliftment of the marginalized. Additionally, Maharaja Sayajirao Gaikwad and other regions in India witnessed movements aimed at the eradication against untouchability.

During his childhood, he was influenced by the liberal values. Children from various castes and religions frequented his home. Shinde himself remarked. In England, he observed institutions dedicated to selfless service for the poor and marginalized. He was aware of the school for untouchable children run by Kalaskar in Baramati, Pune district. Additionally, Maharaja Sayajirao Gaikwad of Baroda had requested him

to visit schools for untouchable children in the princely state and present a report on them.

Gradually, these experiences, observations, and influences led Shinde to develop a firm conviction to dedicate his life to the cause of eradicating untouchability. A significant incident occurred in Shinde's life. In 1905, while traveling across Maharashtra for the work of the Prarthana Samaj, he stayed in a small village called Bhingar near the then Ahmednagar on October 28, 1905. The untouchable community asked him to address a gathering at midnight. Shinde was called at midnight as they were engaged throughout the day to earn daily bread. Shinde said in his autobiography this incident made him realize the sufferings of downtrodden people. Kisan Fagoji Bansode submitted a manifesto. Bansode had formed a social reformation group at that time. This also made a deep impact on Shinde.

Initially, Shinde supported Prarthna Samaj. His methods included education, vocational training, night schools, untouchability eradication conferences, satyagraha and political advocacy. He expanded the scope of his work across India with the help of various social groups and even travelled throughout the country. Shinde delivered lectures and sermons. He viewed the eradication of untouchability as a sacred mission that needed to be pursued with



unwavering dedication.

On October 18, 1906, Shinde established the Depressed Classes Mission Society of India, also known as the Indian Nirashrit Sahayakari Mandali). By founding this organization, he dedicated his life to this cause. The period after 1906 marked an important phase in his life. The primary of his mission was the eradication of untouchability. For this His aim was to promote education among this class, foster natural and individual improvement, propagate liberal Hindu religious principles, encourage industrial advancement and raise awareness of their rightful political rights.

The decision to name the organization a Mission was inspired by Shinde's exposure to the western philosophy. His vision was that an institution should function with a long-term spirit of service. He worked with steadfast dedication and missionary zeal until the end of his life. Under the banner of the Depressed Classes Mission Society of India, numerous initiatives for the upliftment of untouchables were undertaken. Separate schools, vocational training centres, night schools, and hostels for untouchable children were established in regions such as Maharashtra, Karnataka, Tamil Nadu, and Andhra Pradesh. The Mission carried out various activities in cities and towns like Indore, Akola, Amravati, Dapoli, Mahabaleshwar, Thane, Mangalore, Madras (Chennai), Manmad, Rajkot, and Kolhapur. Various conferences were also held in Maharashtra to awaken the people. In 1912, the first untouchability eradication conference was held in Pune. People from various castes and religions participated, including 300 women. Invitations were sent to people, belonging to all the castes and religions. Parvatibai Jadhav, a woman from the Mahar community in Miraj, delivered an inspiring speech in the conference. He collected funds to implement his ideas and build Ahilyashram in Pune. Maharaja Tukojirao Holkar donated Rs 2, 000 for the purpose. He initiated unusual ideas to run hostels and educational institutions.

Shinde also had planned to establish agriculture villages for all the communities. In 1914, he travelled 1,000 miles to inspect land in various locations in Satara district. He finalized a piece of land in Kupwad but could not get it because of administrative issues. India would have experienced a unique experiment, had he got the land.

Shinde's real mission was to awaken depressed people to have self-esteem. For him, untouchability was a permanent thorn. Shinde's family was deeply involved in his mission.

It was because of Shinde; the issue of

untouchability came under the political arena of the British regime and political parties had to pay attention to this issue because of Shinde's efforts. Because of his efforts, the Indian National Congress passed a resolution about eradication of untouchability. Leaders like Gandhi, Tilak, Besant and Chandra Vakil, supported his cause. Besides, he tried to get support from Princely States and ensured support from Maharaja Sayajirao Gaekwad, Chhatrapati Shahu Maharaj, Tukojirao Maharaj of Indore, the Wadiyar's of Mysore and the ruler of Ichalkaranji, Brahman Rajwade.

Shinde was well aware about the political dimension of this social ill. For this, he formed the Untouchability Eradication Association. He is largely credited for creating self-respect among the deprived people. Shinde strongly believed that isolated and remote efforts were not adequate and emphasized having coordinated initiatives. He also felt that such efforts ought to be done at national level. To achieve this, he formed branches in various parts of the country. The first school for people, involved in conservancy work, was also established by him in Mumbai, Mangalore and Madras.

