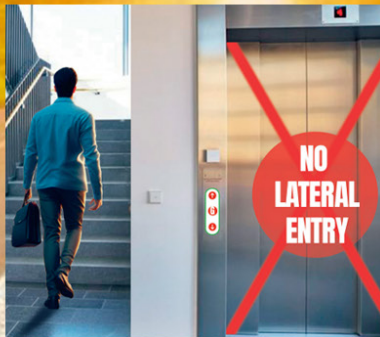
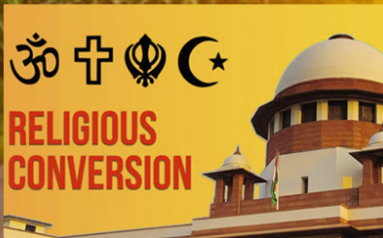
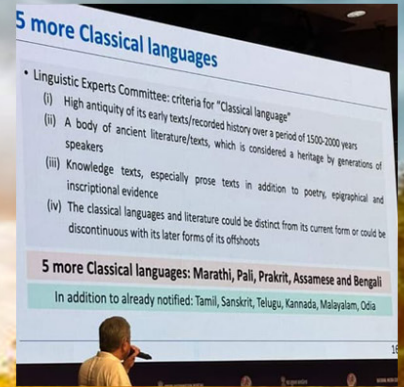
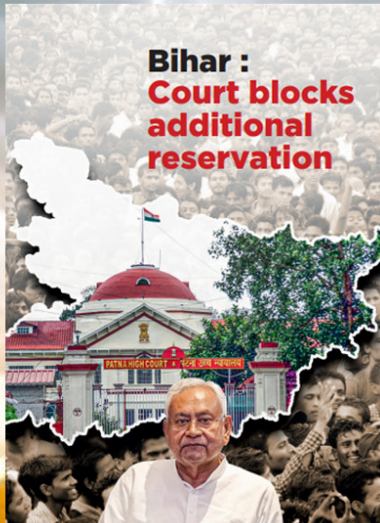


## Looking Back At 2024



## Be sensible, Be responsible

India witnessed an undesirable, painful and unavoidable incident in Parliament last month over the remarks made by Union Home Minister Amit Shah. It has underlined the dire need for a code of conduct for political parties, which are always bent upon exploiting every minute and second for political benefits and expose their opponents. Amit Shah referred to Dr Babasaheb Ambedkar while attacking Congress for its duplicity and the Congress did not miss the opportunity to target Amit Shah to settle the score. In the aftermath, Parliament proceedings stalled with opposition parties demanding resignation of Amit Shah.

The entire episode was not merely unfortunate but an indicator of shallowness of Indian polity. All political parties must always remember that they can never use idols of the nation for their petty political interests. These idols need to be seen above all narrow political considerations as they are the guiding spirit for the nation. While law has its own restrictions to avoid such unwanted incidents, it is the absolute responsibility of political parties to demonstrate high regard and respect to the idols by their words and deeds. If political parties have a little amount of sensitivity and maturity, such incidents can certainly be avoided.

Unfortunately, we have reached such a pathetic state that idols of the nation are caged to a particular caste. This has been happening for years and all the political parties are to be blamed for this situation. For example, Dr Babasaheb Ambedkar is always seen as the leader of deprived communities. Is it not shameful for India? Does it suit the concept of modern India? We have several such examples, particularly at state level, where idols are caged to a particular caste. This attitude is nothing

but a sign of immaturity, which is not good for healthy democracy. Political parties must stop use of idols for petty electoral motives. We have so many other examples wherein sensitive social issues are being exploited for votes. We have a number of such cases to prove this mindset. In any undesirable incident, we have become habitual to look for caste of the person, involved in the incident. This mindset is surely a sick mentality. This unnecessarily results into bitterness among various castes, which is harmful to unity and social health. Regrettably, such maturity and sensibility is never seen on the agenda of political parties.

In the current case, all of us ought to always remember that Dr Ambedkar is not merely an icon for deprived communities. Neither he is restricted to geographical boundaries of India. He will always be remembered as a great saviour of humanity in the world. His stature is not less than Martin Luther King (Senior), who challenged the Catholic Church. Dr Ambedkar's standing is equal to Martin Luther King (Junior) who fought against racial discrimination. In modern times, Mahatma Gandhi is remembered as a symbol of political freedom while Nelson Mandela will motivate us to fight against apartheid. Similarly, Dr Ambedkar is always remembered as an icon for social equality. India must have pride that it has two biggest icons, who stand for some social and humanitarian values. This is more important when corporates like Elon Musk and Mark Zuckerberg are being projected globally as icons for the new generation. India is no exception to this situation when top industrialists are shown as icons. The fundamental difference between idols like Dr Ambedkar and corporates like Musk and Zuckerberg is that the former stands for social and human values while the latter

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stands for mere materialistic prosperity. We must remember that materialistic prosperity is meaningless if it has no foundation of human values.

Against this backdrop, Indians, particularly politicians, have a great responsibility to act in a more sensible manner. Political parties should take initiative to come together and work out

some code of conduct because of which such incidents can be avoided. If political parties do not fall in line, it is the duty of all the Indian citizens to exert pressure on them. First step in this direction will be not to entertain or tolerate any caste-based design of political parties. Indians are mature enough to understand their wellbeing.

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### Appeal for financial assistance



Social Studies Foundation (SSF) is working with the prime objective of conducting social studies and research of the society in a multi-disciplinary fashion. SSF focus, however, is on those people, who have been facing discrimination and are deprived of benefits of the development and democratic process. SSF logo, thus says, "Knowledge for Empowerment".

"UNHEARD VOICES" is a small step in this direction. It provides a platform to all those people, who have to be listened to by the Indian citizens to make this country united and integral. We will raise the voice of these people fearlessly. Social Studies Foundation has currently a small set-up to carry out its objectives. We, however, need financial support from our well-wishers, who agree with our objectives. We appeal to the readers and well-wishers to donate generously to the foundation.

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# Looking back at 2024

The year 2024 saw several major developments, concerning deprived communities. They include Lok Sabha and Assembly elections, providing a mirror of the current mindset. The year also saw several judicial decisions, which would influence the coming days. Here is a compilation of all the major developments.

Team UV



## 1) No reservation for converts

On November 26, 2024, the Supreme Court of India passed a significant judgment regarding the eligibility of individuals, who have converted from Scheduled Castes (SCs) to other religions for reservation benefits. The Court firmly upheld that such individuals will not be entitled to the caste-based reservations that are constitutionally designated for SCs, STs,

and OBCs, primarily within Hinduism, Buddhism, and Sikhism. This judgment aimed to clarify the legal and constitutional framework surrounding caste-based affirmative action, particularly in relation to religious conversion.

The ruling reasserted the principle that reservations are not merely a form of welfare but a corrective measure to address centuries of caste-based discrimination and oppression



faced by marginalized communities, particularly within the Hindu social structure. The Court emphasized that the caste system, which has been a defining feature of Hindu society, continues to perpetuate social and economic disparities. Therefore, the reservation system was designed to uplift these communities, acknowledging their historical disadvantage.

However, the Court pointed out that converting to religions such as Christianity or Islam, which do not follow the same caste structure as Hinduism, Buddhism, or Sikhism, removes individuals from the socio-religious fabric where caste-based discrimination persists. In these religions, caste is not a recognized factor in social stratification, and thus, conversion is seen as a break from the system that necessitated reservation benefits. The judgment clarified that caste-based oppression and the need for affirmative action are primarily tied to communities within the Hindu framework and its offshoots, which continue to face systemic discrimination. This ruling sparked significant debate across political and social circles. Proponents of the decision argued that it upheld the original intent of reservations, which is to rectify historical wrongs and promote social equality within the context of Hindu social hierarchies. They maintained that the limited resources for reservations should be allocated only to those who continue to face caste-based discrimination and deprivation within the designated communities.

On the other hand, critics of the ruling contended that discrimination exists across religious lines, particularly for Dalit Muslims and Dalit Christians, who continue to face marginalization despite their conversion to these religions. They argued that caste-based oppression is not exclusive to Hinduism but persists across all religions in India. The critics called for a broader approach to reservations, one that includes converted individuals who continue to experience discrimination, regardless of their religion.

The judgment also raised concerns about social justice and equality in contemporary India. It underlined the complex intersection of religion, caste, and socioeconomic status, which has evolved significantly over time. While it reaffirmed the importance of maintaining the original intent behind reservations, the decision also brought to light the ongoing debate about whether India's reservation system should adapt to the changing social realities, especially in a multicultural and pluralistic society where caste discrimination transcends religious

boundaries.

