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RESERVATION IN LEGISLATURES FOR WOMEN - AT BEST A POLITICAL GIMMICK AND AT WORST AN ELITIST MANOEUVRE

In keeping with its Common Minimum Programme and in line with the Resolution adopted by the preceding Lok Sabha at its fag end, the United Front Government tabled the Constitution (81st Amendment) Bill, 1996 at the end of the Budget Session, providing for reservation of 1/3 of the seats in State Assemblies and the Lok Sabha for women. Although a momentous piece of legislation with far reaching consequences, it was' almost' adopted without any discussion with the unanimous "support" of all political parties. But good sense prevailed at the last minute and the Bill has now been sent to a Joint Select Committee. This gives the people a breathing space to ponder over its far-reaching implications and its impact on possibility of reservation in legislatures for Backward Classes under Article 15(4) of the Constitution.

Blocking Reservation for OBC's

The Constitution already provides for reservation in legislature for the SC's and the ST's to a total of 22.5% and there is an increasing demand for extending it to the OBC's which today command 27% reservation in public employment only. The Supreme Court having placed a ceiling of 50% on the totality of reservation, the OBC's demand will be consigned to the back burner, till the Constitution is amended to overcome the 50% ceiling. Thus one way to interpret the haste and enthusiasm with which the anti-Mandal parties have responded to the idea of reservation for women is that they wish to block reservation for the OBC's.

The Constitution already provides for 30% reservation in the Panchayats. Indeed, wherever the PRI's have been established under the new dispensation, hundreds and thousands of women have emerged from the seclusion of their homes into the public arena at the local level. Indeed this experiment which is still incomplete and whose results and impact are yet to be analysed is being cited vociferously by those who favour reservation for women in legislative bodies. However, the function of the Panchayats to execute programmes and oversee the implementation of rural development schemes is quite different from that of legislative bodies whose major task is to enact laws, formulate policies and adopt programmes of action. Unlike members of the Panchayat who are responsible for effective and efficient implementation of official programmes in their immediate vicinity and who can, therefore, combine their normal activities, including that of a rural housewife, with their public responsibility, legislators serve in distant State and national capitals and generally find it impossible to do justice to their normal vocation or profession or business, if they are to apply themselves seriously to their legislative work. Indeed being an MLA or an MP is a full-time political activity. Thirdly, it does not call for technical or specialised knowledge to undertake or supervise a Panchayat level activity while legislation demands mass of knowledge as well as a modicum of experience in some public activity and acquaintance with national and state politics.

However, all this does not provide any rationale or reason for keeping women out of the legislatures. Indeed, as female literacy goes up and there is increasing participation by women in various sphere of activity, women are bound to throw up adequate number of persons who are as qualified to become legislators as men. Unfortunately, this is not the situation at present and it may take at least one or two generations before the female level in education and professions, hopefully, matches that of man.

Without in any way discouraging women from participation in public life, even a cursory look at the contemporary world scene or at history will show that the level of female participation has never quite equalled that of the male, even if some gifted women sometimes reached the very top - the apex of power. But they were exceptions ather than the rule, even in matriarchal societies. In patriarchal and male-dominated societies, of course, women was rarely a participant in public affairs. Even today even in the most advanced, liberal and progressive democracies, with the exception of Sweden, the level of the two is not comparable Certainly no democracy so far has provided for reservation for women in legislature - which our country is prepared to do.

Politically Motivated Move

There are various ways of looking at the proposition Some commentators regard it as an exercise in block-vote politics, as a populist gesture, as an electoral gimmick with an eye on the 50% of the electorate which the women constitute, as a game of one up-manship among the political parties, and, considering the reservations of their leaders and legislators, voiced privately and in whispers, as a tribute that political expediency pays to hypocrisy. One may well ask the recognised parties - all of them - why the representation of women at various levels of your organisation is so poor. Why the women have figured so sparsely, election after election, national or state, in the list of your candidates? Why is it that you have never taken pains or made any deliberate effort to enroll and train women as party cadres or workers; And why this sudden outburst of concern for the deprived women?

A Conspiracy against Emergent Forces

The answer his in the transformation of the political landscape under the unrelenting, irresistible bulldozer of Social Justice. Slowly but surely the absolute and total power exercised by the elite - which has largely a high caste face - is diminishing and the political and administrative and judicial space occupied by them is getting reduced. From the situation of monopoly, they are bound to be reduced to their proportionate share, in due course, as the cry for power-sharing and participation by the deprived and disinherited masses pierces through the ramparts of power. This is bound to happen under a democratic dispensation in a plural, multi-ethnic, multi-religious, multi-caste, multi-racial society like

ours. It is only a matter of time. How do the losing elite, the dispossesed high castes' compensate themselves? Conscious of the higher educational status and political consciousness of their womenfolk, they have taken shelter under the banner of Ultra-feminism and devised the game of Gender Politics so that they can regain on the roundabout what they lose on the swings. The proposal appears to be a conspiracy against the emergent social groups, a pincer move by the dispossessed elite to recoup their loss. This is going to hit the hardest those groups which are still outside the pale of reservation, particularly the religious minorities. The level of their representation in the legislation will diminish further because of general shrinkoge of open space and the 'selective' reservation of constituencies for women.

Women : Not a Caste, Community or Class

Women are organically parts of their particular social groups by birth and by marriage, as daughters, wives and mothers. They share the ethos and culture, the hopes and aspirations of their own group. Women do not form a separate social group, a caste or a community or a class. Granted that within their own group they should not suffer from hostile discrimination, they cannot escape the network of Family, Clan and "tribe". So the high caste elite feel that if their share of power is diminishing, as democracy takes roots and Social Justice becomes a reality, their mothers, sisters, wives, daughters, and daughters-in-law (and even mistresses) should walk in and occupy the space they have been forced to vacate. The thought may not have been articulated in quite such unabashed terms but this is at the back of their mind. After all, all these years, they never took women in politics seriously and always, the wives, daughters and daughters-in-law were pushed into the "vacancy", not as a gesture towards womanhood but towards the 'departed soul'!

Women in Indian Society

Society - governed by the political elite - has never cared for the woman who suffers in one way or the other all her life. Even before birth, she is subjected to foeticide; as an infant, to infanticide; as a girl, to discrimination in nourishment, education and even family life, as a wife, to bride-burning; as a widow, to Sati or lifelong seclusion. She is there to serve; she never eats before feeding her husband; she has to pander to his whims and fancies and always walk a step behind him (even when entering Five-Star hotels). As a working women she is subjected to social harassment; even as a professional she is never an insider. In politics, exceptions apart, she is taken as a butterfly, as a table decoration, as a window dressing. Her views and opinion hardly receive a hearing. What needs therefore, to be done is to raise her social status, give her parity in education and nourishment, grant her control over her body and her resources and income, in short, to treat her as a human being, equal to man in the eyes of the Curator, equal before Law, equal in rights and opportunities. Madhu Kishwar has rightly debunked the move for reservation for women in legislation as an expression of "compartment mentality", irrespective of the direction in which, and the destination to which, the train is moving! The oppression of women in our society, the omnipresent discrimination against her will not cease, the society will not change, merely become the proportion of women in the Parliament goes up from 7% to 33%! A few more "powder-and-lipstick" and "Banarsi Sari" types will not make any difference: they will only be subservient to their parties - controlled by men; they will play the political game of their social groups they belong to; they will generally be no more than "proxies" for their men and 'puppets' in their hands.

Social transformation, to the extent it needs a legal catalyst or underpinning, has to be provided by the legislative bodies such as they are, if they are sincere. Women legislators, it is said, shall pay greater attention to matters concerning the women and the children and such national programmes as education and family planning. May be, but not in opposition to men and never if the social conscience is not touched into political action. And why, one mayquestion should these problems be of concern to women only? Why this attempt to "ghettoise" women, to let them stew in their own juice? No, transformation has to be a joint and common endeavour and legislation is only the end product of a long period of mobilisation and gestation which arouses social consciousness and create a senses of urgency.

Then it is argued that as ministers women will be less ruthless, less corrupt, less communal and less dependent on criminals or even less criminal. One has only to look at the contemporary national scene to find how hollow the argument is. Woman can be just as ruthless, as corrupt, as communal, as criminal, as her male counterpart. In any case, once again to quote Madhu Kishwar, why 'feminise' corruption? And, I add, why 'feminise' crime or communalism?

Man, Woman, Family and Society

In any scheme of social engineering and restructuring, one should never lose sight of the natural differentiation between Man and Woman - in anatomy, physiology and psychology which together define their essential role and purpose. Even the "advanced" countries, faced with problems of juvenile deliquency, pre-marital sex, promiscuity, rape, incest, homosexuality and lesbianism, individual and social violence are beginning to diagnose the basic cause - the disintegration of the Family as the natural unit of human society, of which the women as the Wife or the Mother forms the axis. More than that, woman is the repository of group values and the transmitter of group traditions - the moral and ethical basis of human existence. This explains why throughout human history, mam has been the provider and the defender. No amount of social engineering can escape this essential asymmetry, inherent in and flowing from nature. And yet, we have to find ways to let all flowers bloom, let the full potential of every creative human being be realised and let man and woman becomes equal partners in all social enterprise.

Plea for Hastening Slowly

In all fairness the need for some well-conceived and and well-considered norms must be conceded to make equality of opportunity meaningful for Indian women in the matter of participation in public life. I suggest the following

* Adoption of a Law to Regulate Political Parties, which

conducted further investigations in the case and has filed supplementary charge-sheets before the Special Additional Chief Judicial Magistrate, Lucknow against 9 more persons on 11 January 1996. The Court has taken cognizance of these additional charge sheets.

Liberhan Ayodhya Commission of Inquiry

Proceedings before the Liberhan Ayodhya Commission of Inquiry set up to enquire, inter-alia, into the sequence of events leading to the occurrences in the RJB-BM complex at Ayodhya on 6 December, 1992 continue. The Central Government has produced extensive material before the Commission on its term of reference. The evidence of Central Government closed on 28 October 1994. Subsequently the Government of UP was asked by the Commission to lead evidence. It, however, led no evidence. Thereupon, the Commission directed certain officers of the Government of Uttar Pradesh to file affidavits and records relating to the subject matter of inquiry, which they did.