Maharshi Shinde dedicated half of his life to this cause. He travelled across India, spreading awareness about this issue and making institutional reforms at various levels. Shinde's work can be seen as a precursor to Dr Babasaheb Ambedkar's comprehensive Dalit movement. He brought about a proactive form of social awakening.

Overall, the work that Maharshi Shinde did on untouchability eradication is significant. It holds historical importance in India's social history and its reconstruction. For raising awareness on this issue, he undertook institutional-level work in a proactive manner. In the first half of the twentieth century, he brought the urgency and inevitability of this issue to the attention of political parties. He made it a national issue and took various actions to address it. He considered inner spiritual motivation as his guiding principle.

Without promoting division, he viewed this work as sacred, driven by a missionary spirit. Shinde's work created the fertile ground for the all-encompassing Ambedkarite movement that followed. Maharshi Shinde's contributions to instilling self-respect in Dalits were significant. His sociological research on this subject complemented his work. His work and research on the eradication of untouchability remain a guiding light for Indian society.

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What Media Thinks of Dalits - Who Cares

The portrayal of Dalits in Indian media has long been a subject of concern, as mainstream narratives often reflect biases that marginalize their voices. While the media claims to bring Dalit issues to the forefront, it frequently does so from an upper-caste perspective, undermining the essence of these issues. This article explores the implications of such biases, drawing on historical context, contemporary examples, and personal experiences to illustrate the need for a more inclusive media landscape.

Dr. B.R. Ambedkar, a key figure in the fight for Dalit rights, faced significant media bias during his lifetime. Despite being a national leader advocating for social justice, Ambedkar's views were often sidelined by the press. His writings, primarily in English, were not widely accessible to many people, especially those who spoke regional languages like Marathi. This language barrier limited the reach of his ideas and reinforced the notion that understanding Dalit issues was reserved for an elite few.

Ambedkar himself pointed out that the media often failed to represent the struggles of the oppressed adequately. He noted that "the



untouchables have no press," and their plight was seldom covered in a way that contextualized their suffering within the broader caste dynamics of Indian society. This historical context illustrates how media bias has deep roots that extend beyond contemporary discussions.

In recent years, incidents have highlighted ongoing bias within Indian media regarding Dalit issues. For instance, during discussions about Unheard Voices, a magazine dedicated to covering Dalit lives in English, a senior editor from a Marathi publication remarked that publishing in English catered only to an elite audience. He suggested that Unheard Voices be published in Marathi to reach a wider Dalit readership. While this perspective seems well-meaning, it fails to recognize that many Dalits are now engaging with English literature and discourse to advocate for their rights.

As a contributor to Unheard Voices, I argued against this viewpoint, emphasizing that

addressing Dalit issues in English is crucial for sensitizing policymakers and influencers who may not be fluent in regional languages. The focus should be on fostering understanding among those who shape policies rather than limiting discussions to vernacular publications alone. The challenge lies in language and ensuring that Dalit narratives are included in mainstream discourse.

The call for action rather than mere symbolism resonates strongly within contemporary social movements. The act of upper-caste individuals dining at Dalit homes, often touted as a gesture of solidarity, is increasingly viewed as unnecessary by many within the Dalit community. In an era defined by digital connectivity and social media activism, such symbolic gestures can overshadow substantive actions needed for real change.

For example, initiatives like Mukesh Ambani's JIO revolutionized access to affordable internet services across India, breaking down barriers that previously limited connectivity for lower-income groups. Similarly, government schemes like UDAN have made domestic air travel accessible to lower-middle-class families during emergencies. These actions demonstrate a commitment to uplifting marginalized communities through tangible benefits rather than superficial gestures.

Moreover, Prime Minister Modi's participation in the "Swachh Bharat Mission," where he publicly cleaned streets with a broom, has been praised by many as a significant step towards addressing sanitation issues faced by marginalized communities. Such actions resonate more deeply than mere symbolic gestures; they reflect an acknowledgment of systemic inequalities and an attempt to address them directly.

The emergence of Dalit journalism represents a crucial shift in how marginalized voices are represented in media. There is an urgent need for more Dalit journalists who can authentically narrate their experiences and challenges without being constrained by upper-caste biases. These journalists are beginning to carve out spaces where they can tell their stories on their terms, challenging dominant narratives perpetuated by mainstream media.

However, despite these advancements, significant challenges remain. Reports indicate that nearly 88% of journalists in India belong to upper-caste backgrounds, which perpetuates systemic biases against Dalits and other



marginalized groups. This lack of representation results in skewed coverage that often overlooks critical issues affecting these communities.