In conclusion, the Supreme Court's decision reinforced the caste-based framework of reservations, preserving the original focus on Hindu communities that continue to experience caste-based discrimination. However, it also highlighted the need for a larger, ongoing conversation about how affirmative action policies should evolve to address discrimination in all its forms, particularly as societal dynamics change and religious conversion becomes more common. The judgment has intensified discussions about the future of reservations in India, balancing historical redress with the need for a more inclusive approach that addresses contemporary forms of discrimination.

## **2) Judgement on the Sub-categorization of SC-ST**

The Sub-categorization of SC-ST Judgment delivered by the Supreme Court of India in August 2024 marked a pivotal moment in the country's affirmative action system. The Court's ruling focused on dividing Scheduled Castes (SCs) and Scheduled Tribes (STs) into sub-categories to ensure that the most disadvantaged groups within these communities benefit from reservations more equitably. The judgment was a response to concerns that within the broader SC and ST communities, some groups had progressed socially and economically, while others continued to suffer from severe poverty and discrimination. By implementing sub-categorization, the Court aimed to make the reservation system more targeted and efficient, ensuring that the most marginalized sections within these communities received the assistance they required.

### **Positive Impact of the Judgment:**

**1. Equitable Distribution of Benefits:** One of the key positive outcomes is that sub-categorization ensures a fairer distribution of reservation benefits. Within the SC and ST communities, some groups have benefited more from affirmative action than others. Sub-categorization helps direct resources and opportunities to the neediest, preventing more advanced sections from continuing to benefit disproportionately.

**2. Targeted Welfare:** By focusing on the most backward sections, the judgment aims to provide more targeted welfare schemes, thereby addressing specific needs, such as educational and economic empowerment for the most deprived. This could result in better outcomes in terms of reducing inequality and improving access to opportunities.

**3. Alignment with Mandal Commission:** The judgment aligns with the recommendations

6-1 MAJORITY RULING OVERTURNS 2004 VERDICT BY 5-JUDGE BENCH

## Milestone after Mandal: Supreme Court allows new quotas within SC/ST quota

of the Mandal Commission, which suggested a review of reservations within SC and ST communities. This will ensure that the policy is continually adjusted to meet the evolving needs of disadvantaged groups.

**4. Strengthening Social Justice:** This sub-categorization strengthens the pursuit of social justice by ensuring that the historically disadvantaged sections within SCs and STs receive the benefit they deserve, furthering the constitutional goal of equality.

### Negative Impact of the Judgment:

**1. Intra-community Conflicts:** One of the main concerns with the judgment is the potential for intra-community conflict. Sub-categorization could lead to competition for resources among different sub-castes within the SC and ST communities. This could generate resentment, leading to fragmentation and social disharmony within already marginalized groups.

**2. Risk of Exclusion:** There is a concern that certain sub-castes, especially those that are already somewhat economically better off, could be excluded from the benefits of reservations, even though they still face social and cultural discrimination. This exclusion could lead to feelings of alienation within communities that may still struggle with access to opportunities.

**3. Implementation Challenges:** The sub-categorization process could lead to significant implementation challenges, especially in terms of data collection and determining the most backward groups. Creating accurate and comprehensive lists of sub-castes and determining their eligibility for reservations could be difficult, time-consuming, and prone to errors.

**4. Possible Delay in Social Upliftment:** If not properly managed, sub-categorization could delay the process of social upliftment for certain sections within the SC and ST communities, as these groups may be forced to compete for a smaller share of the reservation benefits. This could impede the overall progress of the broader community, which might already be at a disadvantage.

The sub-categorization of SCs and STs

judgment is a move toward a more nuanced and just reservation system. While it has the potential to make affirmative action more effective by focusing on the most marginalized groups, its success will depend on careful implementation and the avoidance of intra-community conflicts. The government must ensure that the process is transparent, data-driven, and mindful of the risks of exclusion. If done correctly, sub-categorization could lead to greater social justice and improved opportunities for the most disadvantaged sections of Indian society, while maintaining the integrity of the reservation system.

### 3) Extension to Converted SC-ST reservation commission

The Supreme Court of India granted a one-year extension to the commission headed by former Chief Justice of India (CJI) K.G. Balakrishnan to submit its report on whether it is feasible to extend caste-based reservations to individuals who have converted from Scheduled Castes (SCs) and Scheduled Tribes (STs) to other religions, particularly Christianity or Islam. This commission was formed to review the socio-economic conditions of converted SC-ST individuals who, despite having been part of the historically oppressed communities, are no longer eligible for the constitutional benefits afforded to their counterparts who remain within Hinduism, Sikhism, or Buddhism.

### Background of the Commission:

The commission was constituted after concerns were raised regarding the continued socio-economic marginalization of converted individuals who still face discrimination due to their caste identities, despite conversion. Conversion to religions such as Islam or Christianity traditionally disqualifies individuals from receiving reservations under the current system, which is based on caste within Hinduism, Sikhism, and Buddhism. The K.G. Balakrishnan Commission was tasked with examining whether caste-based reservation benefits should be extended to these individuals who continue to experience social and economic deprivation.

### Extension of the Report Submission:



The Supreme Court's decision to extend the commission's timeline by a year provides it more time to assess the complex issue at hand. The commission has been asked to consider whether caste-based discrimination persists among converted individuals and whether extending reservation benefits would address the challenges they face. The commission will also evaluate how such a move would align with India's constitutional framework, which currently ties reservation benefits to specific religious communities primarily within the Hindu social structure.

#### Implications of the Extension:

**1. Thorough Review:** The extended deadline gives the commission additional time to conduct a comprehensive review of the issue, including gathering data, assessing socio-economic conditions, and analysing the legal and constitutional implications.

**2. Broader Debate:** The one-year extension ensures that the discussion surrounding reservation for converts will continue to be a point of significant public and political debate, as various stakeholders, including legal experts, political parties, and social organizations, weigh in on the issue.

**3. Potential Legal and Policy Shifts:** The commission's findings could lead to legal reforms that could potentially alter the current framework for caste-based reservations, possibly paving the way for an inclusive policy that extends benefits to converted SC-ST individuals.

**4. Impact on Existing Reservation Policies:** A major concern will be how such changes could affect the existing reservation structure for Hindu SC-ST communities, as some argue that extending benefits to converts might reduce the benefits available to those who still belong to the original SC-ST groups within the Hindu fold.

#### Conclusion:

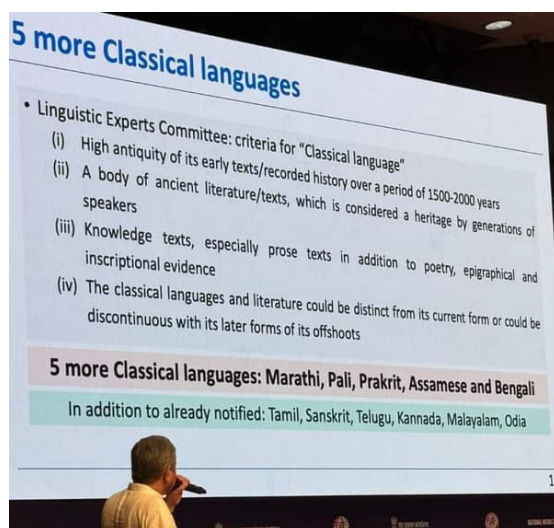
The Supreme Court's decision to extend the deadline for the commission's report marks an important development in the ongoing debate about whether caste-based reservations should be extended to those who have converted from SC-ST communities. The outcome of the commission's recommendations will have significant implications on India's affirmative action policies and could either pave the way for a more inclusive reservation system or reinforce the current limitations tied to religion and caste. The one-year extension will allow for a more informed and thorough examination of the issue.

#### 4) Recognized Pali as a classical language

#### of India

In 2024, the Indian government officially recognized Pali as a classical language of India. This decision was taken with the aim of preserving and promoting India's rich cultural and linguistic heritage. By recognizing Pali as a classical language, the Indian government has acknowledged its significance not only as a language of ancient scriptures but also as an essential element of the cultural and intellectual history of the country.

Pali is closely tied to the Buddhist tradition, and its recognition highlights India's cultural diversity and historical contributions to world spirituality. It is the language of the Buddhist Canon, which is a fundamental text for millions of Buddhists around the world. As a language of philosophy, literature, and religion, Pali holds a significant place in the development of Indian



intellectual traditions, especially in the fields of ethics, logic, and metaphysics.

This recognition will likely lead to efforts for the revival and preservation of Pali, including its teaching in universities, research on its literary works, and promotion of its importance in global Buddhist scholarship. It emphasizes India's role in global cultural and religious heritage, particularly in relation to Buddhism. This decision will likely lead to further academic, cultural, and diplomatic engagements that will benefit both India and the global community.

