

REGROUPING OF DALIT CASTES IN PUNJAB – QUESTION OF RESERVATION

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Indian society has been witnessing the caste system from thousands of years and it is stigma on it like other social evils. The Institutionalized inequality in the caste system manifests its extreme form in the growth of completely segregated set of caste called 'Untouchables', which do not come into the fourfold of Varna system'. Gandhi called them Harijan and officially they are called 'Scheduled Caste' which was first used in 1935 Government of India act. They were imputed with maximum degree of ritual and social impurity while their occupations were held to be the lowest in normative hierarchy. (Ram Ahuja, 1999) Today, the word 'Dalit' is used for them in place of Untouchables. Initially the word Dalit was used for all the downtrodden and exploited sections of society including women, Coined by Jyotiba Phule and popularized by Dr. Ambedkar and Dalit Panther, now it is used only for the Scheduled Castes. The term Dalit in Sanskrit is derived from the root dal which means to split, break, cracked so on. Dalit word is used for the group of people who are downtrodden, split and broken (Sadangi, 2008). They are socially discriminated, exploited and economically backward.

Because of the history of the oppression and exploitation, the Dalits could not make their identity as full human beings and as original inhabitants of India. Identity is concerned with the self esteem and self image of the community. In India a person is identified with his caste in which he takes birth and it goes with him till death. Dalits have been struggling for identity through different movements like Ad-Dharam movement in Punjab, Dalit Panthers movement in Maharashtra, Ad-Karnatka movement in Karnataka, Dalit cultural movement in Maharashtra and Ambedkarite movement in all over India. These movements cultivated courage among them to get themselves free from the stigma of untouchability.

The different social and political movements not only made them aware but also mobilized them and they started asserting themselves for equal rights for them in all spheres of life. They tried to **shun** their identity as untouchables through different Movements, which were given to them by the upper castes. They started making different organizations and associations to fight discrimination against them by the upper castes. But despite many constitutional guaranties and affirmative action of the Government to provide social, economic and political justice, the Dalits are still backward in all spheres of life and are still being discriminated and humiliated by the upper castes. (Although in 1989 the Government of India passed Prevention of Atrocities Act (POA) which clarified the specific crimes against SC/ST and purpose of this act was to curb the atrocities against Dalits but in practice POA has suffered from near failure.)

DALITS IN PUNJAB

Punjab is not an exception of caste system, although being a Sikh dominating state, it claims to be an egalitarian society because there is no place for caste in Sikh religion. The existence of caste system in Punjab is more in terms of political and economic disability rather than in terms of their being untouchables. The caste system is not very vigorous in Punjab due to the influence of Bhakti Movement, Sufism, teachings of Sikh Gurus and Sikh movement for human equality but it is prevalent in its social hierarchical system. During the Sikh movement the cultivators fought against the feudal lords and became the largest landowning caste of Punjab at the top of hierarchical system. It changed the entire social structure of Punjab. Consequently a new Brahminical hierarchical system emerged (Ronki Ram, 2012). A large number of dalits in Punjab were converted to Islam, Sikhism and Christianity in the past. The Dalits who converted to Islam are called Mussalis, who converted to Sikhism are called Mazhabis and who converted to Christianity are called Masih. They converted to other religions to get rid of discrimination, exploitation and humiliation in Hindu religion (Paramjit S. Judge, 2010). Because the upper caste people exploited the lower caste people on the basis of their poor economic conditions, the lower caste people have to rely upon the upper caste for their daily needs due to their worst economic conditions. The green revolution further increased the economic power of upper caste landlords. So, caste system in Punjab is more in terms of economic power.

As per the census of India 2011 the population of India is 1210 million. The 16.6% of population is scheduled caste. In Punjab as per the census of 2011 it is 31.9%. This is the highest Scheduled Caste population of India. There are 39 castes which have been declared as Scheduled Castes in Punjab. Out of these 39 castes the Scheduled Caste mainly comprise of Ad-Dharmi, Chamars, Ravidasia, Sikhs, Ramdasias, Balmikis and Mazhabi Sikhs who have continuously been struggling for their identity. Other Scheduled Castes in Punjab are very less in numbers. The paper will focus on the two categories of Scheduled Castes in Punjab i.e. Balmikis-Mazhabi Sikhs on one side and the Chamars on other. The roots of the Balmikis and Mazhabi Sikhs are the same. The derogatory word 'Chuhra' is used for both the categories. Balmikis profess Hindu religion and Mazhabi Sikhs profess sikh religion. All the sub- categories of chamars mainly believe in the teaching of Guru Ravidas but are professing different religions like Chamars, Ravidasias Ramdasias, Raigar profess Hindu religion, Ravidasia Sikhs and Ramdasias sikhs profess Sikh religion, Ad-Dharmis profess Ad-Dharam and some of them have also adopted Budhism.

