



Agenda for empowerment of marginalized communities

Webinar Convened by: Mr Anis Ansari Ansari(retd IAS)

1- CAA / NRC / NPR

This legal framework sought to be enforced by RSS - BJP governments is unnecessary and will increase corruption and affect economy very severely. It is highly discriminatory against Muslim citizens and violates article 14, 15, 16, 19, 25 etc. of Indian Constitution. It will render about 30 crore landless citizens, 15 crore nomadic tribes and 2 crore homeless citizens, totalling 47 crore of citizens, disenfranchised who because of poverty and illiteracy will have no documents of citizenship needed under this plan. This plan will especially affect STs, SCs, OBCs including Pasmadah Muslims and women etc.

Therefore, efforts should be made to get CAA/ NRC/NPR withdrawn altogether or modified suitably.

Consequent upon the latest order of Supreme Court negating the rights of reservation under Articles 15-16 of Constitution in the Uttarakhand case, a drive needs to be mounted in all the major states taking up jointly the issues of CAA-NRC-NPR and restoration of rights of reservation for SCs, STs, OBCs including Pasmadah Muslims. These communities constitute more than 80% of India's population. We need to launch vigorous drives on these two issues right down to development blocks and villages level. We should persuade major political parties to give a call that Indian citizens will not participate in the process of NPR-NRC-CAA such as INC, Trinamool Congress, NCP, Samajwadi Party, BSP etc.

This was passed by the house. However, a minor addition was made in terms of articulation of slogans like Hum Kagaz Nahi Dikhyenge should not be encouraged. Infact, responsible citizens should facilitate a process of making of documents.

2, Due share to Muslims including Pasmandah Muslims in the political structure.

Indian Muslims constitute around 15% of country's population. In certain states like Assam, WB, Kerala, UP and Bihar their share in the population ranges between 16% to 33%. The main cause of their backwardness after independence has been their under-representation in political structures and government institutions. The first step to mitigate their hardship should be to include them in the structures of political organisation and government such as party organisations, Parliament, Assemblies, Legislative Councils, Zila Panchayat and Nagar Palika Parishads etc. It will be desirable to secure tickets to Muslim candidates in coming elections, place them adequately in party organisation and ensure their participation in government and semi-government bodies at least to the extent of 15%.

The house discussed the usage of word pasmanda also OBC is a classification of socio-economic backwardness, as a category it has nothing to do with religion. However there is a misinformation and misuse of the term OBC, which excludes OBC Muslims. Pasmanda means those who are left behind, so Pas-manda Muslims are those who should not be left behind.

3, Abolition of unconstitutional discrimination against Christian and Muslim Dalits

Article 341 of Indian Constitution provides special provisions and reservation for schedule Caste. Schedule caste is not one community but a schedule of communities/castes. On Aug 1950, The Government of India passed the order (not a parliamentary order but delegated legislation) that the Article 341 will provide special reservation facilities to schedule caste belonging to Hindu Community. In 1950-56, the Sikh Community started an agitation under Master Tara Singh for including backward Sikhs in the scheduled castes. In 1990 Ram Vilas Paswan included Buddhists in the Scheduled castes. So in the schedule of castes only Hindus, Sikhs and Buddhists are getting facilities of reservations. Muslims and Christians are not able to access this facility eg The Dhobi caste in Hindus might be availing benefits but the Dhobi caste in Muslims would not be able to avail any benefits.

In 2004, a writ was issued in the supreme court against the above discussed delegated legislation. The Government of India established Ranganath Mishra Commission to understand this issue. The commission submitted the report by deeming the delegated legislation as unconstitutional or discrimination on the basis of religion and should be removed immediately. The issue was referred to National Commission of Scheduled caste. UP assembly, Bihar assembly, United Andhra passed resolutions that this should be amended. In some cases, Muslims Dalits have formally converted into Hinduism to avail the benefits of reservation for Schedule caste. This order violates the Article 14, Article 15, Article 16, Article 19, Article 21, Article 25 of the Indian Constitution. The political implication of the subject is

immense and is affecting our 36 parliamentary seats and should be taken in a structured way with urgency.

The resolution was passed.

4, Due share to OBC Muslims

Government of India and state governments provide about 27% reservation in employment and educational institutions to OBCs which include Muslim OBCs called Pasmandah Muslim also. However, in reality Pasmandah Muslims have not been able to get their due share under the reservation policy. It will be useful that the category of OBC should be sub-divided into OBCs and Extremely Backward Classes, placing Muslim OBCs in the category of EBCs. Relatively more advanced Hindu OBC communities like Yadav, Kurmi, Koeris and Jats etc. may be placed in OBC list with lesser share, say 8% to 10%. State of Bihar and West Bengal successfully implemented this kind of bifurcation.

After adoption of Mandal Commission, Muslim OBC's and Dalits have not been able to avail the benefits of the reservation policy. In UP alone there are 32 communities of OBC's in Muslim. In Uttar Pradesh, 56% population comprises of OBC and 14% are OBC Muslims. Within Muslim community in Uttar Pradesh 70% Muslims are OBC. In the entire Muslim population of India 85% are OBC. Bihar, Assam and Kerala also have sizeable Muslim OBC population, but in the totality of 27% very little share is seized by Muslims.