On the basis of the evidence of Central Government and other records with the Commission, the Commission issued section 8B notices to 41 persons and five organisations viz., Bharatiya Janata Party, Rashtriya Sawayamsevak Sangh, Shiv Sena, Vishwa Hindu Parishad and Bajrang Dal. Most of the noticees submitted applications praying, inter alia, to the Commission to supply relevant material/evidence on the basis of which section 8B notices had been issued to them. The Commission rejected these applications. Some of the noticees have filed petitions in the Delhi High Court and the Lucknow Bench of Allahabad High Court challenging the order of the Commission; the matter is pending before the Courts.

Banning of Communal Organisations

Vishwa Hindu Parishad was declared as an unlawful association on 14 January, 1995 and the matter was referred to the Unlawful Activities (Prevention) Tribunal consisting of Justice K. Ramamoorthy, a sitting Judge of the Delhi High Court for adjudication whether there was sufficient cause to declare Vishwa Hindu Parishad as an Unlawful association. The Tribunal, by an order dated 20.6.1995 cancelled the declaration. The Central Government have filed a Special Leave Petition against the order of the Tribunal before the Supreme Court.

National Integration Council

The National Integration Council has set up a Standing Committee which can be called at short notice to discuss various issues relating to National Integration. A meeting of the Standing Committee of the National Integration Council was held on 3 August 1995 under the chairmanship of the Home Minister to discuss the situation arising out of the agitational programmes launched by the Vishwa Hindu Parishad and its allied organisations in respect of Kashi Vishwanath Temple-Gyan Vapi Mosque and Krishna Janma Bhoomi-Shahi Idgah Mosque at Mathura. ...

TADA

The Terrorist and Disruptive Activities (Prevention) Act, 1987 was allowed to lapse on 23rd May, 1995. However, keeping in view the reach, size and magnitude of terrorist violence in India and the aid, assistance and connivance from across the border to the anti-national elements, the Government introduced the Criminal Law Amendment Bill, 1995 in the Rajya Sabha. Efforts are being made to reach a consensus. As per the directions of the Supreme Court the Central Government as well as State Governments have constituted Review Committees. The meeting of these Review Committees are being held periodically and each and every case is being reviewed periodically. The cases involving terrorist violence are being registered under the relevant provisions of IPC and other Acts in the absence of TADA. ...

Foreigners

According to the reports received from various Missions abroad, 9.69.369 foreigners were granted visas (including 25,080 long term visas) to visit India during the year 1995... Similarly, according to reports received from various State Governments,-a total number of 1,21,923 foreigners (excluding Pak nationals) stood registered in India as on 31.12.1994 under the Registration of Foreigners Act, 1939...

During the period from 1st April, 1995 to 31st March, 1996, 138 foreigners were granted Indian Citizenship by registration under section 5(1)(a) and 5(1)(d) of the Citizenship Act, 1955; 66 foreign nationals married to Indians wee granted Indian Citizenship under section 5(1)(c) of the Act; 16 foreigners were granted Indian Citizenship by naturalisaion under section 6(1) of the Act; 2 persons were registered as Indian Citizens under section 5(4) of the Act and 1 under section 5(1)(e); National status of 64 persons was determined under section 9(2) of the Citizenship Act, 1955....

Foreign Contribution

During the period from 1.4.1995 to 31.3.1996, 1,297 associations were registered under the Foreign Contribution (Regulation) Act, 1976... Prior permission for acceptance of foreign contribution was granted in 600 cases... Applications of 1,000 persons, seeking prior permission for acceptance of foreign hospitality were disposed of during the period from 1st April, 1995 to 31st March, 1996....

Kabir Puraskar

... The awards for the year 1994 were announced on 2nd October, 1995. Four persons have been selected for the Kabir Puraskar - Two for Grade-I and the other two for Grade-II. ...

Proceedings of the Parliament

26 August - 13 September, 1996

I - Rajya Sabha

Resignation

26 Aug : Mufti Md. Sayeed.

Special Mention

13 Sept : On problems of Nepali Refugees from Bhutan by D. Lane.

Government Statement

27 Aug : Statement by P.M. on Amarnath Yatra.
: Statement by H.M. on Amarnath Yatra.

Calling Attention

9 Sept : Statement by Minister of Welfare on Wakf Administration. Discussed.

12 Sept : The Representation of the People (Amendment) Bill, 1996 passed. J. Ansari participates.
: J&K Budget for 1996-97 passed. Md. Salim and MPA Samdani participate.

Private Members Resolution

6 Sept : Discussion on Family Planning Bill (introduced by R.D. Agarwal)

13 Sept : Reservation Bill, 1996 - introduced by S. Khaparde.

II - Lok Sabha

Papers Tabled

26 Aug : A.R. of Central Social Welfare Board, New Delhi for 1994-95.
: A.R. of National School of Drama for 1994-95.
: A.R. of Centre for Cultural Resources & Training for 1994-95
: A.R. of Indian Institute for Advanced Studies for 1994-95.
: A.R. of Indian Council for Social Sciences Research for 1994-95.
: A.R. of Indira Gandhi National Open University for 1994-95.

29 Aug : 41st Report of Standing Committee on HRD on Private Universities Bill,1995.

3 Sept : A.R. of Indian Council of Historical Research for 1994-95.
: A.R. of All India Council of Technical Education for 1989-91, 1991-93 and 1993-94.

6 Sept : SO 2020 under 10(23C) of I.T. Act in favour of:
: Jana Prabodhii Sanshodhan Samiti
: Sri Sathya Sai Central Trust, Bangalore
: Seva Mandir, Udaipur.
: Maratha Mandir, Bombay
: Jain Swetamber Bhandar Tirth, Bombay
: Friends of Moral Rearmament Movement
: Shraddhananda Mahila Ashram.
: Veda Rakshana Nidhi Trust.
: Vivekananda Nidhi
: Ram Pramanans Advaita Math Publicatio Society.

9 Sept : Annual Report of Salar Jung Museum Boar for 1994-95.
: A.R. of Sahitya Akademi for 1994-95.

10 Sept : Annual Report of National Human Right Commission for 1995-96.

12 Sept : Annual Rerport of N.B.C.F & D Corporation for 1994-95.

16 Sept : Annual Report of Medical Council of Indi for 1994-95.

Special Mention

26 Aug : On implementation of Assam Accord o April, 1995 by J. Rongpi.

Government

26 Aug : Statement by P.M. on Amarnath Yatra.

27, 29 & 30 Aug : Discussion under Rule 193 on Amarnat Yatra.

6 Sept : Statement by F.M. on US attack on Iraq.

10 Sept : Representation of the People (Amendment Bill, 1996 discussed and passed.

10-11 Sept: J&K Budget for 1996-97 passed. S.M. Husain, Hannan Mollah, E. Ahamed and G.M. Banatwalla participate.

12-13 Sept: The Constitution (81st Amendment) Bil 1996 moved. Discussed - G.M. Banatwall participates. Referred to Select Committee.

12 Sept : Statement of MHA on Amarnath Yatra.

Private Member's Bill/Resolution

11 Sept : Introduced Uniform Education Bill by R.K Tomar.
: Prevention of Influx of Foreign National Bill by K.L. Sharma.
: Sanskrit Language (Compulsory Teaching i Schools) Bill by P.J. Kurien.
: Indian Citizens Abroad (Voting Right) Bil by P.J. Kurien.
: Lotteries Prevention Bill by V. Goel.

Insaf Morcha:National Convener Shahabuddin's Appeal toUP Voters,2 Sep'96

"In election season, parties and alliances sprout like wild grass. Most of them have no ideological pretention or organisational foundation. To attract attention they make emotional appeals and impossible demands! But really they have one purpose only - to make a deal - votes vs tickets with established political formations. Sometimes the motive is worse: diversion of votes against money.

Muslim votes are the particular target of such wheeler-dealers, because as caste polarisation increases, Muslim votes are the only floating and divided votes available for positive delivery or for negative diversion. One does not know what is their real motive and who is manipulating them from behind the scene.

Today, in UP, clearly the electoral contest has become triangular - the BJP, the BSP-Congress(I), the SP-UF; the last two can, in the Indian context and relative to the BJP, claim to be secular formations with varying degrees of credibility. Their common objective is not to allow BJP to gain an overall majority (213 is the magic number), in fact, to contain it within 175!

Neither of these two formations have the strength to defeat the BJP in <u>all</u> constituencies. Their strength varies from region to region and from constituency to constituency, depending upon the strength of the party, the caste-combination and the status of the candidate. Generally speaking the higher castes (Brahmins, Rajputs and Vaishyas) and the forward section of the Shudras (OBC's) particularly the Kurmis, the Lodhs and a smaller section of the SC's are inclined towards the BJP. One forward section of the OBC's, the Yadavs, form the base of the SP, with some MBC's, some SC's and an overwhelming majority of the Muslims. The BSP controls the most of the SC's, particularly the Chamars and some MBC's and a small proportion of the Muslims. One does not quite know whether the Congress commands any specific support but, all said and done, for historical reasons, it still commands 5-10% votes everywhere.

It is clear, therefore, that in many constituencies, the SP-UF may be in a position to defeat the BJP provided they distribute their tickets wisely and equitably, pick up the right person of the right social group in the right place. **As such, the SP-UF deserves full support in these constituencies of all secular voters, who must vote massively and unitedly.**

But there would still be some constituencies in which the main challenge to the BJP comes from the BSP-Cong candidate because the SP-UF candidate may be weaker in terms of caste, personality and credibility. In such constituencies, the secular voters must assess the relative strength of the candidates of both the secular formations and **vote for the real and effective challenger to BJP, rising above religion and caste.**

The enlightened secular electorate of UP must, therefore, ignore the small parties and independents as well as new formations and alliances, and decide <u>constituency by constituency</u> between SP-UF and BSP-Congress only, vote massively and unitedly for the winning candidate and use its electoral power positively to defeat the BJP and to instal a secular government in UP."