#### 5) Lok Sabha Elections

During the 2024 Lok Sabha elections, Prime Minister Narendra Modi set an ambitious target of securing 400 seats for the BJP, a figure that surprised many political observers. Traditionally, achieving 300 to 350 seats is regarded as a strong and stable majority for any party. However, this unusually high target sparked



## Lok Sabha Elections Setback for BJP



debates and concerns, particularly among opposition parties and various social groups.

The opposition coalition, the INDI Alliance, capitalized on this narrative and raised alarms about the potential implications of such a significant majority. They argued that if the BJP secured 400 MPs, it could pave the way for fundamental changes to the Constitution of India, authored by Dr Babasaheb Ambedkar. This claim resonated with marginalized communities, particularly Scheduled Castes (SCs), who see the Constitution as a safeguard for their rights and an instrument of social justice.

The opposition portrayed the BJP's push for 400 seats as a possible threat to the constitutional guarantees of affirmative action, reservation policies, and protection against caste-based discrimination. This narrative significantly influenced voter behaviour in SC-reserved constituencies, where fears about potential constitutional changes took centre stage.

As a result, the BJP faced a sharp decline in its performance in SC-reserved seats, winning only 30 constituencies in 2024 compared to 48 in 2019. This loss highlighted the party's inability to counter the opposition's message and address concerns among SC voters effectively. The outcome also underscored the importance of the Constitution as a rallying point in Indian politics and the decisive role of SC voters in shaping electoral outcomes.

### 6) Maharashtra and Haryana Assembly Elections

After the results of the 2024 Lok Sabha elections, where the BJP faced significant setbacks in several constituencies, the opposition parties became confident about their chances in the upcoming Maharashtra and Haryana Assembly elections. The opposition

believed they could ride the momentum of their narrative, which had resonated strongly during the general elections. This narrative centred around the claim that if the BJP secured a majority in the Lok Sabha, it might attempt to amend or alter the Constitution of India, written by Dr Babasaheb Ambedkar. This messaging had found traction among marginalized communities during the Lok Sabha polls, contributing to the BJP's diminished performance in SC-reserved constituencies.

However, the political dynamics shifted dramatically during the state assembly elections in Maharashtra and Haryana later in 2024. Marginalized communities, who were initially swayed by the opposition's rhetoric, seemed to reevaluate their stance. A closer look at ground realities revealed that the BJP had worked consistently on developmental initiatives and welfare schemes that directly benefited these communities, particularly in the states of Maharashtra and Haryana. Infrastructure development, empowerment programs, and targeted social schemes helped restore trust in the BJP's governance model.

Furthermore, the BJP's leadership effectively countered the opposition's claims about constitutional changes, assuring voters that the Constitution would remain untouched and highlighting the party's commitment to Ambedkar's vision of equality and justice. This reassurance, coupled with the visible impact of BJP-led state policies, resonated strongly with voters.

As a result, the marginalized communities in both states turned out in large numbers to support the BJP, voting overwhelmingly in its favour. This shift led to decisive victories for the party in both Maharashtra and Haryana, delivering thumping wins that exceeded



expectations. The outcome demonstrated that the electorate, particularly marginalized groups, prioritized tangible governance outcomes over speculative narratives, reaffirming the BJP's standing in state-level politics.

#### 7) HC on Bihar reservation

Following the release of the caste survey in Bihar, the state government proposed a significant policy shift by increasing the reservation quota for backward classes, Scheduled Castes (SCs), and Scheduled Tribes (STs) in government jobs and higher educational institutions from the constitutionally mandated 50% cap to 65%. The proposal aimed to address the socio-economic disparities highlighted by the survey, which indicated a substantial population of these communities in the state.

The state government argued that the existing reservation framework was insufficient to ensure equitable representation and upliftment of marginalized groups, particularly given the large numbers identified in the caste survey. The proposed policy sought to allocate additional reservation percentages to backward classes, SCs, and STs, reflecting their demographic strength and addressing historical injustices.

However, the Patna High Court intervened and set aside the proposal, citing constitutional constraints. The court underscored that Article 16(4) and the precedent established by the Supreme Court in cases like *Indra Sawhney vs. Union of India* (1992) limit reservations in government jobs and educational institutions to a maximum of 50%. The judiciary argued that exceeding this limit without substantial justification or evidence of 'extraordinary circumstances' would violate the principles of equality enshrined in the Constitution.

This decision has sparked a political and legal debate. Proponents of the increased quota argue that the existing cap is outdated and fails to account for the growing needs of marginalized communities. Critics, however, maintain that exceeding the 50% limit undermines meritocracy and could lead to legal and administrative challenges. The matter may ultimately require adjudication by the Supreme Court to balance the imperatives of social justice with constitutional principles.

#### 8) Funds allotted for deprived communities remain unutilized

The Union government allocates substantial financial resources annually through various schemes aimed at uplifting Scheduled Castes (SC) and Scheduled Tribes (ST) communities. These funds are intended to address historical injustices, reduce socio-economic disparities,



and provide better access to education, healthcare, employment, and housing. However, despite the potential to significantly improve the lives of marginalized communities, these funds often remain unutilized or are diverted to other general schemes.

There have been recurring allegations of misappropriation and diversion of funds meant for Scheduled Castes (SC) and Scheduled Tribes (ST). State administrations in Andhra Pradesh, Karnataka, Kerala, Maharashtra, and Tamil Nadu have recently faced criticism for redirecting these funds to programs intended for the general population, undermining their purpose of uplifting marginalized communities.

#### 9) None Found Suitable

The "None Found Suitable" issue in selection committees within the educational sector has historical roots embedded in systemic and structural challenges. This problem reflects broader concerns about representation, transparency, and equitable access to opportunities in academia. Several historical and contextual factors have contributed to this persistent issue. Historically, the education system in many countries, including India, has been structured to favour a select elite. Academic and administrative positions have often been dominated by individuals from privileged backgrounds, marginalizing underrepresented groups such as Scheduled Castes (SCs), Scheduled Tribes (STs), and Other Backward Classes (OBCs). This exclusivity has created implicit biases in selection committees, often resulting in a lack of recognition for candidates from marginalized communities.

election panels have historically lacked diversity, which limits their ability to evaluate candidates from varied socio-economic and cultural backgrounds fairly. This lack of inclusivity perpetuates cycles of exclusion, as candidates from non-dominant groups may be overlooked or deemed unsuitable based on arbitrary or biased criteria.

Addressing the “None Found Suitable” problem requires systemic reforms to ensure fairness, transparency, and representation in the selection process, fostering an inclusive and equitable educational environment.

#### 10) Lateral Entry

The lateral entry system, initially introduced to infuse expertise and fresh perspectives from the private sector into government positions, has garnered significant attention in recent years. While its intention is to bring in domain experts with specialized knowledge, the system has faced substantial criticism for its failure to promote inclusivity, particularly concerning marginalized communities. One of the primary concerns is the lack of reservation in the lateral entry process, which leaves out candidates from Scheduled Castes (SC), Scheduled Tribes (ST), Other Backward Classes (OBC), and Economically Weaker Sections (EWS). These communities, already disadvantaged due to historical socio-economic barriers, are further excluded from senior government roles under this system.

The absence of reservation in lateral entry has resulted in a disproportionate representation of individuals from more privileged backgrounds in top administrative positions. This further consolidates power in the hands of the elite, perpetuating

inequalities within the governance structure. As a result, the government misses an opportunity to harness the diverse experiences and perspectives of individuals from marginalized communities, who could bring valuable insights to policy-making and decision-making processes.

For lateral entry to be an effective and truly equitable tool in governance, it must be aligned with affirmative action policies. By integrating reservation into the lateral entry process, the government can ensure that individuals from SC, ST, OBC, and EWS backgrounds have equal access to high-level positions. This inclusion would not only uphold the constitutional values of equality and social justice but would also foster a more diverse and representative administration. A government that reflects the diverse demographics of India is better positioned to serve the needs of all sections of society, ensuring that policies are more inclusive and equitable in addressing the challenges faced by marginalized communities.

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## J. N. Mandal: A tragic case of Dalit movement

Very few people in India now remember Jogendra Nath Mandal, who was not merely a contemporary of Dr Ambedkar but also a close associate. The drastic difference between Dr Ambedkar and J. N. Mandal was later opted out to join hands with Muslim League and shifted to Pakistan with the hope to liberate depressed communities. However, J. N. Mandal was soon frustrated and came back to India. He was a minister in the first government. His resignation letter is of great historic value in the current situation. We remember J. N. Mandal on his 120th birth anniversary.

