

Before leaving on tour today, the Prime Minister recorded the following minute. Since there was no time left for signing the note on the file, I was directed to communicate the approved minute on the file to the Deputy Prime Minister. The representation of the All India Federation of Backward Classes, SCs, STs and Religious Minorities, as also the letters of the Law Minister and the Minister of Information and Broadcasting, on the subject are placed below for incorporation into the main file:

"As Dy. P.M. has noted I had agreed to deferment of consideration of this question of reservation for the backward classes for the time being. But, on re-consideration, I think that we take a decision in this regard as early as possible. The youth of backward classes are greatly agitated over what they consider their complete exclusion from Central Services as a result of fortuitous circumstances. Constituted as we are, or as a result of a most iniquitous social system based on birth, even persons who otherwise take a rational view of things, are unable to take a judicious or impartial view when a question of the case of a person is involved. I understand some sort of an agitation is being carried on here in Delhi by some youngmen from Bihar belonging to backward sections. I would, therefore, like that a meeting was held at 8.45 A.M. tomorrow (December 7, 1979), that is, before Dy. P.M. leave Delhi for Bombay.

"The Draft Note prepared by the Home Secretariat for consideration of this question by the Cabinet raises three questions:

- (a) 'The Administration must have the services of the best men available in the land and these may be found in all communities. Reservation of posts for certain backward communities would be as strange as reservation of patients for particular doctors.' // Now, this objection could be raised against reservation in favour of Scheduled Castes and Tribes as well, but Govt. has made reservations in their favour.
- (b) That, in view of 'the most crying need to bring about greater social cohesion and more complete emotional integration among the different sections of the population', the stratification of the population into backward sections and others 'may further foster divisive tendencies and run counter to the national objective of establishing a casteless and classless society.'

"Now, the responsibility in this regard must lie mostly on the shoulders of the 'haves' or those few sections of our people who had almost monopolised the higher ranks of the services of the country but, one is grieved to find, there is no such realisation on their part. As a reply made by the State Government of Uttar Pradesh on the floor of the Assembly in 1955, showed, the number of officers of the backward classes had gone down during the period 1947-55 from the figure at which it stood even during the days of the British. This argument about the need for 'special integration', will, therefore, sound most hypothetical to those who suffer or find themselves deprived of their due even sometimes in favour of inferior candidates belonging to the privileged classes.

- (c) That, it was not possible to draw a list of backward classes for the entire country. But this can be said in respect of Scheduled Castes also. The Scheduled Castes' numbers also differ from State to State.
- (d) That, the proposal in regard to reservation of backward classes, as recommended by the Kalekar Commission, is likely to conflict with the Supreme Court's decision that the total percentage of reservation should not exceed 50%. My proposal, however, is confined only to reservation of jobs in Groups A & B and, therefore, according to figures given in the note itself, does not contravene the decision of the Supreme Court in this regard.

My proposal is as follows:-

— The Scheduled Castes and Tribes already enjoy reservation in recruitment to public services proportionate to their population. But there are socially and educationally backward classes other than Scheduled Castes/Tribes, both Hindus and Muslims, who constitute more than 50 per cent of our entire population and yet have little or no place in the administrative map of the country and are therefore smarting under a sense of injustice and deprivation. While reservation cannot be a permanent feature of our polity, in an unequal social order that obtains today, there is no alternative to the policy of preferential opportunities. —

— That is why, in order to redress the gross imbalance in administration, the Backward Classes Commission appointed by the Union Government under Article 340 of the Constitution in 1955, had recommended that 25% of Class I Government jobs, 33% of Class II jobs and 40% in the rest of the Central Government services be reserved for these backward classes. In line with these recommendations, the State Governments of Tamil Nadu, Karnataka, Kerala and Andhra Pradesh had, during the Congress regime, made reservations in recruitment in favour of these classes to State Services in varying proportions some 20 years ago. But no action in this regard has so far been taken in the sphere of Central Government services. The Cabinet, therefore, hereby decides that 25% of the Class I and Class II jobs in the services of the Union Government will henceforth be reserved for these backward communities other than Scheduled Castes/Tribes. —

"I would also like that a major factor of inefficiency and heart-burning that prevails today among public servants not belonging to SC and ST, is removed immediately. I have, therefore, suggested that:

-- Further, it is decided that the principle of reservation shall not apply to higher posts in a cadre which are filled by promotion, either in favour of Scheduled Castes/Tribes or other backward classes. Reservations in promotion has, understandably enough, led to much heart-burning amongst those who are thus superseded and great inefficiency in administration. Also, that sons and daughters of those members of Scheduled Castes and Tribes and backward communities who had themselves secured jobs by taking advantage of the reservation clause or are assessed to income-tax, will not be allowed to take advantage of reservation. --

"As I have already spoken to the Deputy Prime Minister this morning, these two questions -- reservation for backward classes in the Central Services and the Ordinance in regard to the ~~Ruskin~~ Aligarh Muslim University -- may be considered in a meeting of the Cabinet, to be held at 8.45 A.M., tomorrow (December 7, 1979).

"I have told the Cabinet Secretary also accordingly."

Sd/- Charan Singh
6-12-1979"

(C.R. Krishnaswamy Rao Sahib)
Secretary to P.M.,
6-12-1979

S.A. to the Deputy Prime Minister