JD: National Executive Resolutions, 31 August, 1996 (Extracts)

On Political Situation

The National Executive of the Janata Dal warmly greats the historic consolidation and the consequent victory of the Parties and groups dedicated to secularism, social justice and federalism achieved in the wake of the Parliamentary General Elections over the divisive forces of communalism....

... The National Executive ... appeals to all the people to close ranks to fight against the common adversary. It calls upon all those colleagues who share this perspective to help in this historic struggle.

On Reservation

The announcement made by the Prime Minister about provision of 10% reservation for the economically backwards among the forward castes is a welcome reiteration of the promise made by Shri V.P. Singh in 1990 as Prime Minister of NF Government. It would however necessarily require all party consultation for a constitutional amendment, enabling Legislatures to go beyond the Supreme Court ban on reserving more than 50% of public jobs.

Reservation for the SC's and ST's will also have to be increased to correspond with their actual population including non-Hindu dalits.

Extension of the principle of social justice to the private sector too has become more urgent in the context of the privatisation programmes.

The National Executive reiterates that while it favours reservations for religious minorities without disturbing the reservations already given to the backward sections among them, it also recommends that steps should be taken to ensure that reservation already given is actually realised. A Committee may be appointed to determine the quantum of reservation.

While TADA has been repealed, those detained under it are still prosecuted under its provisions. This injustice should be set right. ...

The JD believe Government's initiatives on holding the General Election to the J&K assembly and various policy announcements and programmes of socio-economic development by the Prime Minister would certainly resolve the complicated problems in the State. The highest priority has to be given to ensuring the fairness of the elections and maximising the people's voluntary participation.

... The National Executive would like to appeal to all those colleagues who left the Party before the Parliamentary General Election to rejoin us in this quest. ...

Shastri Ramachandaran On Thackeray-Deve Gowda Meeting

... At a deeper, and more important, level the Thackeray-Gowda meeting indicates that in the ardour spawned by the amorality of coalition politics the terms of endearment are constantly changing. Each constituent is, even if not explicitly, distrustful of the others and even on the look out for new partners and sources of support. Since the coalition is not held together by any ideology but the glue of office, this sticky pursuit need not exclude ideological foes. It is like a marriage condemned from the beginning as one which will turn sour requiring, therefore, the presence of hopefuls in the aisle.

Deve Gowda, despite seeming to be out of his depth in the treacherous political waters of Delhi appears to have grasped the benefits of charting his own course. His partners may speculate, protest, jeer or distance themselves from his actions but can eventually be humbled into submission. All that he has to do to accomplish this is tell them that he did not want this job; that he came with three bags from Karnataka; and that if they do not want hm he can pack those three pieces of baggage and return to Karnataka. This mantra has not failed so far.

Baffled Partners

The Thackeray-Gowda rendezvous has outraged and baffled UF partners but their own history of compromises has made cowards of them all. Gowda has yet to be openly confronted by any of the UF constituents for transgressing the 'secularist-communal' divide to chat with Thackeray. The CPI and the Congress have been the loudest, after Janata Dal president Laloo Prasad Yadav, invoicing their objections with the Tamil Maanila Congress (TMC) and Telugu Desam Party (TDP) taking care to record their disapproval. V.P. Singh, in his own inimitable style, sought to contain the damage ... to the ... image of the UF by flying down to Bombay to meet the widow of the Sena's alleged victim. But none of them has squarely denounced Gowda, and is unlikely to do so.

Gowda's advantage is that no immutable dividing lines between 'communal' and 'secular', 'democratic' and 'fascist' have been drawn before. These lines are drawn during the course of action, dictated by political opportunism and incestuous possibilities of who can go with whom for what objective, unless such lines are firmly drawn by principles all obligations to 'secularism' will remain imagined and all duties to 'democracy' fake. None of the UF constituents or leaders can live down their past of association or collaboration with forces that would fit their definition of 'communal' and 'fascist'.

The Congress party harbours in its ranks leaders wh have not only made peace with the Shiv Sena but ever struck covert deals with it. Bachchan's association wit Thackeray has never been a secret and neither Raji Gandhi nor his widow let this fact sully their friendshi with the Big B. His being embraced by the 'first family of dynastic politics has never been considered an odiou liability by Congressmen who are today berating Gowd for meeting Thackeray....

The CPI, which was virtually a Congress poodl during the authoritarian years of Indira Gandhi an gleefully joined in the repression of Jayaprakash Narayan's movement and the terror regime of th Emergency, betrays all the evangelical ardour of the new convert. This was the same CPI which had joined th Congress in mounting an "anti-fascist" conference t discredit the rising democratic tide against Indir Gandhi's absolutism. Laloo Yadav, who now coddles th CPI, was an activist in JP's movement. Today the 'anti fascists' of yore have joined the very "fascist vermin" they scorned in the seventies.

Fearful at the BJP having come within striking distance of power, the DMK has been proclaiming that i does not believe in "political untouchability". This is a advance alibi in the event of the party having to keep o the right side of one that may come to rule at the Centre Despite the repression of its leaders and cadres after th dismissal of its ministry during the Emergency, the DMK embraced the Congress in 1980 and was willing to do s again in 1996. Instead it settled for Congressmen, who though they had left the parent party, had been inveterate foes of the DMK.

The TMC leaders who flaunt their secularis credentials as part of the UF coalition were not averse t keeping their lines open to the BJP. And P Chidambaram's admiration for Rajiv Gandhi was neve affected by the latter's friendship with Bachchan Chidambaram ... felt 'suffocated' in the Congress o Narasimha Rao but not in the party's authoritarian structure commanded by Indira Gandhi or her two sons N. Chandrababu Naidu's TDP has ceaselessly accused th Congress of being "undemocratic" and "communal". Bu Naidu finds himself in a bind over the Alamatti dam h takes refuge in the company of Narasimha Rao.

... Even an omnibus entity like the UF ca accommodate only one person in the driver's seat. There cannot be a driver and a committee assigned to the task o steering...

(Source: The Times of India, 11 September, 1996)

Caste and Community: The Fabric Holds Firm

Myth: Politics is dominated by casteism and communalism.

Reality: A polarisation of public opinion has not taken place, at least not along ethnic fault lines.

In our survey, less than 2 per cent respondent said that they took guidance from local caste-community leaders in deciding who to vote for. Half of them - including a substantial proportion of Muslims and Dalits - said it is not important for them to vote the way their own caste/community votes. Significantly, in this respect the picture has reversed since 1971. Now fewer people feel that their own caste/community votes en bloc. The percentage of those who see their caste/community voting for different parties has more than doubled in this period.

It may be hasty to conclude that voting according to caste-community has ceased to take place. It might be the result of the recent rise in the politics of coalition building among castes and communities. It is significant that in the last quarter of a century, the proportion of those who name a party which looks after the interest of their caste/community has increased.

Three-fourth of the respondents either did not notice any change in the relationship among various social groups over the past five years, or felt that there was greater harmony than before. The tension was seen to have increased more in the relationship between the rich and the poor. And what is more, support for the politics of violent strength has gone down by half between 1971 and 1996.

Finally, the survey provides a clear evidence that the divisive politics of the last decade - Mandal, Mandir etc - has not led to any sharp ideological polarisation.

Six years after the Mandal agitation, there is a surprisingly high degree of support for job reservations for the OBCs across the social spectrum, notwithstanding a feeble protest from the forward caste.

Despite serious differences on the communal question, the principle of secular state is not under question. A vast majority feel it is the responsibility of the Government to protect the interest of the minorities. This includes a majority of the BJP voters. There are, of course, differences.

P.V. Narasimha Rao on Caste

But how ... does a Brahmin or a Reddy or a Yadav or a Jatav or any other caste-labelled bastard know that his mother had not slept with a stud-bull of another caste and had begotten him, complete with caste seal and label? How can anyone assert that this nation, or any nation for that matter, is not composed of a vast number of unidentified bastards? ...

Does Your Caste/community Generally Vote for one Party?

	1971	Hindus	Muslim	1996 All
One Party	35	26	32	27
Different Parties	22	48	49	48

Is it important for your to vote the way your Caste/community votes?

	1971	1966 (All)	OBC	Muslim
Yes	51	30	26	37
No	30	50	50	47

Does any party look after the interests of your Caste/community?

Those who say Yes			
1991	14		
1996	17		
Muslim	23	Dalit	23

Relationship among Social Groups in last 5 years

	Greater harmony	Greater tension	
Caste groups	62	19	
Religious Groups		44	25
Rich and Poor	38	37	

Political struggle which may lead to violence is

	1971	1996
Proper	26	13
Improper	39	65

Should there be separate civil codes for each community?

Yes	45	Those who says Yes
No	35	Hindu 42
		Muslim 67
		Christian 54
		Sikh 51

Should there be reservation in government jobs for OBC's

Yes	71	Those who says Yes
No	16	Upper caste 56
		Dalit 84
		OBCs 77

Government must protect interest of minorities

Yes	63	Those who says Yes
No	8	Hindu 60
		Muslim 83
		Christian 73
		Sikh 54

(Source: The India Today, 31 August, 1996)

Amulya Ganguli on the Prospects for BJP

By its own admission, the BJP's central leadership opted for a compromise last year to defuse the factional squabble in the party's Gujarat unit because it did not want a split on the eve of the general election...

What is noteworthy about this episode is the element of dissimulation... Clearly, the BJP's central leadership was play-acting when it revoked ... Vaghela's suspension, removed Keshubhai Patel from the chief minister's post and pretended that all was well. It has also to be noted that the person sent to Gujarat to carry out this act of deception was none other than the celebrated poet and orator, Atal Behari Vajpayee, who is said to represent the BJP's "human face".