Indal Kumar




In the first half of the 20th Century, India witnessed a strong social and political churning on the political front. It was seen in India's resistance to British rule. In the Social arena it gave rise to serious deliberation on the extreme backwardness and pitiable condition of a vast section of Indian society.

Although we come across a large number of movements for social reformation throughout these periods, we find two individuals looking at the problem from a different perspective. Dr B. R. Ambedkar and Jogendra Nath Mandal tried to understand the nature of Indian social structure

and realized that it is not an issue of compassion and reformation but an issue of Justice and Rights. Both Dr Ambedkar and J. N. Mandal came from the Depressed classes". Hence, they had not just read about the problems but they had had firsthand experience of exploitation, humiliation and Injustice of these people. It is because of this that their writings and their analyses of the problems often lack intellectual detachment for which they are sometimes criticized also.

Dr Ambedkar, being a student of Economics as well as law, had studied the problem of Indian



society in terms of its historical evolution. Hence, his views on Indian Society and its problems carry a great deal of truth and originality. Similarly, his understanding of the problems of the depressed classes is also very deep and multifaceted. In his analysis, Dr Ambedkar did hold the upper class responsible for many problems and injustices faced by the depressed classes. But he had no illusion that the Muslim rule or an administrative structure under the control of Muslims would be beneficial for them. Actually, on this issue he felt just the opposite. This is corroborated by the historical fact also. India had been under the Muslim rule for over 600 years. If they had been fair and just towards Indian society there would have been no inequality and inhuman social practices. Remember 600 years is not a short span of time for any meaningful social transformation.

**Jogendra Nath Mandal appears to have been so blinded by his hatred for the Caste Hindus and Indian social structure that he began to see a bigger evil as a solution for the problems he was fighting for. In spite of repeated events which should have opened his mind about the nature of the league, he continued his association with the Muslim League.**

In contrast J. N. Mandal had a different view of Indian Social problems. Like Dr Ambedkar, he also had a very good quality of education in spite of economic and social handicaps. He too had a good understanding of law and current socio-political questions. But he lacked the depth and breadth of Dr Ambedkar's understanding of Indian religions and its social evolution. In comparison to Dr Ambedkar, J. N. Mandal knowledge of Islam and Muslim society was also shallow and superficial

Dr Ambedkar had made a serious study of the major religions of the world including Islam. Hence, he could see that Islam in many ways was different from other religions. It needs different perspectives for the study of its nature and true understanding. J. N. Mandal made a mistake of looking at Islam like any other religion and the Muslim society like any other religious community. He had perhaps ignored the concept of Muslim Ummah (Muslim World

community).

According to this concept, Muslims cannot accept any other community at par. Anyone who wishes to be part of Muslim brotherhood has no option but to be part of that Ummah. Dr Ambedkar knew it very well J. N. Mandal either did not know this bitter reality or ignored it in his hatred and prejudice against Caste Hindus. J. N. Mandal through his activism earned an important space among the Dalits especially in the Eastern part of India. He had also contributed a lot to create a Dalit consciousness. In certain parts of India, J. N. Mandal was even more influential than Dr B. R. Ambedkar among the masses. It is proved by the fact that he helped Dr Ambedkar to get elected for constituent Assembly from East Bengal the area of his influence.

Like many others of the time J.N. Mandal also started his political journey with Congress (INC) but gradually he drifted from it and allied with Muslim League. From 1930 onwards he was a strong ally of the Muslim League and remained so till he resigned from the Pakistan cabinet under Liaquat Ali. Under Dr Ambedkar influence, he had established the Scheduled Caste Federation in East Bengal where Dalits and Muslims together dominated the political scene. J. N. Mandal's attraction towards Muslim League was caused, to great extent congress's disinclination for taking up Dalit issues in its programmes on priority basis, because Congress was of the view that the main focus of the party should be achieving independence and the social issues would be taken up thereafter. It is on this point that even Dr Ambedkar was unhappy with Congress. Even though it explains J. N. Mandal's drift from Congress, does not account for his association with the Muslim League because even the Muslim League was focused solely on getting a separate homeland for the Muslims. It is ironic that when a call for Direct Action was given by Jinnah in 1946, it resulted in the massive violence against Hindus including Dalits and yet Md. Ali Jinnah was successful in persuading J. N. Mandal asked his Dalit supporters to either support the Muslim violent groups or remain neutral. And thus he (J.N. Mandal) allowed himself to be party to the large-scale butchering of the Hindus. To quote J. N. Mandal "The Direct Action Day by Muslim League resulted in a holocaust. Hindus demanded my resignation from the league ministry. My life was in peril. I began to receive threatening letters almost every day. But I remained steadfast to my policy. Moreover, I issued an appeal through our Journal "Jagaran" to the scheduled caste people to keep themselves aloof from the blood feud

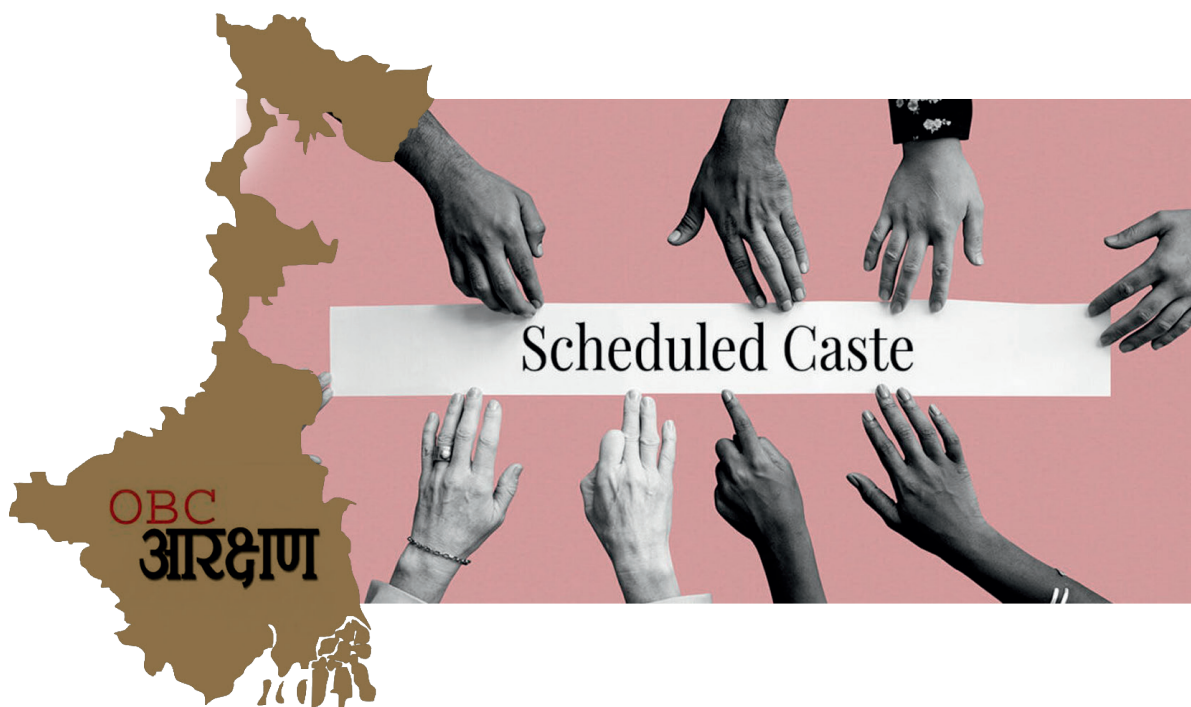


between the Congress and Muslim League, even at the risk of my life. I cannot but gratefully acknowledge the fact that I was saved from the wrath of infuriated Hindu mobs by my Caste Hindu neighbours. After this communal carnage, riots broke out in Noakhali in Oct, 1946 about this J. N. Mandal says- "There, the Hindus including Scheduled cast, were killed and hundreds were converted to Islam. Hindu women were raped and abducted. Members of my community also suffered loss of life and property. Immediately after these happenings, I visited and saw some riot affected areas. The terrible suffering of Hindu overwhelmed me with grief but I still continued the policy of cooperation with the Muslim League".