We suggest that the 27% category of OBC's could be subdivided in backward, less backward, extremely backward. Mamta Bannerjee has followed this order and Lallu Prasad Yadav did this too with some modification-distributed them into two halves-less backward and extremely backward. Extremely backward should be given more reservation and the share of communities which have advanced with time could be lessened. This recommendation was given by National Commission for Backward Classes to the Government of India. We suggest that Muslim OBC's should be put in extremely backward category. The division should be in proportion to the population.

However, this was contested by the house as this would lead to the fragmentation of the existing OBC.

5, Special component plan for OBCs

GOI and state governments earmark 23% of their development budget to benefit members of SCs & STs. Similar earmarking to the level of 27% of development fund should be made available for OBCs. This in turn will help Muslim OBCs also. It is estimated that more than a lakh crore of rupees will be available especially for the development of OBCs through this mechanism without incurring any extra financial outlay.

Like the development budget is allocated for SC's and ST's, the development budget for OBC's will also get filtered down to Muslims. This was passed unanimously,

6,Support to weaving and handicrafts.

A large section of Pasmandah Muslim population comprises weavers and other artisans who are engaged in weaving and other traditional handicrafts such as chikan work, leather, glassware, brassware etc. The entire weaving & handicraft sector needs more government support in terms of adequate supply of raw materials at reasonable price, market support, credit, diversification and modernisation of technology including waiver of their loans. Therefore, a comprehensive administrative and financial package should be provided to revive textiles and handicrafts. Under loan waiver scheme money should be sent direct to the bank accounts of individual defaulting weavers. In Varanasi and Mau area electricity dues also need to be waived off. Countervailing duty on Chinese silk yarn should be abolished.

Besides handicrafts, Pasmandah Muslims are working in large numbers in meat, leather and vegetable sectors. Modern abattoirs, slaughter houses and cool chains need to be strengthened. Uttar Pradesh is the top producer and exporter of buffalo meat. This boosts tannery in Kanpur & Unnao area, pharmaceutical and consumer goods industries also. This sector needs encouragement as mostly Pasmandah Muslims and SCs are engaged in this sector. Police tend to be biased against slaughter of buffaloes. They should be prevented from acting illegally.

23 districts in UP are hubs of handicraft and facilitation in terms of raw material, technology, credit facility, loan waivers subsidised electricity could help the Hindu and Muslim OBC's and Dalits alike. Infact government could give an impetus to these sectors by becoming the primary consumers like purchasing uniforms for nurses, ward boys, police from these sectors. Furniture could be purchased from domestic industry again. This will help in job creation.

This was passed with some suggestions from the house. Like to get an understanding of the potential of these sectors, the impact of existing governmental schemes and the base line survey of these sectors should be conducted. There could be tie-ups with online shopping vendors for the promotion of these sectors. Information kiosks could distribute the booklets about the existing schemes, ways of availing etc. Artisan data could be collected and used meticulously. Self-help groups of artisans, particularly women artisans could be established.

7,Caste based census

All government schemes connected with OBCs are based on the out-dated Census of 1931 which derived a figure of 52% for OBCs' share in India's population. Under a study carried out in 2017 by Giri Institute of Development Studies Lucknow it was found that OBCs in UP are about 56% of UP's population. Of them 1/4th i.e. 14% happen to be Muslim OBCs.

As the process of Census 2021 may commence from 2020, it will be useful to obtain information about the numerical strength and socio-economic status of OBCs as GOI does for Scheduled Castes and Tribes. Bihar Assembly under Shri Nitish Kumar, Samajwadi Party under Shri Akhilesh Yadav and RJD of Shri Lalu Prasad Yadav have already demanded caste-based census. This will help in formulating policies and their implementation for OBC communities in a more calibrated manner.

This was passed.

8, Enforcement of rule of law

Our Constitution stands for long established human values guaranteeing justice and equality before law for all the people living in the country. Art 14, 15, 16, 19, 21, 25, 29, 30 etc. provide the fundamental framework for protecting marginalised communities. Despite these, a strong bias has existed against Muslims and SCs - STs resulting in loss of life and properties in riots and lynching etc. There is an urgent need to enforce laws strictly against the perpetrators of crimes against marginalized communities and suitable damages should be paid by the state to the heirs and relatives of victims. This will ensure a much-needed sense of security towards ruling establishment and justice system which will go a long way in overall development of these communities.

The resolution was adopted by the house.

9, Women Empowerment

Despite being half of the population, women have suffered in public domain. There is a need to work for providing them reservation in Parliament, Assemblies and Councils etc. and jobs. The proposal to provide 33% reservation to women in Parliament has been hanging due to the fear of the OBC groups that relatively advanced women of urban and high caste background will appropriate most of the seats reserved for women. This fear is not baseless. Therefore, a sub-quota of 27% for OBC women and 23% for members of SC would be a balanced approach to resolve the issue.

Political empowerment of women will have a positive bearing on education and economy of women.

There are some schemes like start up India meant for SC's and women. More and more schemes regarding women's empowerment could be initiated.

The resolution stands adopted.

10, Farmers & landless labourers

Agricultural sector suffers from two major problems of low productivity and over loading of people dependant on the sector for their livelihood. Concerted efforts are required to remove these bottlenecks to make the sector a remunerative vocation. This will necessitate policy framework and infrastructure development in the rural areas such as roads and communication networks, supplies of inputs and processing capacity. A remunerative minimum wage rate for the landless labours goes hand in hand