Evidently, the 13-day prime minister's moderate image is used by the sangh parivar not only to deceive the Indian public with promises to freeze all contentious topics on the parivar's agenda like abrogation of Article 370, construction of the Ayodhya temple, introduction of uniform civil code and so on, but also to charm the BJP's own dissidents into submission. There is little doubt that the man is worth his weight in gold, or bricks with Ram inscribed on them...

... Vajpayee's utility to the parivar as a mediator has suffered a serious setback. The game of deception can be played only once. So the next time Vajpayee is wheeled out to project a kinder, gentler face to the outside world, few will believe him.

In a way, this is the inevitable fate of all moderates in an extremist party. The latter may use them on certain occasions and even project one ... as a frontline leader while the hardliners huddle in the background, out of the public eye. But the moderates have no determining influence on the party. Only the politically naive can believe, therefore, that the moderates in the BJP should be encouraged so that they can help the party to shed its angularities...

The Gujarat ... rupture has taken place just before another crucial election - that in UP. A setback there, such as being unable to secure a majority in the Legislative Assembly, can be no less demoralising. The BJP presumed that it would have an easy run in view of the expected division of the non-BJP votes between the BSP-Congress alliance and the Samajwadi Party. But two new developments have complicated the situation.

One is the Vaghela factor. Like a betrayed wife, the Gujarat leader is likely to play the backward caste card with a vengeance, thereby widening the backward-forward divide that is very much in evidence in the BJP's UP unit.

The other is the Shiv Sena factor. As the election day approaches, it will become increasingly clear that the BJP has been unable to provide a stable government not only in Gujarat, but also in Maharashtra, the two States where the Hindu brigade's electoral victories... had given advance warning about the Congress's downfall.

What is significant is that in both the States, the BJP's discomfiture is ... due to its own internal problems. While the Gujarat factionalism resembles the familiar Congress disease, the strains in ... Maharashtra have lessons for all votaries of ultra-rightist politics.

For a start, they show that a shared antipathy towards the Muslims is not enough of a binding force. They also show that even an increase in a coalition's popularity does not ensure its cohesion. Although the Shiv Sena-BJP alliance secured a higher percentage of votes in 1996 than in 1995, the two are drifting apart. The reason goes beyond what usually undermines an opportunistic alliance - individual greed and ambition, although these are also present in full measure. But there is something more which is disrupting the Maharashtra combination. It is the fact that Bal Thackeray's outfit is not a normal political party. Its rise to power has also been along unusual routes...

... In Shiv Sena, the lumpen elements have always been in the forefront... part from the fact that its ideology - if it can be called that - has changed with the requirements of the time from a purely local, sons-of-the-soil bias to the present one. The Shiv Sena has also been unable to change its heavy-handed style of functioning....

The result is an embarrassment for the BJP... In the BJP's view, the tie-up with the Shiv Sena is a morganatic affair which has to be generally kept under wraps. But the latter resents such a superior attitude and is determined to show that it is no less respectable an organisation than the BJP. Hence, the proposal to join the Federal Front. If the BJP can woo these parties, why not the Shiv Sena?

The fallout of such wrangles on the UP contest cannot be gainful for the Hindutva lobby. It is the avowed objective of both Vaghela and Bal Thackeray that the BJP does not become stronger than it is. In this, their aim is no different from that of the secularists...

(Source: The Indian Express, 5 September, 1996)

Smita Gupta on Muslim Voting in UP

... As far as the Muslims are concerned, they will continue to vote for the strongest non-BJP candidate, with the advantage remaining with the UF: for one, the Congress has not been forgiven for not protecting the Babari Masjid; secondly, the Imam of Jama Masjid's fatwa in favour of the BSP has not pleased the community - as recent letters in the Urdu press testify.

(Source: The Times of India, 21 September, 1996)

Swapan Dasgupta on Religious Minorities as Political Cannon Fodder

... As speaker after speaker from the opposition benches rose to praise Vajpayee the man and at the same time denounce the BJP for its lack of commitment to secularism, they ended up conveying the impression that only the minorities stood in the way of the mandate being taken to its parliamentary conclusion. When Vajpayee demolished the myth of the BJP lacking support of the dalits, the Scheduled Tribes and the Sikhs, he was merely confirming the underlying rationale behind the polarisation; effective governance was being vetoed for the sake of one community.

This is indeed the major trap that both the secularists and the Muslim community have fallen into. By unwittingly submerging their identities, they have posited themselves against common sense and against consensual wisdom. For the anti-BJP parties there is still a way out since they have other social constituencies to cater to. But the Muslim community can hardly rejoice in the knowledge that they were made the cannon fodder in a game of power politics. They were seen to be the real force behind the opposition's veto of the BJP government, thereby confirming Vajpayee's lament that the Hindus felt beleaguered to the point where India now has a majority with a "minority complex".

...Not only are Muslims finding it increasingly difficult to get elected from mixed constituencies, but practical considerations are making it virtually impossible for even non-BJP parties to field Muslim candidates in winnable seats. Muslim representation in the Lok Sabha has fallen steadily from the high of 47 in 1980 to 25 (minus Jammu & Kashmir) in 1996. In states such as Maharashtra, Madhya Pradesh, Rajasthan, Gujarat and even Andhra Pradesh (outside of Hyderabad city) and Assam, it has become a Herculean task for Muslims to win a parliamentary seat.

While articulating "Muslim" interests, the secularists appear to be losing sight of the Muslim community's growing marginalisation, except as solid vote banks. At election time, considerable importance is attached to the shrewd tactical voting by Muslims to defeat the BJP... What has been conveniently glossed over is the countervailing tactical voting by Hindus.

Reports from all over Uttar Pradesh and even Bihar suggest a growing inclination on the part of Hindu voters to vote tactically against the candidate being preferred by their Muslim neighbours. In the Bhojpur region of Bihar, even the CPI(M-L) has suffered on account of its supporters switching at the last minute to the BJP as a reaction to Muslims turning out for the Janata Dal.

The Muslim leadership needs to ponder over the implications of this trend. It is one thing for Muslim intellectuals to rail against Brahminical hegemony, but when this becomes coterminous with a parallel endorsement of opportunism and social fragmentation, reaction is bound to set in. ...

... By mortgaging enlightened self-interest to self-serving secularism, the Muslim community has done itself a great disservice....

(Source: The Indian Express, 1 June, 1996)

India Today on Voting Behaviour

Myth: Elections in India are decided by the so-called vote banks. The voters do not think or act as individuals. They act as a herd, and votes are bought through middlemen...

Reality: The ICSSR-CSDS-India Today poll shows that social groups do tend to vote in similar directions, but no group is ever completely homogeneous. Even when they vote in a similar direction, it is not because of any collective conspiracy or herd mentality. Their shared circumstances lead them to arrive at similar conclusions through independent reasoning. A substantial chunk of votes decide on their own.

Ever since the beginning of social-scientific surveys on the Indian elections in the '60s, there is abundant evidence to show that vote banks simply do not exist. Some parties do get more than their average share of votes from certain castes or communities. Sometimes there might be localised en bloc voting. But there has never been anything like en bloc voting by caste or community groups at the state or national level. In 1971, in the heydays of Dalit-Muslim 'vote bank', the Congress did not get more than 10 per cent over its average vote share among these communities. An analysis of the 1996 Lok Sabha election voting behaviour (India Today, May 31) confirmed this picture once again. In Uttar Pradesh, it was an election marked by extraordinarily intense caste polarisation. Even then every party lost at least one-fourth of the votes of the caste/community supposed to be its vote bank.

The present survey throws fresh light on some related aspects of the vote-bank myth. It questions the assumption that the turnout varies dramatically from one caste or community to another. In the '96 Lok Sabha elections, all sections of society recorded a turnout in the range of plus or minus 3 per cent from the national **average of 57 per cent.** Unlike western democracies, the turnout in an Indian election is higher among the disadvantaged - the very poor, Dalit and rural voters. Contrary to popular myth, the Muslims recorded a lower turnout than the national average. The rich, the educated and the urban voters were less enthusiastic. At a time when democracies are being reduced to a formal political market, it continues to be a vehicle of social transformation in India...**(Source: India Today, 31 August, 1996)**

Shahabuddin's Open Letter to Khalid Sabir, Editor, News from India, 22 August, 1996

This is an open reply to your open letter to me published in the latest issue of News from India. I do not comprehend your motive or its timing, for in all your personal discussions with me over the years since you returned to India, you never pointed out the 'defects and deficiencies' of my personality. I wish you had. In any case I thank you for your concern and suggestion.

Permit me to make some comments, both on your general concepts as well as on your particular point about myself. Let me begin by saying that I have never claimed to be the leader of the Muslim Indian community or even a Muslim leader, far less the Sole Leader. Never have I sought the seat vacated by Jinnah on the creation of Pakistan which I consider, without any ill-will towards Pakistan or its people, as a great tragedy for the Muslims of the Sub-continent. I also recall that when the Hindu forces began castigating me as the Second Jinnah, I reacted by declaring that while I was proud of the comparison, I aspired to be the Second Nehru!

What I find interesting in your letter is your desire to see me in the role of Jinnah, while Jinnah does not at all fit your prescription for a Muslim leader or even a mass leader. Except for occasionally wearing a Shervani and donning what can to be called the Jinnah cap, Jinnah never tried to 'shape and mould himself as per the wishes and aspirations of the people'! By all accounts, he was a cold person and did not care to develop close and personal ties with the people and even with his immediate colleagues. His style of living was earth-and-sky apart from what you all 'collective living' of the Muslim masses. He never showed any humility or tolerance for the others' point of view. Indeed he was arrogant and self-righteous, never suffered fools and never showed patience for base motives, never cared for worthless opinions and long winding, futile debate. He was imperious, haughty and aloof and never made any populist gestures or cared to follow the popular approach or even seek the endorsement by the other leaders of the League. Yes, he espoused, after 1940, a vision which captured, rightly or wrongly, the imagination of the Muslim community and created a wave which swept away all the leaders and leader-lets of the Muslim community. Those who wanted to survive had no option but to take shelter under his umbrella!