The case of J. N. Mandal illustrates the fact that even a well informed and enlightened person like him can go wary, if his mind is governed by some pre-conceived notions. He appears to have been so blinded by his hatred for the Caste Hindus and Indian social structure that he began to see a bigger evil as a solution for the problems he was fighting for. In spite of repeated events which should have opened his mind about the nature of the league, he continued his association with the Muslim League. So, much so that with the partition of India he decided to stay in Pakistan and be part of the Muslim League Government. In the beginning he was accommodated as a Hindu face in the ministry. He was also made the chairperson of the constituent assembly for a day on ad-hoc basis till he was replaced by Md. Ali Zinnah himself. As a Minister of Law and Labour from August, 1947 to Oct, 08, 1950, his experience under Jinnah and Liaquat Ali was far from his expectations. Sooner than later, he began to realize that his dream of a fair deal for the Dalits was impossible to achieve under the Muslim League Government. Dalits were

constantly discriminated against. They were subjected to a variety of crimes including forced conversion to Islam. The complaints of the victim Dalits were rarely entertained. In contrast, even the false complaints of the Muslim against the Hindus including Dalits, were used as weapons to act against them. In such circumstances J. N. Mandal felt helpless. He kept on urging Liaquat Ali to take urgent steps to address the problems, but his repeated request fell on deaf ears. Disappointed, disgruntled and Disgusted he resigned from the Liaquat Ali Government. In his resignation letter to the Prime Minister Liaquat Ali on 8th Oct, 1950 he poured out his heart. In the very opening paragraph of the resignation letter, he wrote: "It is with heavy heart and a sense of utter frustration at the failure of my life long mission to uplift the backward Hindu masses of East Bengal, that I feel compelled to tender resignation of my membership of your cabinet. It is proper that I should set forth in detail the reasons which have prompted me to take this decision at this important juncture of the Indo-Pakistan sub- continent".

The resignation letter, which contains 35 paras, has become a historical document. It gives us an idea of how Pakistan had become a hell for the Hindus including Dalits, Sikhs and other minorities. In the resignation letter he refers to a list of 363 Hindu temples & Gurudwaras of Karachi and Sindh, which were captured by the Muslims and converted into cobbler's shops, slaughter houses and hotels. Possessions of their landed property were taken away from them without any notice and distributed amongst refugees and local Muslims. In Karachi he had received petitions from many unfortunate fathers and husbands of abducted Hindu girls mostly Scheduled Castes. He drew attention of the provisional Government to these facts, but there was little or no effect. **(On page 16)**



## Muslim castes eating up rights of OBCs

At a time when quota for OBCs is being used for appeasement politics, we must not forget the unfortunate chapter of the history wherein reservations for Muslims in the seats in State Assembly and State Legislative Councils were introduced under the Morley-Minto Act in 1909, which gave rise to separatism and laid foundation for the partition of the Country, stresses Munish.

Munish Kumar



The West Bengal government recently filed an affidavit in the Supreme Court. The Government has mentioned in that affidavit that 77 out of the 78 castes included in the Other Backward Class (OBC) category are of Muslims. This clearly shows that the decision of the State government led by Mamata Banerjee is facilitating the Muslim population to eat up the right to reservation bestowed on the OBC communities. Thankfully, the court has imposed a stay on the decision for the time being.

The ruling party argues that the demand to conduct census of OBC communities is purely a political move played by the opposition. However, the unfortunate

fact is that the opposition party has been continuously attacking the interest of the OBC communities. The provision of reservation for the OBC communities is being used for Muslim appeasement. The OBC communities have been identified scientifically on basis of social backwardness and the Constitution of India has bestowed the right to reservation on them. However, in the case of West Bengal, the castes of Muslim population were included in the list of OBC category castes on the same day on which appeal to do so was made. This clearly shows that no scientific survey was carried out to determine their backwardness.

This raises the basic question as to whether



the provision of reservation for the OBC category communities is meant to carry out the politics of appeasement. That, the State Governments of Congress in Telangana and Karnataka as well as the Mamata Banerjee led State Government of Trinamul Congress in West Bengal, which are part of the INDI alliance that cries hoarse for the Scheduled Castes (SC), Scheduled Tribes (ST) and OBCs, are killing the right actually meant for the OBC communities to increase the quota for the Muslims is indeed a two-faced strategy.

The OBC communities that are Hindu are being deprived of their rights to appease minorities in these States. Earlier, the High Court had rejected the decision of the West Bengal Government to include 77 Muslim castes in the OBC category and cancelled all OBC Certificates granted in West Bengal after 2010. Now, the Supreme Court has issued a notice directing the Mamata Banerjee led Government to file clarification as to on which basis it is allotting the quota to the Muslim castes.

In the present case involving West Bengal, the bench of the Supreme Court consisting of Justices J B Pardiwala, Manoj Mishra and the then Chief Justice of India D Y Chandrachud, while hearing a petition seeking injunction on the disputed order, has directed the State Government to file an affidavit. Seeking clarification from the State Government, the Court directed the State Government to explain the nature of process adopted by it for inclusion in the OBC category. It asked the State government to explain as to which survey was conducted for the purpose.

While adopting a stern approach, the Court demanded to know whether any consultation was done with the National Commission for Backward Classes in relation to any of the communities which are among the list of 77 communities included in the OBC category. This clearly shows that the Supreme Court feels that the Scheduled Classes Commission was not consulted before granting the reservation in OBC category to the Muslim castes. Muslims are provided categories under the quota for the OBC category in many States of the Country. OBC category is granted 30 per cent quota in Kerala, which includes quota for Muslims too. There the Muslims are granted 8 per cent quota in jobs and 10 per cent quota in higher education.


Muslims have been provided a reservation quota in Tamil Nadu too. There the Muslims belonging to the Scheduled Class category are granted a 3.5 per cent reservation quota. The reports show that this quota encompasses

95 per cent of the Muslim castes. Similarly, some Muslim castes have been included in the 'Extremely Backward Classes' in Bihar. The castes and sub-castes included in the 'Extremely Backward Classes' are provided a ten per cent reservation quota. In the caste survey conducted in Bihar in the last year, 73 per cent of the Muslim population was considered to be a part of the 'Backward Class'.

All Muslims are granted a four per cent reservation quota in Karnataka. The OBCs have been granted 32% reservation quota in Karnataka. All Muslims castes have been included in the 2A OBC category. Resultant, they get a four per cent reservation quota there. The Mandal Commission was founded on January 1, 1979. Moraraji Desai was the Prime Minister at that time. Led by B P Mandal, the Mandal Commission was formed to conduct a study of the educational and economic backwardness of the OBC communities. The Mandal Commission submitted its report in 1980. The report recommended a 27 per cent reservation quota for the OBC communities. However, neither the government led by Indira Gandhi nor the government led by Rajiv Gandhi took any action on it. In 1989, the then Prime Minister V P Singh took the decision to implement the recommendations of the Mandal Commission.

This decision taken by the V P Singh government was challenged in the Supreme Court. However, the Supreme Court gave a green signal to the implementation of the recommendations of the report, albeit with a few changes. A total of 3,743 castes were included in the OBC category, for which a 27 per cent reservation quota was provided at that time. Indeed, the Mandal Commission had included some Muslim castes in the OBC category. However, it did not consider the entire Muslim community backward and bestowed the right to reservation on it.

When Sharad Pawar was Chief Minister of Maharashtra in 1994, he implemented the recommendations of the Mandal Commission in Maharashtra. The OBC category was provided with a 19 per cent reservation quota in Maharashtra. Some Muslim castes in Maharashtra were granted reservation under the OBC category as per the decision. Some Muslim castes are included in the Central list of Backward Classes and get reservation in the States where recommendations of the Mandal Commission are in force. Presently some Muslim castes are being granted reservation under the OBC category in Maharashtra, Karnataka, Andhra Pradesh, Gujarat, Rajasthan



and Tamil Nadu, the Muslims belonging to Teli and Kayastha castes in Uttar Pradesh and the Muslims in Bihar, Kerala and Assam.

Only those Muslim castes which are included either in the Central List of OBC or the State List of OBC are provided reservation quota in the Country. The States amend these lists from time to time and include new castes in the category without changing the reservation structure. Clearly, this results in deduction in the right bestowed on the Hindu castes included in the OBC category. Actually, reservation is provided to Muslims in Nine states of the country.

Presently, this arrangement has been introduced in Kerala, Tamil Nadu, Karnataka (Status Quo ordered by Court), West Bengal (Cancelled by the Court), Telangana, Andhra Pradesh, Uttar Pradesh, Bihar and Rajasthan. While eight per cent reservation quota in education and ten per cent reservation quota in jobs is granted to Muslims in Kerala, the

Muslims are granted 3.5 per cent reservation in Tamil Nadu.

In view of the reservation issue gathering momentum across the Country, the Bharatiya Janata Party government in Rajasthan has decided to review the reservation granted to Muslims in the State. However, surprisingly, the Yogi Adityanath led Uttar Pradesh Government has remained tight-lipped over the reservation granted to Muslims under the OBC category in the State.

It is imperative for the nation not to forget the unfortunate chapter of the history wherein reservations for Muslims in the seats in State Assembly and State Legislative Councils were introduced under the Morley-Minto Act in 1909, which gave rise to separatism and laid foundation for the partition of the Country.