Table No. -1 Percentage of Major Scheduled Caste in Punjab

Sr.No.	Caste	Year 1991		Year 2001		Year 2011	
1.	Ad-Dharmi	15.9%	40.17%	14.9%	41.1%	11.48%	34.93%
2.	Chamar/Ravidasia/Ramdasias	25.8%		26.2%		23.45%	
3.	Balmikis	11.1%	41.8%	11.2%	42.8%	9.78%	39.51%
4.	Mazhabis	30.7%		31.6%		29.73%	
5.	Remaining Caste	16.5%		16.1%		25.56%	
	Total	100		100		100	

(Source:- Report of Census 1991,2001 and2011)

BALMIKIS-MAZHABI SIKHS AND THECHAMARS:BRIEF SOCIO-ECONOMIC PROFILE

As per the census of 2001, the available data reveals that the Balmikis and Mazhabi are still very backward in Socio-Economic as well as educational and political spheres. In comparison of educational level of Ad-Dharmis and the Chamars, the Balmikis and Mazhabi Sikhs level of education at middle class level, Ad-Dharmis and the Chamars are 36.2% where as Balmikis and Mazhabi are 31.2%, at matric and Higher Sec. level 48.9% of Ad-Dharmis and the Chamars and 31.3% are Balmikis and Mazhabi sikhs. In technical diplomas and other diplomas Ad-Dharmis and the Chamars are 1.5% whereas Balmikis and Mazhabi Sikhs are 0.5%. At the graduation level Ad-Dharmis and the Chamars are 5.6% and Balmikis and Mazhabi Sikhs are 2% of all the educated person of scheduled castes.

The Mazhabi Sikhs are concentrated in villages and do the labour in landlord's fields, Houses and as construction labourer. They also do the scavenging jobs. The labour in fields is seasonal and the Mazhabi Sikhs who do the labour in the fields of landlords remain unemployed in the months when there is no work in the fields. The agricultural labour has been occupied by the migrated labour and the Mazhabi Sikhs in villages have been shifted to other small jobs. The Balmikis are drifting away from the traditional relationship with the land owners as attached labourers and moved to the cities. (Judge and Bal,2009)

Balmikis do mainly scavenging jobs in private institutions like schools, colleges, hospitals or municipal corporations which shows their worst economic and social conditions. Many of them are also working in municipal corporations on contract basis without job security. They are helpless to do their traditional unclean jobs and that too in worst working conditions without security measures. Most of them face death due to diseases caused by unclean working conditions even before they get retired as it has been observed by the Hon'able Supreme Court of India in case of Safai Karamchari Andolan and others Vs Union of India and others held that the condition of the scavengers is bad in the country. The employment of manual scavengers and construction of Dry latrines (Prohibition) Act,1993 miserably failed to ameliorate the conditions of the scavengers.

On the other hand the Chamars mostly do the business as some of them have big leather factories, tanneries in Doaba region mostly in Jalandhar. Some rear cattles and earn big profits, many of them have migrated to foreign countries. They have a big share in higher posts also due to their better literacy rate.

RESERVATION FOR DALITS

Reservation is an affirmative action taken by the Government for improving the socio-economic conditions of weaker sections of society, which are under privileged or deprived.

There are many constitutional provisions for Scheduled Castes and Scheduled Tribes in India. Article-15 provide for right to equality without any discrimination on the basis of caste, religion, gender and race, Article-16 provide the right to equal opportunities for all, Article-17 provide rights against untouchability.

Under Article-330 the seats have been reserved for scheduled Castes and Scheduled Tribes in the House of People of Parliament. Under Article-332 reservation of seats for Scheduled Castes and Scheduled Tribes in Legislative Assemblies of the States. Under Article-335 reservation for SCs/STs in services. Except these, under Article-243(D) and 243(T) came into existence with the 73rd Amendment Act. 1992, seats have been reserved into Panchayati Raj Institutions and Municipalities for SCs/STs. Article-338 provide for a National Commission for Scheduled Castes (NCSC). So, many constitutional provisions have been made for the welfare of SCs and STs on equal basis without any discrimination. Many policies and programmes are also made by the Government to ameliorate the conditions of the Dalits.

