

THE BLOT ON INDIAN POLITY

Vaishnav Kirti Singh

Amity Law School, Amity University, Noida

Indian Political System is one of the most evolved, developed entity having strengthened backbones be it in the form of receiving guidance from quick-witted personalities or entrusting the leadership with the most flourished minds of the nation. Nation went through huge ups and downs, since the inception of political parties and therein witnessed two World Wars, Round Table Conferences, played major role in Indian Independence and harvested the Nation's Constitution, which also enjoy the credit of World's lengthiest, bulkiest and most detailed Constitution. Gradually with passing time, developed enmity with neighboring countries took it to become a player in three major wars which affected the entire nation from head to toe in every sector, but still then the Political System played a crucial role.

Then the decade of 70s and 80s drew closer, system started working for restoring equality in the social and economic strata of the society, focusing on the backward communities and there from the Indian citizen became a witness to the "Upliftment Policy" of the Indian Government, i.e. 'The Reservation Policy of India'.

Exactly, we can't overrule the fact that there were some communities or castes which went through the social flak existing in our society since time immemorial. Words of the upper caste people were the law of the land, no one can supersede them and to stay in the society the lower caste need to follow that. These people from the lower strata of the society went through the worst of their times, that can't be debatable and instead the whole of the society need to accept this hard reality. The living style of the people from both the strata was unparalleled and there existed a huge difference, rich became richer and poor became poorer.

But one point must be noted, that in this span of time also, these disparities were only to be bothered for the people with poor income or substandard living style. Well to do family from lower caste were totally or at some extent were exempted from this social illness, so this point can further be raised that again the picture is revolving around the financial atmosphere existing at that time.

We very well know about the diversified nature of our motherland, India, having inherently diversity in Caste, Culture, Religion, and Language etc. And if in this case, the Government start to implement special measures for any particular caste or religion, then, it will definitely be seen as the other castes and religions are being neglected, which can't be undertaken as it would be opposing Article 15 (1) of the Indian Constitution. On one hand our governments talk about equality, peace and harmony, while on the other hand, it implements Reservation Quota for the backward sections. Yes, The Reservation Policy of

India, which has now become a part of the Vote Bank politics of our Indian Political Parties.

None of the political parties want to indulge them into this, the most debating issue, of 21st Century India, where every individual talks about Intellectualistic approach, Equality before Law, Rights and Duties, Disarmament and World peace. No doubt, we are moving towards Liberalism but are we really Liberal, do we have all that, which is guaranteed to us, by our Constitution and by our Political System??

Though it was devised, formulated, presented and implemented by a political party, in way back year 1901, with further changes in the subsequent years, but now almost every party is carrying a fear with them, that after striking down, this policy, they would be disowned by a large chunk of population or let us call there, "Vote Bank". And because of their, this phobia, every day, every hour, every minute, when an infant is born, he is given the tag of "Forward caste" or "Backward caste", before even letting his first sip of mother's milk go through his/her throat. And this classification is all because of 'The Reservation Policy of India'.

Politics in India having nothing to do with India and development, it has to do with short term electoral gains. There are three pillars which we need to discuss, merit, opportunity and reservation. You can't build a just society where merit has no place. This creates factionalism in society which by the constitution is learned for equality.

If in this way, India is growing to prosper, develop and become a superpower, then this can't be achieved even in the next 80 years. Exactly, how can anyone even think of that, on one hand every people in 121 crore population is fighting on the grounds of caste and class, and on the other hand, the country is singing praise of its development. This can't go hand in hand.

In 1990, during VP Singh's government, the recommendations of Mandal Commission were implemented, on the point that these, so called, Backward Classes were suppressed by the upper classes and had to do their menial jobs as directed by the latter and thus were unable to live a life with human dignity. So to bring them back to a standard, or say, to uplift their position, these sections of society were given reserved slots in higher education and governments jobs, for a period of 10 years and then after the passage of that 10 years, again a review of the situation will take place which would further decide the government's course of action.

But now after the passage of 25 years, and after passing of several judgments, recommendations of various committees, still this policy is persisting and promoting on further developments like raising the bar from 25% to 50%, and reserving seats on minority and regionalism ground.

And now after the passage of 67 years of Independence and 25 years of the implementation of Reservation policy, still, is there any community or group which is lagging behind due to their social status and order prevailing back during, 1950-60s? Is there any community

existing which is socially or educationally disadvantaged? Is there any community, which further needs to be given reservation, on the ground that they are dominated or downgraded in the society? Answer to all these questions are, NO.

Every community prevailing or existing in India is above that imaginary line of Advantaged or Disadvantaged sections, no particular section is superior or inferior, no class is dominating or suppressive, each and every community has the access and outreach to each and every thing in totality, needed for leading a healthy life. Therefore, when everything is at its place, then there is no need to further continue a policy which is dividing and splitting the entire nation into communities and class.

Article 15 (1), says that, the state shall not discriminate against any citizen on grounds of religion, race, caste, sex, place of birth or any of them.

But as an exception and standing as a contradictory, Article 15(4) says, nothing can prevent the state from making any special provision for the advancement of any socially and educationally backward classes of citizen or for the SCs and STs.

Similar arguments can be inferred from Article 16 (1) (2) and Article 15 (4) that the reservation will not be applicable if such members already secure this reserved no. of seats by competition on their merit. And further state cannot ignore the fundamental rights of rest of the citizens.

Backward is not someone was suppressed from the other dominating people or who was born in a socially or literally weak section. Instance of backwardness can be traced when the person is illiterate or educationally weak, not due to affiliation to a particular section, but because of economically weak scenario. A backward person is, who don't know their Rights and Duties and can't fight for their rights, a backward is someone who is not economically sound, someone who don't have outreach to the basic necessities of life. Accordingly, a backward is the person who is economically unwell to live a basic standard of life, due to their inability to reach for educational and health care services, and that has nothing to do with anybody's caste or class.

The reservation should be given to these economically weak sections that are incapable to fight and stand the privileged sections of society, including the so-called, Forward and Backward class of people. Those people who don't have food, shelter, cloth, health, education are weaker, not compulsorily the one who is a OBC or a SC, ST. Not the ones of today, who have the access to mobile, internet, duplex home, world class education and health facility, and then calling themselves as "BACKWARD". Literally, do they possess any criteria to call themselves backward?

Should they gain the privileges of reservation, only on the stance that, "We are the ones who were downgraded and demoted by the Forward caste people and there is a need to uplift us?"