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## A tragic case of Dalit movement

**(From Page 13)**

Jogendra Nath Mandal further Says in the resignation letter- "To my extreme regret I received information that a large number of SCs who are still living in Sind have been forcibly converted to Islam." In his assessment Hindus of Pakistan had been rendered "Stateless" in their own houses. They had no other fault than that they professed the Hindu Religion. Declarations were being repeatedly made by Muslim League leaders that Pakistan was and would be an Islamic state. Islam was being offered as the sovereign remedy for all earthly evils. Naturally J. N. Mandal was shattered. He had not joined the Muslim League and Pakistan to see it becoming an Islamic State. He had joined them to ensure justice, equality and liberation of the backward class masses among the Hindus.

As soon as he realized that he had made the wrong choice he left Pakistan and returned to India. He spent the rest of his life with wounds that he had suffered in Pakistan. He lived a poor and wretched life and died almost an unknown man. One can just wonder, if he had stayed in India and worked with Dr Ambedkar, Indian politics would have taken a different direction and the depressed classes discourse a more meaningful path.

Unfortunately, the contemporary Dalit discourse is suffering from excessive negativity. The conditions of backward classes, SCs and STs have improved a lot from their conditions

in 1947. The improvement is reflected in education, economic activities, social prestige, administration both public and private. But the voice of these classes is most powerful in contemporary politics. A significant number of ministers, chief ministers and even central ministers are from these classes. If Dr Ambedkar and J. N. Mandal had been alive to see that the top most powerful persons of Indian Government are all from OBCS/SCS/STS (President, Vice President, Prime Minister, Home Minister). Not only this, for the first time in Indian history, two consecutive presidents have been from Dalit Communities. It shows that the political landscape of India has gone through a significant and lasting change, and hence the prevailing political balance is going to stay a long time to come, the positive and constructive Dalit discourse needs to acknowledge the positive achievements of and for the backward classes and Dalit build upon it the future course of action.

The Dalits need to be aware of the trap being thrown once again in the name of "Jay BHIM – Jay MIM". The tragic end of Jogendra Nath Mandal's life is a great reminder that the Dalits should not be trapped once again. It would be our highest tribute to the departed soul.

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## 'Prisoners of Past' or 'Forefathers of Future' ?


Prasanna



**Manusmriti was never accepted by Hindus. What is the propriety in raising up this outdated code of conduct from time to time? We must unload the past baggage and decide whether we want to be prisoners of past or forefathers of future.**

Leader of the Opposition Rahul Gandhi evoked 'Manusmriti' during his speech in Lok Sabha in a special discussion, which was held to commemorate 75 years of adoption of the constitution. Rahul Gandhi also referred to Veer Savarkar and tried to portray a so-called picture of conflict between the Constitution and Manusmriti. Rahul Gandhi's remarks are obviously politically motivated and need not be taken seriously. Rahul Gandhi has already been countered by his political opponents. The concerning part is the use of tools by politicians, which divide society and harm social harmony. Manusmriti is one of those tools, which are often used by politicians for narrow political considerations. This, mainly includes, dividing society along the caste lines instead of working for unity and harmony.

In modern times, Manusmriti came into light when Dr B R Ambedkar burnt a few pages of it on December 25, 1925. Dr Ambedkar's action can be understood as he was fighting against untouchability and caste discrimination. However, burning of Manusmriti was more symbolic, which was fundamentally a big push



in his struggle for equality. Dr Ambedkar was a learned person and had a deep passion for knowledge. He must be understanding that burning of Manusmriti alone would never be helpful to bring about social equality. For him, burning of Manusmriti was a strong and robust rejection of untouchability and social discrimination. Burning of Manusmriti was a more symbolic part of Dr Ambedkar's struggle like temple entry. His fight was basically against the mindset, which was contaminated by caste discrimination.

**Manusmriti is mainly criticized for advocating caste system. Opposition to Manusmriti on this ground is absolutely understandable and even needs to be supported. The matter of concern is refreshing caste sensitivities from time to time by using Manusmriti. What is the point of using Manusmriti when Hindus neither respect it nor follow outdated, irrelevant and inhuman provisions?**

The million-dollar question is how much Hindus are currently influenced by Manusmriti? Manusmriti was almost an outdated document, which Hindus stopped practicing a long time back. Lot of questions are being debated among academicians, which mainly include – Who was Manu? What was his caste? What is the precise time of Manusmriti? What about other Smruties? Was Manusmriti ever practiced? But these are questions to be attended by scholars and academicians. Answers to these questions may be merely helpful for academic purposes only.

The reality is that Hindus have forgotten Manusmriti. It was the British regime, which brought it into discussion in India. The British regime gave re-birth to Manusmriti, when it was looking for some solutions to the problems of Hindus. After the 1857 freedom struggle, the British regime was more cautious about the religious sentiments of Hindus and Muslims. The British regime had found a solution to solve the problems of Muslims in the form of the Quran. However, Hindus had no such specific code of conduct and the British regime opted to follow Manusmriti.

By this, the British regime also got a very big tool to practice 'divide and rule' strategy. It refreshed caste sensitivities and the British regime systematically fuelled it to rule India.

Manusmriti was never a holy scripture for Hindus. It was a book, which said something about the social and economic structure of the society. Manusmriti was never a revered book for Hindus. Neither Manu was a God for Hindus. Hindus believe that they have 33 crore Gods/Goddesses but Manu is never referred to as God. Hindus have lakhs of temples across India but the temple of Manu is never seen. The most acceptable books for Hindus are Ramayana, Mahabharat and Bhagvad Gita. These books or their versions are seen very commonly in all Hindu households. One can hardly see a copy of Manusmriti in a Hindu house. All these realities strongly suggest that Manusmriti has no acceptance among Hindus.

According to scholars, Manusmriti has made a lot of recommendations but many of which were never accepted by Hindus. Manusmriti is not like the Quran for Islam or the Bible for Christians. Even in the court proceedings, one takes oath in the name of Bhagvad Gita and not Manusmriti. Eminent Marathi writer and thinker Narhar Kurundkar says that Manusmriti prevents people from naming women after rivers, flowers and Nakshatras. Contrary to this, we have been seeing for several generations that Hindu women are often named after rivers, flowers and Nakshatra. In fact, naming a woman after the name of a local river is a very common phenomenon in India. Ganga, Yamuna, Narmada, Saraswati, Krishna, Bhima and Godavari are very common names among Hindu women. Same is the case with flowers and nakshatra. Jai, Jui, Gulab are common names for Hindu women. Hindu calendar has more than two dozen nakshatras and names like Ashwini, Rohini, Krutika, Swati, Anuradha, Poorva and Chitra are very common names among Hindu women. This is absolutely in contrast to what Manusmriti asks but continues to be neglected. Some slokas in Manusmriti are often cited to prove how it is against women. But we should ask ourselves whether modern India ever follows these shlokas. In fact, participation of women in all social transactions, their success and achievements provide a completely contrast picture. These examples are sufficient to prove that Manusmriti has absolutely little social acceptance among Hindus. We can have several Hindus, who mock and ridicule Manusmriti for outdated content. In fact, the question can be asked whether Manusmriti



was really practised by Hindus since it was written.

Manusmriti has mainly emerged as a symbol of caste discrimination or untouchability. Manusmriti is mainly criticized for advocating caste system. Opposition to Manusmriti on this ground is absolutely understandable and even needs to be supported. The matter of concern is refreshing caste sensitivities from time to time by using Manusmriti. What is the point of using Manusmriti when Hindus neither respect it nor follow outdated, irrelevant and inhuman provisions?

As a nation, India has come a long way. We are the only surviving civilization in the world when other civilizations have vanished during the course of time. We survived despite several attacks, aggressions and invasions. We underwent major changes but the soul of this nation remained the same. This is an exceptional case, compared to other civilizations or other nations in the world. Question we need to ask ourselves is - what is the survival instinct of Indian civilization? The answer lies in eternal values like equality, justice, brotherhood, freedom and so. Ancient Indian philosophy does not even discriminate between living and non-living entities. These values undoubtedly reflect the ethos of Indian philosophy. India is the only society, which is dynamic and continues to adopt changes considering requirements of the time. India is not a static society like other civilizations, religions, nations or countries. This is the biggest strength of India, which is unfortunately neglected by certain groups.