Initially Mazhabi Sikhs did not have reservation as the benefit of reservation as the benefit of reservation could be taken by the Hindus only and they had registered themselves as Sikhs during the census of 1931 under the pressure and influence of Sikh Organizations. But their social and economic condition was not improved even after the conversion to Sikhism. They realized that they have lost the benefit of reservation so they started thinking of changing their religion. After analyzing the situation, the Sikh organizations and the organizations of Mazhabi Sikhs and Ramdasia Sikhs started efforts to get reservation benefit for the untouchable Sikhs like Shiromani Baba Jiwan Singh Mazhabi Dal and Dukhi Khalsa Dal. And ultimately due to their efforts they got reservation in 1956.

QUESTION OF RESERVATION WITHIN RESERVATION IN PUNJAB

Although many constitutional provisions have been made for Dalits and there are many Government affirmative actions to mitigate the woes of Dalits but like in other states of India, in Punjab, the dalits are a heterogeneous group and not a homogeneous group. There are many sub-castes among the dalits of Punjab. No doubt there is some improvement in the socio-economic conditions of dalits in Punjab after Independence but this improvement is not equal for all the categories of Dalits. There are 39 SC categories so the development of one particular caste should not be considered as development of all Dalits because each caste has its own historical background, identity, traditions and problems. But out of these 39 castes there are three major sub castes that are-Mazhabi Sikhs, Balmikis and the Chamars. The Mazhabi Sikhs mostly concentrated in Malwa and Majha regions of Punjab and are associated with the agricultural labour or construction labour. Some of them have been successful in getting jobs due to education and also by taking some benefit of reservation but their number is very small. The Balmikis still involve in their traditional unclean profession of scavenging, mostly in the municipalities. That was the reason for their shifting in the urban areas because of the availability of jobs in the municipalities. Although the jobs in municipalities provide them salary but they started avoiding education because there is no need of education for doing scavenging jobs in municipalities. And this unclean profession not only made them socially backward but also uneducated and unaware.

On the other hand the Chamars have been more successful in improving their conditions in every sphere of life. They have improved their traditional profession of leather and have established leather factories and complexes mostly in the Doaba region of Punjab. Many of them have been migrated to foreign countries. The migration has also improved their economical conditions. The Ad-Dharm movement in Doaba region started in 1925 by Babu Mangoo Ram also contributed in creating awareness among the Chamars. Many of them adopted the Ad-Dharam as a religion in 1931 census and at present the Ad-Dharmis are most educated and aware among dalits of Punjab. The Ad-Dharm movement was started by Babu Mango Ram Mugowalia who was a NRI from Doaba region of Punjab who came from America. He started this movement against untouchability and social discrimination. He called upon all the dalits of Punjab but unfortunately this movement was limited to the Doaba region and largely dominated by Ad-Dharmis or the Chamars. Other categories of dalits could not make them fully associated with this movement for a long time.

Due to their economic upliftment the Chamars have been more successful in getting education and high posts. Much before the green revolution, they had already begun to acquire education among various Scheduled Casts in Punjab, they got the maximum benefits of the reservation policy (Paramjit S. Judge, 2010). But Mazhabi Sikhs and Balmikis could not get much benefit of reservation due to their socio-economic and political backwardness.

The leaders of Balmik Sabha were very anxious regarding the deteriorated socio-economic condition of Balmikis-Mazhabis. The first Balmik Sabha was established in 1901 in Jalandhar, Doaba region of Punjab. But when the Ad-Dharam movement was started in 1925 by Babu Mangu Ram Mugowalia with leaders some prominent leaders of Balmik Sabha, the Balmik Sabhas got weak because its meetings were merged into the meetings of A-Dharam Movement.