The ongoing bias against Dalits in Indian media underscores the necessity for a shift towards inclusivity and representation. Both mainstream media and alternative platforms must work towards amplifying Dalit voices rather than relegating them to the margins. As we navigate this complex landscape, it is essential to recognize that understanding and addressing Dalit issues is not merely the responsibility of those who speak English or belong to elite circles; it is a collective obligation that demands engagement from all sectors of society.

By fostering an environment where diverse narratives are acknowledged and valued, we can begin to dismantle the entrenched biases that have historically silenced marginalized voices. The journey towards equity requires action grounded in empathy and understanding—an endeavor that transcends linguistic barriers and challenges societal norms. In this new era defined by digital communication and social consciousness, it is time for all stakeholders to engage meaningfully with the realities faced by Dalits and work towards creating a more just society.

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SC grants SC Status to children from inter-caste marriage following divorce

In a landmark decision, the Supreme Court has ruled that children born to a Dalit father and a non-Dalit mother are entitled to Scheduled Caste (SC) status, ensuring their access to key government benefits such as education and job



reservations. The judgment, delivered during a divorce case, invoked the court's powers under Article 142 of the constitution.

The case concerned an 11-year-old son and a six-year-old daughter living with their mother in Raipur after their parent separation six years ago. The court directed the father to secure SC certificates for the children within six months and to cover all their educational expenses through post-graduation. Additional orders included a one-time financial settlement, the transfer of a plot of land to the mother, and the provision of a two-wheeler by the next fiscal year. The court also instructed the mother to facilitate regular meetings between the children and their father to maintain a nurturing relationship post-divorce.

Nagamohan Das to head panel on internal reservation for SC communities

The Karnataka government has appointed retired High Court judge H.N. Nagamohan Das to lead a commission of inquiry tasked with

recommending internal reservation among Scheduled Caste (SC) communities. The single-member commission has been given two months to submit its report, focusing on equitable distribution of the 17% SC reservation quota based on empirical data.

The decision, announced by the Social Welfare Department on Tuesday, follows a Cabinet resolution from October 28. Notably, Mr. Das previously headed a commission, whose recommendations led to an increase in reservation quotas for SCs from 15% to 17% and for Scheduled Tribes from 3% to 7%. The panel will analyze data on representation in public education and employment to suggest ways of dividing the reservation pie among the 101 SC sub-communities. Dalit groups have long demanded internal reservation, arguing that Dalit right communities have disproportionately benefited from the existing system. The Dalit left faction, advocating this cause for nearly four decades, hopes the new commission will address these disparities. The 2012 A.J. Sadashiva Commission report had also recommended sub-categorization within the SC quota, including for Dalit left, Dalit right, Lambanis, Bhovis, Korachas, and Koramas, but its findings were never implemented.

Initiative for SC students

As placements progress across Indian Institutes of Technology (IITs), the Global IIT Alumni Support Group has launched an initiative to provide additional mentoring support to students from Scheduled Caste (SC) and Scheduled Tribe (ST) communities. The group, comprising over 1,000 alumni, aims to bridge barriers these students often face in the competitive job market.

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DIN VISHESH

Remembering Savitribai Phule

3rd January

Savitribai Phule Birth Anniversary



Savitribai Phule was a pioneering Indian social reformer, poet, and educator. She is best known for her work in promoting women's education and fighting for the rights of women and marginalized communities in 19th-century India. Savitribai Phule is most famous for her role in the education of girls in India, which was a revolutionary act during her time. In 1848, she, along with her husband, opened the first school for girls in Pune at a time when female education was considered controversial and frowned upon. She was instrumental in setting up more schools for girls in Maharashtra, ultimately contributing to the spread of women's education. Savitribai was a strong advocate for the rights of women and oppressed communities. She worked towards eliminating practices like child marriage, Sati (the burning of widows), and untouchability. She also played an important role in the movement to provide

education for the lower castes and worked to abolish caste-based discrimination. Savitribai Phule is regarded as one of the earliest feminists in India and a key figure in the social reform movement. She faced immense challenges, including social stigma and threats from orthodox sections of society, but her courage and dedication to the cause of women's education and empowerment have left an indelible mark on India's history.

Her work continues to inspire generations of women, educators, and social reformers. In recognition of her contributions, various institutions, schools, and universities have been named after her, and her birthday, January 3rd, is celebrated as Savitribai Phule Jayanti in many parts of India.



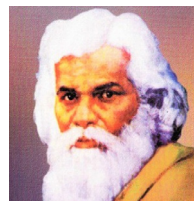
19th December
Sant Ravidas
Death Anniversary



20th December
Sant Gadgebaba
Death Anniversary



25th December
Pandit Madan
Mohan Malaviya
Birth Anniversary



2nd January
Vitthal Ramji Shinde
Birth Anniversary



12th January
Swami Vivekananda
Birth Anniversary

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