Undesirable and inhuman practices, which have origins in the past, need to be condemned in no uncertain terms. Moreover, all of us

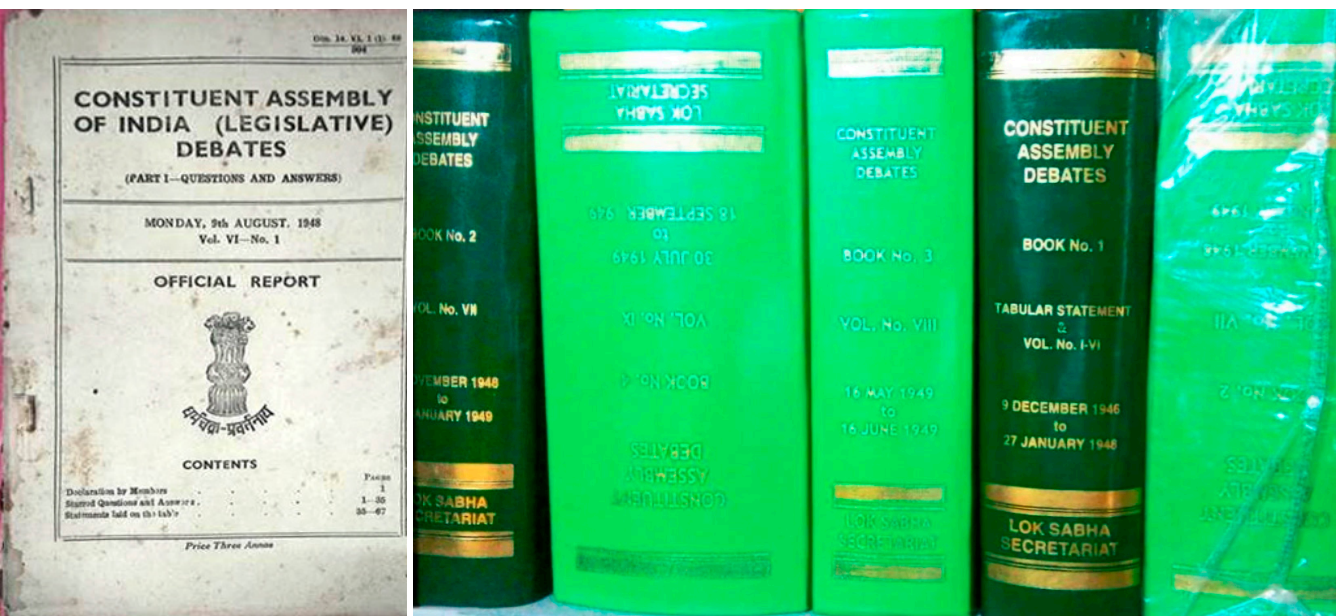
must take initiative to stop these practices. This has to be done not because of any fear factor but out of genuine commitment to the larger human values, which are eternal. At the same time, all of us ought to admit candidly that untouchability and caste discrimination continue to be practiced in several parts. Discrimination all over the world on the grounds of race, religion, gender, language and colour cannot be an excuse to continue with untouchability.

Even as India still faces a serious issue of caste discrimination, the silver lining to the issue cannot be overlooked. Silver lining begins from the Indian Constitution, which was framed by none other than Dr Ambedkar. The Constitution reflects all the ancient Indian values because of which we are still surviving. The Constitution gives guarantee of social equality and justice, which is a unique part of current social structure. While India continues to experience a serious social ill, neglecting positive changes would be a great injustice and dishonesty to ourselves. Time has come to unload past baggage, which is making us weak. Anything in Manusmriti, which is against human values, has to be condemned unequivocally. But referring to it from time to time would not serve any purpose if we want to have a strong and healthy social structure. We, as a nation, must learn from mistakes in the past, take corrective courses in the present and walk towards the future. Leaking old wounds would never stop the pain. We must decide whether we would like to continue as prisoners of the past or forefathers of the future.

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# Revisiting foundational issues in Indian Society

The Indian Constitution, crafted with a vision of justice and equality, remains a cornerstone of the nation's democratic framework. Through debates on reservations, federalism, Directive Principles of State Policy, and universal suffrage, the framers addressed societal disparities. While progress has been made, the persistent relevance of these issues underscores the ongoing journey toward a just and inclusive society.



Adv. Pankaj

The reservation system remains one of the most debated issues in Indian society. While it has helped to bring marginalized communities into the mainstream, critics argue that it leads to caste-based divisions and undermines meritocracy. Some suggest that the system should be reformed or even phased out. However, despite such criticisms, reservations remain a vital tool for ensuring that the voices of historically marginalized groups are heard.

Without this mechanism, these communities would likely continue to face significant barriers to educational and professional opportunities, and their representation in

political spaces would be severely limited. Further, the Directive Principles of State Policy (DPSP) were another crucial aspect of the debates in the Assembly. While these principles were not meant to be legally enforceable, they were intended to serve as guidelines for the government to create a welfare state. The framers of the Constitution envisioned a state that would actively work to reduce social and economic disparities. The DPSPs reflect this vision, focusing on policies that promote social justice and equality. Articles 38, 39, and 46 encapsulate this vision: Article 38 calls for the promotion of the welfare of the people by ensuring social and economic



justice, while Articles 39 and 41 focus on equitable distribution of resources, the right to work, education, and public services. Article 46 mandates the promotion of the interests of SCs, STs, and OBCs in terms of education and economics.

Though the DPSPs are not directly enforceable by the courts, they have profoundly influenced social welfare policies in India. Policies like land reforms, poverty alleviation schemes, and mid-day meal programs in schools have all been shaped by the principles outlined in the DPSPs. Despite this, the implementation of these policies has been inconsistent. The gap between policy design and effective execution remains one of the biggest challenges to achieving the social justice that the DPSPs envision.

Federalism was another significant issue debated during the drafting of the Constitution. Framers of the Constitution were tasked with balancing the need for a strong central government with the need to preserve the autonomy of states, given the country's vast diversity in terms of language, culture, and regional identities. The framers wanted to avoid the extreme centralization that had characterized British rule, but they also recognized that a unified nation-state was essential to ensure stability and national development. As a result, Articles 1 and Schedule VII established a federal structure. Article 1 declared India i.e. Bharat as a 'Union of States' and Schedule VII divided legislative subjects into three lists: the Union List, the State List, and the Concurrent List.

This division allowed the central government to legislate on matters of national importance, while states retained the authority to govern on regional issues. Today, India's federal structure remains a dynamic and often contested subject of political debate. Disputes over the allocation of resources, the implementation of national policies like the Goods and Services Tax (GST), and the rights of states to manage their own affairs are common. While India's federal system has helped maintain national unity, it continues to evolve in response to new political, economic, and social challenges.

One of the most progressive aspects of the Indian Constitution, debated during the Constituent Assembly, was the introduction of universal adult suffrage. This provision granted every adult citizen the right to vote, regardless of caste, religion, gender, or economic status. Article 326 guaranteed the right to vote for all citizens above the age of 18. This was a

revolutionary step, particularly in a country where social exclusion, especially along caste and gender lines, had been the norm for centuries. Universal suffrage remains one of the fundamental pillars of Indian democracy. It ensures that every citizen, regardless of background, has an equal say in electing representatives and shaping the nation's policies.

However, as democracy evolves, so do the challenges. Issues such as the use of technology in elections, like the possibility of e-voting, and the voting rights of non-resident Indians (NRIs), continue to be discussed. These debates point to the need to modernize electoral processes while ensuring that the basic principle of inclusivity remains intact.



In conclusion, the debates in the Constituent Assembly were not simply about creating a legal framework; they were deeply rooted in the vision of a just and equitable society. The issues discussed then—untouchability, caste-based discrimination, reservations, federalism, and universal suffrage—remain as relevant today as they were when the Constitution was drafted.

India has made significant strides since 1950, but many of the challenges highlighted during those debates still persist. The ideals of equality, justice, and empowerment continue to guide the nation, but their realization requires constant reflection and action. The Constitution serves not only as the foundational document of the Indian state but also as a reminder that the journey towards a truly just society is ongoing.

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# True Champion of Human Rights

Dr. Babasaheb Ambedkar was a profound thinker whose insights and predictions continue to hold significance long after his time. His perspectives on the partition of India, the establishment of Pakistan, and the urgent necessity for a population exchange were deeply rooted in his commitment to social justice and an acute understanding of communal dynamics. Often overlooked or misinterpreted during his lifetime, his arguments now resonate with alarming clarity, particularly when considering the ongoing struggles faced by Hindu minorities in Pakistan and Bangladesh, who have endured systemic violence since 1947.

In his influential work, 'Pakistan or the Partition of India', Dr. Ambedkar scrutinized the notion of Pakistan as a remedy for communal strife. He cautioned that creating Pakistan would not alleviate these tensions but rather exacerbate



them. He articulated a stark warning: "When Pakistan becomes a Muslim state with full sovereignty over internal and external affairs, the Hindu minorities will have no recourse to an outside authority... The position of the Hindus in Pakistan may easily become similar to the Armenians under the Turks or the Jews in Tsarist Russia or in Nazi Germany." This foreboding prediction has been tragically confirmed by decades of persecution that Hindus have faced in both Pakistan and Bangladesh, with numerous reports detailing forced conversions, abductions, and systemic discrimination that underscore Dr. Ambedkar's prescient concerns.

