

In Safe Hands
(Breast beating over OBC quota)

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There is a whole world's difference between how much the State is actually doing by way of social welfare or protective discrimination for the disadvantaged, and how much the privileged classes allege it is doing. To listen to the disgruntled complaints of the latter (always expressed, of course, in the idiom of national interest and never their self-interest) one would think the entire polity and economy have been handed over to the underprivileged, to the detriment of the developmental interests of the 'nation'. All that is needed for the sententious outbursts of the privileged is the enactment of a law, the declaration of a policy or even a mere poll promise. Since nobody bothers to look at how much is in fact done, the underprivileged are losers on both counts: They get hardly a fraction of what they are alleged to be getting, but are held responsible for the country's failure to develop rapidly, a blame that has neither reason nor facts in its support.

The fate of the Mandal Commission recommendations in the Central Universities is a case in point. We hear frequently of the 'Mandalisation' of the country's polity and the economy, a pejorative expression which denotes disaster called upon the country by the Mandal Commission and its political fallout. The reservation provided by the Union government following the Commission's recommendations is regarded as an undesirable instance of buckling under political blackmail, notwithstanding that the reservation has withstood the scrutiny of a nine judge bench of the Supreme Court.

Even less known or considered is the actual fate of the reservations made after so much fuss and turmoil. It is merely assumed that they are being given, and that the country is so much the worse for it. Educational institutions, which have always had a much worse record of implementation of reservations than even the least visible department of the Government, are again in the forefront in this duplicity. It is in the staff rooms – and often the class rooms too - of those institutions, which are the strongest bastion of brahminism, that one hears the most agitated breast-beating about the ill effects of reservations, and yet it is educational institutions that have most successfully escaped the Constitutional obligation. Others merely beat their breasts about reservations, but educational administrators, the intellectual elite of the country, are pro-active in obstructing them.

The Central Government's order directing implementation of 27% reservation for OBCs in all Central Government institutions was issued in 1993. In December 1994 the Government issued a clarification that the order applies also to Educational institutions under the Central Government. Yet, nearly six years later, not a single Central University in the country is giving reservations to

OBCs in teaching posts. When questioned, each one of them triumphantly points to all the others and says 'we are not giving because nobody else is giving'. Such self-justifying unity in defrauding the law has neither legal nor moral justification but educational administrators (most of whom moralise about the Rule of Law at the drop of a hat) feel no sense of shame indulging in it.

They have developed a simple device to this end: they claim that they are awaiting clarifications from the University Grants Commission (UGC), whose directives are binding on them. But the UGC is governed by an Act which says that National Policy directives of the Central Government are binding on the UGC, and therefore a fortiori on the Universities, and all Universities have on their rolls Professors of Law who should be able to explain this much to the decision makers, but such simple logic does not work against the obduracy of entrenched privileges.

As for the UGC, that august institution is apparently not answerable to any one, including the Constitution. These days it is imbued in full measure with the spirit of market-driven efficiency. It declared a few weeks back that SCs and STs would get no reservations in Research Programmes, and changed its mind only when there was much public protest. It has also declared its commitment to 'merit' at all costs by withdrawing an old concession available to blind students who manage to reach the stage of an M.Phil or Ph.D programme, namely that they need not pass the NET examination as is compulsory for others. This it does soon after Parliament, prompted by an international covenant, passed an Act making it obligatory on all instrumentalities of the State to give special facilities to the physically handicapped. It is pushing Universities to switch over as rapidly as possible to self-financed courses, which are accessible only to such as can finance them.

The portals of educational institutions, which shape opinion makers, are thus well protected by our professors-turned-bureaucrats from undeserving riff-raff. So why is everybody still worried about the ill-effects of succumbing to the blackmail of the underprivileged ?

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