Yes, times were different; politics had a slower pace, it was much simpler, much less complex then it is today. A single point programme for resolving the mega problem - submergence or survival after independence. Today, the political dilemmas, the problems and options, the levels and the dimensions are far more complex. There cannot be a one point solution; there cannot be a 'sole' leadership. The country and the community need capable, enlightened, progressive and honest leadership at each level, for each problem.

Since I entered politics, I have always stood for the option of secular politics and worked through secular parties. I have refused to join or lead a Muslim party! Communal politics, I feel, is suicidal and at least self-defeating and in the long and short run feeds Hindu communalism. At the same time, I have also struggled for safeguarding the constitutional rights of the Muslim Indians, as of all religious, linguistic, cultural and ethnic minorities and for their right, above all, to their identity. I have been dubbed communalist, fundamentalist and worse and I have been hunted. I have stood my ground because I feel that the survival of the Muslim Indian in dignity and equality, besieged as they are by the chauvinist forces, is related to the survival of the Secular Order, the strengthening of the Secular State, and the understanding and support of the Secular Forces. I have no desire to enter the terrain (I call it the wasteland) of Muslim politics. I leave the privilege to you and to others who think like you and to the predators and demagogues who prey on the Muslim community, rouse its emotions and play with its sentiments. If you think, that any one of you could become a Jinnah and the defender the community from Hindu Fascism, some one, more mass-oriented, less bureaucratic, more humble, more patient, more tolerant, more cordial, he should take' the plunge. Why should you try to 'lead' me into a course of action, I consider futile and suicidal?

Your very well-argued thesis which almost succeeded in inciting me to change my political line and run towards the mirage of Muslim politics and secure for myself Jinnah's still vacant seat, errs unforgivably on a question of fact. It is not true that I 'hardly visited' my constituency or employed diligence to cultivate my electorate. I visited it at least 30 times during 3 years more than perhaps any other M.P. and most of the time, spent 6-7 days among the people, visiting distant and almost inaccessible villages, which not even an Assembly candidate had visited, using jeep, motorcycle, cycle, bullock cart, walking under the Sun and wading through mud and waist-deep water. Incidentally, his Jinnah never did - nor could he have done it! Personally and through letters, I placed the needs, problems and grievances of my people before the authorities at various levels, the block, the District, the State and Centre. The pace of development, in this period, despite the inefficiency of the State Government and the corruption of the officials and local leaders, achieved an unprecedented tempo. Yet I lost and I have explained the reasons thereof in the Muslim India of May, 1996.

I also notice an element cavy stay in your letter. Yes,

I was a civil servant and I have an unblemished record which I have every reason to be proud of. I acquired valuable and useful experience and got acquainted with problems, national and international, in many parts of the world. When the time came to leave it all behind me, I did, without any regret. I changed my life-style and adopted the living of the common mean. For me politics has been, thanks be to Allah, a politics of service, not of aggrandizement. No one can accuse me of corruption which has become the hallmark of the political and bureaucratic culture, indeed their meeting point.

I cannot relive my life; I cannot disown my past. And thanks be to Allah, I have achieved eminence at every stage of my life - as a student, as a teacher, as a diplomat, as a lawyer, as a parliamentarian and as a politician, even as a writer, so much so that, with all my faults and failings, defects and deficiencies, you see in me the potential of a second Jinnah! Why should I be ashamed of my past? And why should I suffer self-serving incoherence? And why shouldn't in the midst of stinking corruption, I be proud of my integrity and I feel ashamed of the bargaining that our 'great leaders' have engaged in.

Why do you feel so strongly against Muslim India? Has it hit some raw nerve of yours recently? Yes, its objective is to compile a record for posterity, of the beautiful and the ugly, of the options before the community, of the quality of those who make promises to the community or claim to lead it and who bargain the honour of the community at every turn and who sell their souls for thirty prices of silver, who work, sometimes even consciously, for its enemies ...

I have made more visits to the sites of human tragedy then you can imagine. I have met more people than you can count. I know my people; my people know me; they come to see me; they write to me. But I have no desire to carry anyone on my shoulders or to build up local and regional giants who are mental and moral dwarfs.

The malady of the people like you is the urge for back-seat driving. You want a Leader, but on condition that you can lead him! In any case, you have to look for someone else - **NOT ME.**

SP: Views of Mulayam Singh Yadav

There is a definite understanding between the BSP and BJP... In the event of none of the political parties getting clear majority, they will join hands again.

Triangular fights suit us more. The revival of the Congress will only alert the BJP. After all the Congress will cut into their votes and not ours. A straight fight with the BJP would have been more difficult.

The minority vote has further consolidated in the favour of the United Front. Now that the BSP has allied with the Congress the minority will not go at all with the former.

(Source: The Hindustan Times)

* **HAMZA KADANNANMANNA** awarded National Award for Teachers for 1995-96.
* **MOHAMMED SARWAR YUSUF KHAN (Dilip Kumar)** gets Al-Ameen All India Community Leadership Award, 1996.
* **A.P.J. ABUL KALAM** awarded the Prof. Y Nayudamma Memorial Gold Medal. Hyderabad, 8 August, 1996.
* **S.A. ABBASI** selected for International Award by International Desalination Association, US.
* **MAQBOOL DAR,** M.P. inducted as MOS in Deve Gowda Ministry. New Delhi, 10 July, 1996.
* **KHALIQ ANJUM** appointed Vice Chancellor of Jamia Urdu. Aligarh, 21 July, 1996.
* **RAFIQ ZAKARIA** appointed Chancellor of Jamia Urdu, Aligarh. Aligarh, 23 July, 1996.
* **ABDUL MOGHNI** appointed Vice Chancellor of Mithila University. Patna, 29 July, 1996.
* **ABUL KALAM** awarded Gujarmal Modi Award. New Delhi, 9 August, 10996.
* **QAMARUL ISLAM and P.M. SAEED** nominated member of Central Haj Committee.
* **MOHD. HADI ANSARI (UP), SYED ALI(TN) and ZIAUDDIN ISLAHI(UP)** (for Arabic) **and AKHLAQ QASMI (DELHI), SYED WAHEED ASHRAF (GUJARAT), ZILURAHMAN (UP)** (for Persian) awarded Presidential Awards. New Delhi 10 August, 1996.
* **S.N.A. RIZVI** appointed President of Indian Society of Nephrology. New Delhi, 12 August, 1996.
* **SALMAN KHURSHID** appointed Chairman of External Affairs Cell of All India Congress Committee (I). New Delhi, 13 August, 1996.
* **A.M. KHUSRO** appointed Patron of Federation of Merchant Banking and Finance Companies. New Delhi, 20 September, 1996.
* **SHARIFUZ ZAMAN LASKAR** appointed General Secretary of All India National Students Union of India. New Delhi, 20 September, 1996.
* **ANWAR JAMAL KIDWAI** awarded Khuda Bakhsh Award (1993-94). New Delhi, 24 September, 1996.
* **MUSTANSIR BARMA and HASNAIN** awarded 1995 Shanti Swarup Bhatnagar Awards for Science and Technology. New Delhi, 26 September, 1996.
* **HAMIDA AHMAD** appointed Member of the University Grants Commission for a term of three years. New Delhi, 27 September, 1996.
* **IMTIAZ AHMADKHAN, IAS,** nominated Chairman, New Delhi Municipal Committee, 28 Aug.1996
* **V. ABDUR RAHIM, EHTESHAMUL HAQUE NADVI AND BADRUL HAFIZ,** Arabian and Persian Scholar, recive Presidental Award, September, 1996

SK Sadar Nayeem on Muslim Leadership

... Amid ... bargaining stands the bemused ordinary Muslim [redacted] are men of straw, his franchise a commo[redacted]n the political bazaar. The Muslim vote has [redacted]portant: his hopes and aspirations interest [redacted]is the paradox confronting India's largest m[redacted]nity.

Act[redacted]ole business about seeking the community's combined ballot is flawed. Time and again, the "monolithic" Muslim vote bank has been proved a myth...

Despite (these) claims about a collective Muslim mandate persist. Some "leaders" of the community thrive on such talk. All this serves to further stereotypes about the community and removes attention from the real problem of Muslims in India - economic and socio-educational backwardness.

In the immediate aftermath of the general election, non-BJP political parties forged alliances to "defend secularism". Such attempts are now being repeated before the UP elections. Is this activity guided by ideology or is it a means to gain power, using secularism and the rights of minorities as a ruse? Sections of educated Muslims have begun to wonder. Ironically, even some Muslims who are no supporters of the BJP speak of it being less hypocritical than its opponents. Wary of both foes and apparent friends. India's Muslims are rudderless, directionless - and increasingly cynical.

The tragedy begins with the community's traditional leaders. These include sections of the clergy and politicians who have benefitted from governmental largesse, thus warning the epithet "sarkari Musalman". These people have yoked the fears of the community, worked to keep it psychologically insular and one nothing to better its educational indices. They have only harped on a cultural identity.

The result is that Muslims comprise 14 per cent of the Indian population but one per cent of the civil services. The community's per capital income remains five per cent below the national figure. The old leaders must accept the blame for this. For decades, they have only raised alarm about the community's security - without actually seeking to eradicate any communal divide or misunderstanding. They have exploited the ordinary Muslim's worries, become the arbiters of his vote and sold it to the highest bidder.

To be fair, in the late 1970s and early 1980s, the futility of sectarian demands became clear to many Muslims. There was an urge to change, stemming from socio-economic compulsions. Some progress was made... Then came the Shah Bano issue and the Ayodhya campaign; and everything was undone. The medieval imagery, given a lurid colour by the Hindu right, returned.

Following the riots of 1992-93 ... insecurity and alienation against gripped the community. Even noted liberals and cultural figures felt threatened. Notionally if not physically, the ghetto returned as the cocoon. Yet, these sentiments were not evident in the 1996 elections. Obviously, the country's emotions have ebbed over four years. The Muslim is no longer willing to be cannon fodder for fanaticism.