Dr. Ambedkar was among the few leaders advocating for a mandatory population exchange, arguing that leaving Hindu minorities in a Muslim-majority Pakistan would render them politically and socially powerless. He stated, "There is only one remedy, and that is to shift the population." His rationale stemmed from a pragmatic understanding of minority rights complexities rather than animosity. He drew parallels with successful population exchanges between Greece and Turkey, asserting that while painful, such actions were necessary to prevent enduring suffering.

Regrettably, this counsel went unheeded, resulting in millions of Hindus being left behind in

Pakistan. Many among these minorities belonged to Scheduled Castes and Scheduled Tribes (SC/ST), rendering them doubly vulnerable as both religious and social outcasts. Today, a significant portion of Hindus in Pakistan are Dalits, often relegated to menial jobs such as sewage cleaning—a stark reminder of their marginalized existence. Dr. Ambedkar's assertion that these communities would become "a helpless prey to the fanaticism of a Muslim national state" has manifested into a haunting reality.

Dr. Ambedkar's visionary approach transcended mere critique; he recognized that communal issues would persist in India even after partition. He noted, "While Pakistan can be made a homogeneous state by redrawing its boundaries, Hindustan must remain a composite state." He argued that this composite nature would continue to foster tensions unless substantial population exchanges occurred. He emphasized, "The only way to make Hindustan homogeneous is to arrange for exchange of population. Until that is done... the problem of majority vs. minority will remain in Hindustan as before and will continue to produce disharmony." His insights into the geographical distribution of Muslims across India and its implications for national unity remain relevant today.

Dr. Ambedkar's views on partition and population exchange were intricately linked to his advocacy for Dalit rights. He was acutely aware of how caste intersected with religion, particularly concerning Hindu minorities in Pakistan. Many among these minorities were Dalits who faced oppression from both the Muslim majority and within their own communities. Thus, Dr. Ambedkar's call for population exchange was rooted in a broader vision for social justice aimed at uplifting the most marginalized.

The narrative of Jogendra Nath Mandal, a distinguished Dalit leader and close ally of Dr. Ambedkar, poignantly exemplifies this vision. Initially supportive of Pakistan and serving as its first Law Minister, Mandal soon became disillusioned upon witnessing widespread discrimination against Hindus, especially Dalits, in Pakistan. In his resignation letter, he detailed the systemic marginalization faced by Dalits and the hostility they endured. His eventual return to India underscored the grim realities that Dr. Ambedkar had anticipated.

Mandal's collaboration with Dr. Ambedkar was characterized by mutual respect and shared objectives; it was Mandal's political acumen that helped Dr. Ambedkar secure a seat in the



Constituent Assembly amidst challenging political circumstances. Their partnership highlighted the necessity for unity among marginalized groups in their quest for justice. However, Mandal's experiences in Pakistan revealed the limitations of such alliances against systemic oppression.

Dr. Ambedkar's insistence on addressing minority issues through concrete actions extended beyond politics; he was deeply committed to social and economic empowerment for marginalized communities. His advocacy for population exchange was intertwined with his overarching vision of establishing a society where every individual could live with dignity and security, irrespective of caste or religion.

As we witness ongoing atrocities against Hindu minorities in Pakistan and Bangladesh today, Dr. Ambedkar's warnings resonate with renewed urgency. His insights regarding minority treatment within a Muslim-majority state were not mere speculation but informed predictions grounded in historical context and human behaviour analysis. The systematic marginalization faced by Hindus—especially Dalits—in these nations underscores the foresight embedded in his views.

Dr. Ambedkar's legacy as an intellectual

leader lies in his ability to anticipate the long-term ramifications of political decisions. His call for a population exchange during partition was dismissed by many as extreme or impractical; however, the suffering endured by Hindu minorities over the past seven decades serves as grim validation of his foresight. His focus on social justice—rooted in profound empathy for marginalized communities—continues to guide contemporary discussions on these pressing challenges.

Reflecting on Dr. Ambedkar's vision reminds us of the critical need for proactive measures to safeguard minority rights. His advocacy for population exchange should not be misconstrued as an endorsement of division but rather viewed as a pragmatic solution aimed at preventing prolonged suffering. As we navigate the aftermath of partition's consequences, Dr. Ambedkar's insights provide invaluable lessons regarding politics, religion, and social justice interplay—his forward-thinking vision attests to his enduring legacy as a champion for human rights and equality.

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## SC: Parliament must decide on quota reform after 75 years

The Supreme Court has reiterated that individuals, who have already benefited from reservation and can now compete independently should be excluded from further quotas. However, it stated that the decision lies with Parliament and the executive.



“We have expressed our view that after 75 years of reservations, those who have availed the benefits and can compete with others should be excluded. It is now up to the legislature and executive to act,” said Justice B.R. Gavai, heading a two-judge bench with Justice A.G. Masih.

The court was addressing a plea urging states to implement policies for sub-classifying Scheduled Castes (SCs) for reservation, as allowed by a previous Constitution Bench ruling. While declining to entertain the plea, the

bench suggested the petitioner approach the appropriate authorities for further action.

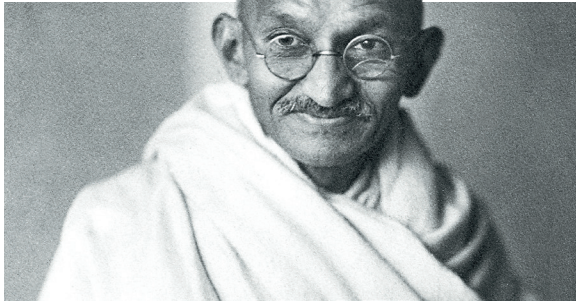
## UGC affidavit in SC highlights action plan against caste bias in universities

In an affidavit filed in the Supreme Court, the University Grants Commission (UGC) detailed steps it has taken to address caste discrimination in higher education. The affidavit, filed in a case by the mothers of Rohith Vemula and Payal Tadvi, referenced a 2019 letter directing Vice Chancellors to act against faculty and officials discriminating against Scheduled Caste (SC) and Scheduled Tribe (ST) students.

The letter urged universities to create dedicated platforms for lodging complaints, maintain registers for grievances, and establish committees to handle discrimination cases. The Supreme Court directed the UGC to collect data on complaints of caste bias and the implementation of Equal Opportunity Cells under the 2012 regulations. The mother of Vemula and Tadvi, who died by suicide due to caste discrimination, have sought stronger enforcement to combat bias in campuses nationwide.

*Compiled by Prajvalant.  
uv@unheardvoices.co.in*

## DIN VISHESH



## Remembering Mahatma Gandhi

**30th January**  
Mahatma Gandhi Death Anniversary

Mahatma Gandhi, known as the "Father of the Nation" in India, dedicated much of his life to the upliftment of marginalized communities. His work focused on creating an inclusive society by addressing social, economic, and political inequalities. Below are some key aspects of Gandhi's efforts for the marginalized:

Mahatma Gandhi was a staunch advocate for the rights and dignity of the "untouchables," a community subjected to severe social discrimination in India. He coined the term "Harijans" (Children of God) to honor their humanity and challenge the stigma surrounding them. Mahatma Gandhi worked to abolish untouchability through campaigns and encouraged upper-caste Hindus to treat Harijans as equals.

Mahatma Gandhi sought to bridge the divide between different religious communities, promoting communal harmony. He believed that an inclusive society respecting all religions was essential for India's progress. Gandhi's work for marginalized communities laid the foundation for modern India's commitment to social justice and equality. His efforts inspired movements worldwide for civil rights, human dignity, and inclusion. While his approaches were sometimes critiqued, his commitment to nonviolence and inclusivity remains a guiding principle for many.



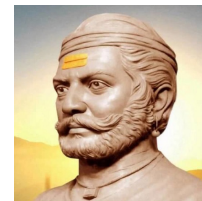
**18th January**  
Mahadev  
Govind Ranade  
Birth Anniversary



**26th January**  
Republic Day



**29th January**  
Jogendra Nath  
Mandal  
Birth Anniversary



**3rd February**  
Umaji Naik  
Death Anniversary



**6th February**  
Sayajirao Gaekwad  
Death Anniversary



**7th February**  
Ramabai Ambedkar  
Birth Anniversary



**11th February**  
Tilkha Manjhi  
Birth Anniversary



**12th February**  
Sant Ravidas  
Birth Anniversary

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