In March 1968 during celebrating the death anniversary of Babu Chundi Lal Thapar, who was a renowned Balmiki leader of Balmik Sabha, the condition of Balmikis was discussed and it was noticed that all the

benefits of reservation was taken by Ravidasis or the Chamars only and the boys and girls of Balmikis and Mazhabis were unemployed even after getting education. Bhagat Guran Dass was the then president of Balmiki Sabha and he had done nothing for the welfare and development of the community. Punjab Pardesh Balmik Sabha was almost inactive. Taking into the consideration the worsening condition of Balmikis in every field, a meeting in Kapurthala was convened and it was decided that in proportion to the population of the Balmikis and Mazhabis half of the 25% reservation in jobs should be given to Balmikis-Mazhabis and other half should be given to the other SCs including the Chamars because Balmikis-Mazhabis were almost half of the SCs population in Punjab but were not getting the due share in jobs. The reason for this was that out of the total seats filled in jobs i.e. out of 13%, BMS only got 1% and 12% jobs were gone only to the Chamars so it was decided that out of total 25% reservation 12 ½% should be given to BMS and other half i.e. 12 ½ % should be given to the SC others including the Chamars that means 50-50% Quota system should be applied so that BMS get their due share in jobs. So with keeping in view this struggle for equal share in jobs Pt. Bakshi Ram was appointed as President and Babu Faquir Chand was appointed as General Secretary of Balmik Sabha and now the main office of the Sabha was opened in Ludhiana. Then Giani Zail Singh became Chief Minister of Punjab. The members of the Sabha met with him and the condition of Balmikis and Mazhabis was explained before him by them. It was mentioned clearly that in Punjab there are two major groups of SCs in i.e. Chuhra and the Chamars, BMS come into the Chuhra category and have same origin and Ravidasis, Ramdasi Sikhs, Chamars, Mochi, Ad Dharmi, Julaha, Khatik, Kabir Panthi, Megh all are of a single origin. BMS and Ravidasis have equal population but more infact all the benefits are taken by the Chamars or Ravidasis. Not only in jobs but in political field also the Balmikis-Mazhabis do not get their share. The members of Balmiki Sabha were able to convince Giani Zail Singh. Result of the struggle came out to be very fruitful and on 6th March 1974 in a cabinet meeting headed by the Chief Minister Giani Zail Singh 50% of 25% reserved seats i.e. 12 ½ % in jobs and 7% of the 14% reservation in promotion was allotted to BMS. So, keeping in view the lesser representation of Balmikis and Mazhabi Sikhs in services, the State Government made a policy decision in May 1975 that the 50% of the posts of SCs to be recruited directly shall be offered to Balmikis and Mazhabi Sikhs on first priority.

After that many Balmikis were appointed as chairman in different trusts, boards etc. like Education Board, Improvement trust, Punjab Khadi Board, Transport Board etc. He also nominated BMS as members of Municipal Corporations. He also accepted to set up a Balmik Chair. But Ravidasis opposed this decision of Government.

Later on Babu Jagjivan Ram who was Ravidasi by caste and was important minister in central Government at that time, pressurised the government to take the decision back and he became successful in making the Government to take decision back regarding 7% reservation benefits in promotion to BMS from total 14%. It adversely effected the appointments of BMS on class-I and II jobs. After that selection boards were repealed and selection committees were formed and because BMS were not in class -I and II jobs, the Ravidasi officers became the members of these committees from the quota of scheduled castes who either did not tell other members about 50% quota for BMS candidates or reject them by objecting on them and appointing Ravidasi candidates and it is still continued at present also. (Pt. Bakshi Ram)

Then the Chamars dragged this matter to the court. High court dismissed the decision of the Government on the lines of Andhra Pradesh courts decision regarding the case of Madiga, and Malas. The court said that reservation is for all the SCs of the states and there cannot be internal classification of SCs for providing them the benefit of reservation. The BMS made one committee for taking their struggle further and its name was Balmik Mazhabi Sikh Sangarsh Samiti and Sri. Karnail Singh Sahota was appointed as its president. It is now known as Balmiki Ate Mazhabi Sikh Reservation Bachao Sangarash Samiti. At present the number of Mazhabis-Balmikis in 17 Departments is 2596 and the number of the Chamars is 8705. In 2006 a small committee was also formed to carry forward the struggle and that was-Mazhabi Sikh Te Valmiki 12.5% Reservation Bachao Morcha. After defeat in High Court this Samiti filed a case in Supreme Court against the decision of High Court, that is still pending to the honourable Supreme Court.

Not only Punjab but other states like Haryana & Andhra Pradesh are also facing the problem of dichotomy between the sub-castes of dalits regarding quota in reservation. In Andhra Pradesh there is a dichotomy between Madigas and Malas. Malas have been more benefited by the Govt. policies and administrative changes as compared to other SCs in Andhra Pradesh. The Government of Andhra Pradesh made a classification of SCs on the recommendations of Justice Ramachandra Raju Commission. The commission observed that one particular sub-caste the Malas were enjoying the benefits of reservation, disproportionate to their population.