Is this another false dawn? To ensure it is not, Muslims need to evolve a new social leadership, one which sees life beyond politics. The Muslim populace is largely illiterate and poor. Modern education, trade and industry have not made much headway with it. Partition deprived Indian Muslims of a modern middle class, intelligentsia and bourgeoisie. The vacuum has never really been filled.

What must a Muslim voter demand from his candidates? One, more schools for his sons and daughters. Two freedom from discrimination while seeking jobs, whether in the private or public sector. Perhaps financial institutions could launch preferential schemes to grant Muslim youth loans for little businesses. The lasting security of the community lies in economic welfare; not in the rhetoric of an election meeting. ...

(Source: The Times of India, 20 September, 1996)

Govt. Statement on Haj Management

Some complaints regarding accommodation have been brought to the notice of the Government. These relate to distance from the Haram Sharif and inadequacy of facilities in individual buildings. These complaints have been investigated thoroughly. Based on our experience this year, it has been decided that the units lacking in adequate facilities will not be taken for the next Haj.

The decision that aircraft for carrying Haj pilgrims should be chartered by the Haj Committee for Haj 1996 was taken by the Government of India because it was felt that this would provide the maximum benefit to the pilgrims. Air India was fully associated and provided technical guidance.

All aircraft chartered by the Haj Committee for the Haj 1996 air charter movement had been technically inspected and certified for airworthiness by the Director General of Civil Aviation before the contracts were signed with the charter parties. ...

(Source: RSUQ No. 349 dated 17 July, 1996 by K.R. Khan)

SK Sadar Nayeem on Muslim Leadership

... Amid ... bargaining stands the bemused ordinary Muslim. His leaders are men of straw, his franchise a commodity for barter in the political bazaar. The Muslim vote has become all important: his hopes and aspirations interest no party. This is the paradox confronting India's largest minority community.

Actually, this whole business about seeking the community's combined ballot is flawed. Time and again, the "monolithic" Muslim vote bank has been proved a myth...

Despite (these) claims about a collective Muslim mandate persist. Some "leaders" of the community thrive on such talk. All this serves to further stereotypes about the community and removes attention from the real problem of Muslims in India - economic and socio-educational backwardness.

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The tragedy begins with the community's traditional leaders. These include sections of the clergy and politicians who have benefitted from governmental largesse, thus warning the epithet "sarkari Musalman". These people have yoked the fears of the community, worked to keep it psychologically insular and one nothing to better its educational indices. They have only harped on a cultural identity.

The result is that Muslims comprise 14 per cent of the Indian population but one per cent of the civil services. The community's per capital income remains five per cent below the national figure. The old leaders must accept the blame for this. For decades, they have only raised alarm about the community's security - without actually seeking to eradicate any communal divide or misunderstanding. They have exploited the ordinary Muslim's worries, become the arbiters of his vote and sold it to the highest bidder.

To be fair, in the late 1970s and early 1980s, the futility of sectarian demands became clear to many Muslims. There was an urge to change, stemming from socio-economic compulsions. Some progress was made... Then came the Shah Bano issue and the Ayodhya campaign; and everything was undone. The medieval imagery, given a lurid colour by the Hindu right, returned.

Following the riots of 1992-93 ... insecurity and alienation against gripped the community. Even noted liberals and cultural figures felt threatened. Notionally if not physically, the ghetto returned as the cocoon. Yet, these sentiments were not evident in the 1996 elections. Obviously, the country's emotions have ebbed over four years. The Muslim is no longer willing to be cannon fodder for fanaticism.

Is this another false dawn? To ensure it is not, Muslims need to evolve a new social leadership, one which sees life beyond politics. The Muslim populace is largely illiterate and poor. Modern education, trade and industry have not made much headway with it. Partition deprived Indian Muslims of a modern middle class, intelligentsia and bourgeoisie. The vacuum has never really been filled.

What must a Muslim voter demand from his candidates? One, more schools for his sons and daughters. Two freedom from discrimination while seeking jobs, whether in the private or public sector. Perhaps financial institutions could launch preferential schemes to grant Muslim youth loans for little businesses. The lasting security of the community lies in economic welfare; not in the rhetoric of an election meeting. ...

(Source: The Times of India, 20 September, 1996)

Govt. Statement on Haj Management

Some complaints regarding accommodation have been brought to the notice of the Government. These relate to distance from the Haram Sharif and inadequacy of facilities in individual buildings. These complaints have been investigated thoroughly. Based on our experience this year, it has been decided that the units lacking in adequate facilities will not be taken for the next Haj.

The decision that aircraft for carrying Haj pilgrims should be chartered by the Haj Committee for Haj 1996 was taken by the Government of India because it was felt that this would provide the maximum benefit to the pilgrims. Air India was fully associated and provided technical guidance.

All aircraft chartered by the Haj Committee for the Haj 1996 air charter movement had been technically inspected and certified for airworthiness by the Director General of Civil Aviation before the contracts were signed with the charter parties. ...

(Source: RSUQ No. 349 dated 17 July, 1996 by K.R. Khan)

Lynn Report Against Jaffer Sharief Shivani in the Asian Age, 5 March, 1996

Mr. C.K. Jaffer Sharief amassed assets worth nearly Rs. 100 crores during his various terms in office beginning as minister of state for railways in 1980.

Most of Mr. Sharief's assets, both movable and immovable, were acquired during his tenure as a minister, including his last stint as Union railways minister from July 1991 to August 1995, according to a report prepared by the investigative agencies.

The report traces the rise of Mr. Sharief from a village in Karnataka where he owned 16 or 17 acres of ancestral land. In 1959, Mr. Sharief's wife, Ameenabi came to Bangalore in "a pathetic condition", accompanied by Mr. Sharief's brother and three sisters, the report says.

In 1986, when Mr. Sharief became minister of state for coal, Ameenabi purchased a residential plot at 46, Habibs Road in Bangalore. The 2,280 sq. ft. plot was bought for Rs. 2 lakhs on March 31 and a three-storeyed building was constructed which is now valued at Rs. 3 crores.

Ameenabi bought another 8,000 sq. ft. bungalow at 210, Defence Colony, Indira Nagar, in Bangalore for Rs. 59 lakh in 1992, when Mr. Sharief was Union railway minister. The bungalow was registered vide documents 4020/92 for a registration amount of Rs. 7.08 lakhs and Rs.1,18,025, out of which Rs.6.98 was remitted through treasury challan (No. B-10) on February 16, 1992.

Soon after Mr. Sharief became the railway minister in 1991, his family acquired agricultural land worth Rs. 8 lakh in Krishna Raga Puram, Hubli, Bangalore in the names of his wife, two sons and two daughters.

The sale deeds were registered in the R.K. Puram sub-registrar's office on August 16, 1991 under registration number 2791 to 2795/91-92.

The cost of the land could not be ascertained, the report states, but estimates it at the prevailing market price during that period of Rs. 1.5 lakh to Rs. 2 lakh per acre.

This property, bought from one Sri Hanumanthappa, however, came under dispute when Hanumanthappa's legal heirs discovered that the sale deeds of these properties were executed when Mr. Hanumanthappa was in coma following a prolonged illness... The court has since stayed the operation of the sale.

The family, violating the Karnataka Land Reform Act which prohibits a person having an assured income of Rs. 12,000 (raised to Rs. 50,000 in 1991) per annum from holding or buying agricultural land, further bought 13 acres of agricultural land in a village in Hubli in Bangalore in 1982. Apart from the above properties, various family members also purchased about 37 acres between 1980-85, in Challekere village. In 1993, following public allegations and a memorandum by some

(Contd, on page450)

The Sangh's View of the Birth of Majlis-e-Mushawarat

... A major development which is sure to weaken national integrity, and to encourage fissiparous tendency in the country has been overlooked. In the shape of Muslim Majlis Mushawarat the spirit of ... Jinnah is coming alive. The Majlis has launched its political campaign of separatist revivalism last week simultaneously almost all over the country. The campaign has been launched in UP, Bihar, Bengal, Rajasthan, Gujarat, Andhra Pradesh and in other areas of the country. This campaign is based on a call to unite Muslim voters all over the country to pressurise political parties, splinter groups and leaders to accept the basic thesis that there is a Muslim ... problem in the country which could be satisfied met by the implementation a nine point programme, recalling the fourteen points of Shri Jinnah which ultimately led to the Partition of the country.

Significantly, this nine point programme of Muslim Majlis was introduced before a large gathering of Muslims in Lucknow on August 20 at the Ganga Prasad Memorial Hall where the late Jinnah raised the slogan of Muslim India in 1936 while inaugurating a students' conference. The leading light of the Majlis in UP, A.J. Faridi, made out a case for the alleged existence of a Muslim problem in the country and the State, voiced a number of demands based upon grievances and alleged that Muslims were being denied their fundamental rights. There was no protection for their religious and cultural interests in the present educational system; they were denied their due political representation under the present electoral law, they had no place in the welfare schemes of the State, and their personal law was not protected. Their mother tongue Urdu, was discouraged... He urged the setting up of minority boards all over the country, to demand full preservation of separate communal educational institutions. He said there should be autonomy for Muslim trusts.

The programme was adopted by the Muslim Majlis Mushawarat recently. The inspiring ideologist of the new separatist movement in Maulana Abul Hasan Ali Mian, head of the Nadwa College at Lucknow who is reported to have wide contacts in the Muslim world...

Commending the new programme of the Muslim Majlis Maulana said that Muslims had a historic destiny in India and they had to fulfil it despite all obstacles. He spoke of the "grievances" of the Muslims... and said that he did not want to live in a country where "out rights" were not preserved. He said that the Muslims could not allow to be taken for granted. He said: "My religious command has a force in all over the Muslim world. It will have a force in India too". He also said that there could be no freedom if the Muslims were not safe in India.

The meeting at Lucknow was presided over by Faridi....(The Organiser, 4 September, 1966)

Source: The Organiser, 8 September, 1996

Supreme Court on Liability of Contemnor

Delhi Development Authority, Petitioner v. Skipper Construction Company (P) Ltd. and another, Respondents.

B.P. Jeevan Reddy and K.S. Paripooranan, JJ.

Constitution of India, Articles 129, 142 - Contempt of Courts Act (70 of 1971), Section 12 - Contemnor ought not enjoy/keep fruits of his contempt - Procedure/technical objections should be overruled to ensure justice between parties.

The principle that a contemnor ought not be permitted to enjoy and/or keep the fruits of his contempt is well-settled. This salutary rule has to be applied and given effect to by the Supreme Court, if necessary, by overruling any procedural or other technical objections. Article 129 is a constitutional power and when exercised in tandem with Article 142, all such objections should give away. The Court must ensure full justice between the parties before it.

(Source: AIR 1996 Supreme Court 2005)

Supreme Court on Corruption

Delhi Development Authority, Petitioner v. Skipper Construction Company (P) Ltd. and another, Respondents.

B.P. Jeevan Reddy and K.S. Paripooranan, JJ.

Constitution of India, Article 300-A - Property acquired by holder of public office by indulging in corrupt and illegal acts - Forfeiture of - Law as to - Necessity to enact.

A law providing for forfeiture of properties acquired by holders of "public office" (including the officers/posts in the public sector corporations) by indulging in corrupt and illegal acts and deals, is a crying necessity in the present state of our society. The law must extend not only to properties acquired in the name of the holder of such office but also to properties held in the names of his spouse, children or other relatives and associates. Once it is proved that the holder of such office has indulged in corrupt acts, all such properties should be attached forthwith. The law should place the burden of proving that the attached properties were not acquired with the aid of monies/properties received in the course of corrupt deals upon the holder of that property. Such a law has become an absolute necessity, if the canker of corruption is not to prove the death-knell of this nation. According to several perceptive observers, it has already reached near-fatal dimensions. It is for the Parliament to act in this matter, if they really mean business.

1994 AIR SCW 2652 and (1993) 3 WLR 1143, Rel. on.

(Source: AIR 1996 Supreme Court 2005)

Supreme Court On Withdrawal of TADA Cases

R.M. Tewari, Petitioner v. State (NCT of Delhi) and others, Respondents.

J.S. Verma and K. Venkataswami, JJ.

Criminal P.C. (2 of 1974), Section 321 - Terrorist and Disruptive Activities (Prevention) Act (28 of 1987), Sections 3, 19, 20 - Withdrawal of prosecution - Not permissible mechanically, merely on recommendations of review committee - Public prosecutor must satisfy himself that it is fit case for withdrawal.

In case of detention under Terrorist and Disruptive Activities (Prevention) Act (28 of 1987) withdrawal from prosecution is not to be permitted mechanically by the Court on an application for that purpose made by the Public Prosecutor. It is equally clear that the Public Prosecutor also had not to act mechanically in the discharge of his statutory function under Section 321, Cr. P.C. on such a recommendation being made by the Review Committee; and it is the duty of the Public Prosecutor to satisfy himself that it is a fit case for withdrawal from prosecution before he seeks the consent of the Court for that purpose. Hence, when in the instant case the Public Prosecutor did not fully appreciate the requirements of Section 321, Cr. P.C. and made the applications for withdrawal from Prosecution only on the basis of the recommendations of the Review Committee, the action of Public Prosecutor was improper.

(Source: AIR 1996 Supreme Court 2047)

The Tiger's Whimper

Editorial, The Pioneer, 24 August, 1996

... Since Mr. Thackeray is not known for knee-jerk reactions, analysts are also bound to see deeper meaning into the overwhelming enthusiasm he has displayed in liaising with ruling United Front luminaries, first Sancho Panza Chand Mohammad Ibrahim and then the "boss" himself. In the interim, the Shiv Sena chief's gratuitous offer to team up with other regional forces has, understandably, set tongues wagging. Coming in the wake of persistent assertions by the Gujarat rebel, Mr. Shankarsinh Vaghela, that he intends to seek the Tiger's blessings to "expose" his erstwhile compatriots, speculation over the Shiv Sena's hidden agenda must be causing a few nightmares at the BJP headquarters. Indeed, it would appear that the first symptoms of paranoia are beginning to grip the Sena leadership which has, therefore, turned coquettish at Mr. Deve Gowda's hesitant overtures. The canny politician that he is, Mr. Thackeray cannot be unaware that playing footsie with the UF cannot be a substitute for good Government in the State. ...

JD: Election Manifesto For J&K Assembly Election, 1996

The Janata Dal approaches the general elections to the State Assembly of J&K with the confidence that the people will assert their democratic mandate to freely elect their representatives without fear. ...

During the last decade of the rise of disturbed conditions in the State, economic and social development has grievously suffered...

The human cost, of the rise of militancy have been grave indeed. The culture of the gun, adopted by the extremists, and in several cases fully supported by Pakistan, have resulted in the killing of thousands of persons. The militant's deliberate strategy to hit and run so as to provoke the Security Forces to pursue them in towns, villages and valleys and in the hilly terrain led to human right's violations. ...

... The lapses of the Security Forces resulting in avoidable harassment of innocent persons also created bitterness.

The misguided youth who joined the militants either under the frenzied propaganda of Pakistan or the fundamentalists at home committed crimes against the State and particularly against the innocent people in J&K. Some of them have realised that they had been misled and have resiled from militancy. It is the duty of the Union Government and moreover the new State Government to be formed after the General Elections that more and more ... give up that destructive path and join the mainstream.

... The Janata Dal assures all such persons that an enlightened policy free from rancour shall be pursue in a spirit of forgiveness and liberality.

Prime Minister H.D. Deve Gowda is the first Prime Minister in seven years to visit J&K and make contacts with the people. He has made announcements for the welfare of the people, economic progress of the State and generation of massive employment. ...

The Government is committed to give maximum autonomy to the State. Once an elected Government is in place, consultations will be held with them to arrive at a consensus. While doing this, the aspirations of all regions in the State, namely, Ladakh, Kashmir Valley and Jammu shall be taken into account.

Announcements by the Prime Minister have certainly expressed the sincerity and purposefulness of the United Front of which Janata Dal is a part. But, there are several socio-economic issues which remain and which will be dealt with by the new State Government. The Janata Dal would strive to raise these issues and if it comes to power, it promises to resolve them.

Regional and Local Issues

i) Dogri language shall be included in the 8th Schedule of the Constitution.

ii) Separate regional committees for the three regions of Srinagar Valley, Jammu and Ladakh will be established.

iii) Elections to all local bodies and Panchayati Raj Institutions shall be hold expeditiously after adopting the requisite legislation on the line of the 73rd and 74th Constitutional amendments.

Social Justice

Recommendations of the Mandal Commission for Socially and Educationally Backward Castes shall be implemented in letter and spirit and for this purpose the Malik Commission shall be urged to finalise the list of S/E BC's on the guidelines of the Mandal Commission. ...

Janata Dal would appeal to all people in the State to forgive and forget the traumas of the past. There have been terrible mistakes which have played havoc with the peace, prosperity, well-being and unity of the people and the State. Attempts have been made to separate J&K from the rest of India, to separate the Jammu region from the rest of the State and to divide the people on communal lines. All such attempts have however failed miserably. But they have fouled the social relationships of fraternity and amity. ...

Now, when a new regime committed to federalism and genuine autonomy whether political, administrative or fiscal - to the States and to upholding democratic processes has taken over in New Delhi, the people of our State need have no fear or apprehension that these mistakes would recur. ... A democratic era of a responsive and responsible governance, social welfare and economic progress is dawning... It is for us to consolidate it, preserve it and prolong it. Only a united people who forgot the past ... and replace mistrust by trust and suspicion by confidence will be able to do it. ...

(Contd. from Page448)

MLAs about "land grabbing activities of Mr. Sharief" the state cabinet directed the then chief secretary Mr. J.C. Lynn to conduct an inquiry into the allegations. A report was accordingly submitted by Mr. Lynn on November 2, 1993, confirming all the sale deeds. But no action was taken by the court. Following the hawala disclosures, the report finally found its way to the central government.

(Source: News from India, New Delhi)

Karan Singh On Kashmir Problem

For seven years the turmoil in Jammu and Kashmir, aided and abetted from across the border, has caused untold destruction of life and property, trade and tourism.... For any long-range, creative solution we have to come to terms with certain realities and avoid miscalculations made in the past.

The first major mistake is to treat the entire state as a single unit instead of realising that it consists of five distinct ethnic, geographical, linguistic and cultural units with differing perceptions and aspirations, two of which have been under Pakistani control for almost half a century...

The second misconception is the oft-repeated assertion that Jammu & Kashmir is a 'purely internal affair' in which Pakistan is not concerned. In fact it is vis-a-vis Pakistan that the whole problem has developed. Our complaint to the United Nations in 1948 over aggression in Jammu & Kashmir was against Pakistan, and it was with Pakistan that we signed the cease-fire agreement in 1949, the Tashkent Agreement in 1965 and the Simla Agreement in 1971, all of which directly mention Jammu & Kashmir. Two of the five regions of the state remain under Pakistan's control; the moment we say that Pakistan is not involved, it virtually means that we are writing off these areas.

The third major miscalculation in New Delhi has been that it can solve the problems of Jammu & Kashmir without consulting the people of that state...

... Every effort must be made by the new government to break the vicious cycle of insurgency and counter-insurgency that has disfigured the state.

A dialogue with as broad a spectrum of people from the state as possible, careful formulation and structuring of "maximum autonomy"; a massive programme of rehabilitation... and rebuilding the shattered economy... will all have to be given the highest priority at all levels if the wounds of the past seven years are to even begin a process of healing.

In the broader context of SAARC and regional cooperation in a rapidly emerging global society, ... despite all odds, a detente with Pakistan will at some point be absolutely necessary.

Both countries figure close to the bottom in the human development index, but the tremendous resources of over a billion people are engaged in an endless and ultimately sterile posture of permanent confrontation. If the tension continues ... the possibility of yet another armed conflict, this time with vastly upgraded weapons on both sides, could spell the end of whatever slender hopes there are of breaking the poverty barrier, and send the subcontinent spinning into a negative vortex of death and destruction.