The Government order of classification gave priority to less advanced sub-caste Madiga over other sub-castes. It was opposed by the Malas and the Andhra Pradesh Government Order was challenged in the High Court. High Court dismissed the Andhra Pradesh Government order and the Madiges took it to the Supreme Court of India. But Supreme Court gave its verdict against the categorization of SCs in Andhra Pradesh in 2006.

In Punjab, the 1975 policy went well upto 2006, when the High Court directed the Punjab and Haryana Government about the illegality of the provisions in response to a writ petition by Gore Singh, a Chamar from Haryana in 2005 against the sub-classification of SCs in the case of Andhra Pradesh. The Punjab state Government immediately turned the official order of 1975 into an Act, in view of the forth coming assembly elections.

Although reality after the sub-classification of SCs in Punjab may be the political but it was for the benefit of Mazhabi Sikhs and Balmikis. The Dalits allegiance had been with Congress but the Sikh Dalits i.e. Mazhabi Sikhs tilted towards Akali Dal on the name of Panth. The Congress made Giani Zail Singh a Non-Jat Sikh, Chief Minister of Punjab. Giani Zail Singh in 1975 directed various departments to offer 50% of the vacancies of the quota reserved for SC, to Balmiki and Mazhabi Sikh on first preference. In Punjab the seats reserved for SC's are 25% and on the basis of policy of 1975, the 12.5% of jobs were reserved for Balmiki and Mazhabi Sikh & 12.5% for other categories of SCs including the Chamars. The motive of congress party was to get the Balmikis and Mazhabi Sikhs votes by appeasing them with 50% quota of reservation in favour of them. But this quota could not appease the Balmikis and Mazhabi Sikhs because they were demanding 50% reservation in education, reservation in jobs was meaningless.

In reaction to the Punjab & Haryan High Court's verdicts against the classification of quotas on 25th July 2006, the Balmikis and Mazhabi Sikhs agitated and organized themselves into a group called the 'Balmiki and Mazhabi Sikh Reservation Bachao Morcha' in a meeting called on 30th July 2006 in Jalandhar (Punjab). The morcha called for "bandh" and demanded restoration of 12.5% reservation for Balmikis and Mazhabi Sikhs in Government jobs as per 1975. Government notification and also extending their demand for reservation in educational institutions. Then they appealed in Supreme Court against the decision of Punjab & Haryan High Court. The operation of the order of the Hon'ble High Court was stayed which is still pending in the Hon'ble Supreme Court for final disposal. (copy of letter no.1818-SWI-75/10451 dated 5 may 1975 from secretary to Government of Punjab, Welfare of Scheduled Castes and Backward Classes department to all heads of departments, commissioners of the Divisions, Deputy Commissioners, District and Session Judges, Registrars, Punjab and Haryana High Court and Sub-Divisional Officers (civil) in the state etc. subject: Reservation for members of SC/ST in services under the state Govt. I am directed to refer to the subject noted above and to say that Government has decided that henceforth 50% vacancies of the quota reserved for scheduled caste should be offered to Balmikis and Mazhabis, if available as a first preference from amongst the scheduled caste candidates.)

It is a matter to be deliberated that why this question of reservation within the reservation was raised. Every community has the right to develop itself in proportionate to its strength. In Punjab out of the 39 scheduled castes Balmikis and Mazhabi Sikhs have the highest population among them but the benefits and opportunities which they have been availing are much lesser than the Chamars. But when the State Government tried to give Balmikis and Mazhabi Sikhs benefit of reservation, the Chamars taken it as an act of injustice for them and started agitating and even dragged this matter to the court.

They must have forgotten the efforts of Babu Mango Ram Mugowalia to organise all the dalits through out Punjab to fight against discrimination & exploitation against dalits. In spite of opposing Government's efforts to give benefit to Balmikis and Mazhabi Sikhs they would have demanding more reservation for all the dalits so that all get equal opportunities to develop themselves. Because it would result nothing but will give opportunity to anti-dalits to break their unity and hence strength. Whatever may will be the final verdict of the Hon'ble Supreme Court, all the Dalits of Punjab must unite and organise themselves against the anti-dalit elements which are becoming more prominent in the present time of Hindutva or Rashteravad and the new avatar of Indian state i.e. Neo-Liberalism, otherwise the future of all the dalits seems bleak.

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