We we have the courage, wisdom and compassion to envisage Jammu & Kashmir as a symbol of rapprochement rather than confrontation? Will Pakistan get over its negative obsession with the Valley which has, over half a century, cost it so dearly? And will the people of the Valley realise that an unwise recourse to militancy has brought nothing but death and disaster to a whole generation...? If these questions are answered in the affirmative, there is hope. If not, we seem doomed to an escalation of conflict...

(Source: The India Today, 31 August, 1996)

CPI(M): H.S. Surjeet's Statement, 27 August, 1996

It a time when the whole world is looking toward the outcome of the elections in Jammu and Kashmir... Confusion is being created by some of the statements by the government's spokesmen. Unfortunately, some statements have come from the home minister himself.

In his interview to the BBC, he is supposed to have stated that surveys indicated that the Hindu-majority Jammu and the Buddhist-dominated Ladakh did not wish to be part of the present state of Jammu and Kashmir and that religious separatism was strong only in the Kashmir valley. He is also supposed to have said that the government is already considering a Union Territory status for Ladakh. With regard to the future status of Jammu, he has said that the nature of autonomy for the valley is also being discussed. ...

These comments go fundamentally against the Common Minimum Programme of the United Front. The CMP assures maximum autonomy to the people of Kashmir and envisages a proper status for the people of both Ladakh and Jammu. But in no case has it agreed to the division of the state into three units. Such a proposal will have serious implications nationally and internationally and is disruptive of national unity to which the United Front is wedded.

This has sent wrong signals to the people of Jammu and Kashmir...

Restraint has to be exercised while advancing new proposals with regard to Jammu & Kashmir which already has been complicated by the manoeuvres of foreign powers, particularly by the proxy war ... by Pakistan... It is a national question. Its solution lies in winning over the people of Kashmir, who unfortunately got alienated for some. The elections in Jammu and Kashmir ... alone will consolidate the desire of the people for peace.

Arun C. Bose on Autonomy for J&K, Letter to The Times of India, 9 Sept., 1996

Ramesh Khazanchi ... ignores many indisputable historical facts and treats Kashmiris as children whose future and welfare are to be determined by others. No doubt J&K is now an integral part of India but it is a part with a difference. The maharaja, under duress, acceded to India only for three subjects: defence, communication and foreign affairs. This is the autonomy which is guaranteed by our agreements and Constitution, and is highly valued by the Kashmiris. After all, virtually no one in J&K agitated for accession to India. They sought accession and assistance only when their autonomy and identity were threatened by Pakistani raiders. They sacrificed their autonomy on three subjects only to save the rest of it. That is why every extension of central authority is resented by Kashmiris (as different from a majority of Jammuites and Ladakhis) as robbery and immoral intrusion into their heritage.

True, much of the 'dilution' of the state's autonomy took place with the approval of the elected legislature, apart from what happened in 1985 during President's rule. But were not those legislators 'elected' when the real leaders of the Valley were either behind bars or externed from the state? Every election in this state, till date, was notoriously rigged, with the sole exception of the one in 1977. And why were those rigged? Because Kashmiris would never have accepted the ... policies of closer integration with India we wanted to ... (be) pursued. As Pandit Pran Nath Bazaz wrote in his Struggle for Freedom in Kashmir the news of the Sheikh's dismissal and arrest (he was never tried) "was received by the people with hostile demonstrations on an unprecedented scale". It severed the umbilical chord that had connected Srinagar with Delhi.

Thereafter, the decisions and actions of his successors appeared illegitimate in the eyes of Kashmiris. Even the former Congress chief minister of J&K, Syed Mir Qasim admits in his 'My Life and Times': "Rice was subsidised. The purpose was to demonstrate the benefits of closer ties with India... The people were happy with our work, but would not forgive us for the plight of the Sheikh".

To most Kashmiris, his successors in office were no better than puppets propped up by Indian bayonets and their actions no different from those of Barbak Karmal ... in Afghanistan... So the more they brought J&K administratively closer to India, the more was widened the psychological distance between Srinagar and Delhi.

Much is made of the fact that when given the opportunity after 1975 Sheikh Abdullah did not take any positive step against the extension of central authority over J&K that had occurred since his ouster in 1953. But let us not forget that he had come back to power not on the crest of a popular movement but through a bargain and what he did and did not in the seven years that followed cost him ... his earlier unimaginable popularity. He was no longer reflecting the aspirations of the younger generation of Kashmir, just as Sir Surendra Nath Banerjee, Minister of Bengal after 1920, was un unrecognisable reflection of the great "Surrender Not" of 1905-06. It was not the Tilak of the Home Rule League but of 1908 who reflected the militant mood of the nation. Instead of enquiring what the Sheikh secured for Kashmiris, one should see what they are now asking for.

It is said that the extension of Indian laws, posting of Indian officers and massive subsidies, have done immense good to the Kashmiris. So did British rule in India, French rule in Algeria and Russian rule in Central Asia. But a time came when all of us wanted to decide and to do what is good for us. The great Tilak said, "Swaraj is my birth right, and I shall have it". In early 1942, Mahatma Gandhi told the British, "For heaven's sake, leave us to God and to anarchy". These are the two statements which today are dearest to all Kashmiris, but few dare to express them in the face of the unprecedented use of security forces and of the so-called renegades held by them on a leash.

Incidents/Killings in Terrorist Violence, 1988 to March, 1996

	1988	1989	1990	1991	1992	1993	1994	1995	1996 (March)	Total
Total Incidents	390	2154	3905	3122	4971	4457	6895	6819	1379	34092
Total Killed(All)	31	92	1177	1393	1909	2567	2863	27868	690	13491
SF Personnel	1	13	132	185	177	216	199	234	30	1187
Govt. Officials	1	3	62	57	36	34	26	46	23	288
Top Political Leaders/ Politician		3	25	10	4	10	12	13	3	80
Judiciary	-	3	1	-	-	1	-	2	1	8
Pressmen	-	-	2	1	1	1	2	2	-	9
Hindus	-	6	177	45	67	87	95	99	23	599
Muslims	28	64	573	456	706	841	858	983	290	4797
Sikhs	-	-	6	12	10	7	5	2	-	42
Others	-	-	16	12	35	40	73	55	7	238
Militants	1	-	183	614	873	1330	1596	1332	313	6242

(Source: MHA Annual Report, 1995-96)

A.G. Noorani

New Light on Babari Masjid Demolition - II

Rao went to Senegal for a G15 meeting from November 20-22, 1992. In the light of his later assertions that he could not impose President's rule, the author's (Madhav Godbole's) revelation is shocking: "He told S.B. Chavan, Arjun Singh and Sharad Pawar that they could meet during his absence and even take decision to impose President's rule in Uttar Pradesh and keep him informed. Obviously, none of the CCPA (Cabinet Committee on Political Affairs) members were prepared to take responsibility for or even advocate any such option during the Prime Minister's absence".

Article 356 did not require a report from Uttar Pradesh's Governor, B. Satyanarain Reddy. On November 26 he agreed to send his report that evening for taking action under Article 356. But later in the even he advised against such a course citing the proceedings in the Supreme Court - as did Rao and some advisers - despite the fact that on November 25 the Court had given the green signal.

This brings us to crucial meeting which was the subject of open debate between Arjun Singh and Rao's men. The author records that "an informal CCPA meeting was in progress on November 30. The Prime Minister requested Sharad Pawar to go and talk to the Chief Minister, who was waiting in five RCR next door which is also used selectively by the PM to meet visitors. After some time, the Prime Minister also went to meet the Chief Minister and requested the CCPA to continue the deliberations. After a short while, both the PM and Sharad Pawar returned to the meeting. The Prime Minister said that Chief Minister, Uttar Pradesh, was not agreeable to action under Article 138(2) (binding ruling by the Supreme Court) and was prepared only to accept a non-binding advisory reference under Article 143. The Prime Minister said that there was now no possibility of further progress in the matter and the other alternative of central intervention appeared inevitable. The Prime Minister said, "then let us go ahead with Article 356. Let Godbole prepared and bring up a Cabinet note". Rao's later apologies about lack of power under Article 356 were therefore just so many lies.

Arjun's Letter

Arjun Singh's letter of January 10, 1993 to the Cabinet Secretary, S. Rajagopal, differed from this version only on the date. On the substance, both versions are agreed: Arjun Singh providing corroborating details: "It may be recalled that Shri Kalyan Singh, the then Chief Minster of Uttar Pradesh came to meet the Prime Minister on November 28, 1992 even while the meeting of the CCPA was on. The Defence Minister was sent to talk to him till the Prime Minister could go. Subsequently the Prime Minister also joined the talks with him and other members of the CCPA waited for their return. On their return we were told that Shri Kalyan Singh finds himself totally unable to make others agree to what we were suggesting. I was not sure what we were suggesting. But this is a fact that a totally negative reply was given by the Uttar Pradesh Chief Minister. Subsequent to this it was more or less decided in the CCPA that there seemed to be no choice but to dismiss the Uttar Pradesh Government and take all subsequent steps. Prime Minister in fact directed the officers to keep all the relevant papers ready since he was going to Tamil Nadu on 29th and that after he returns we would decide the matter. Meeting of the CCPA could not be held on November 29 and the issue again was not discussed in this light in the CCPA in the subsequent meeting. It is obvious that something transpired which gave us reason to further trust the bona fides of the BJP, VHP and RSS 'combine". Arjun Singh was complaining to the Cabinet Secretary about the suppressio veri in the draft White Paper on Ayodhya; most notably Rao's talks with the RSS and the sadhus.

The civil servant records the facts, the politician confirms the record and draws inferences which ring true. For, only a couple of pages away Dr. Godbole mentions that the Director of the Intelligence Bureau V.G. Vaidya was then holding talks with the RSS, Rajendra Singh and Moropant Pingle. The author asked Vaidya to secure from then "the plans for the whole temple" not merely the gate. The ones unofficially in circulation showed that the mosque was to be subsumed or taken over in the temple. The leaders refused to reveal the plans. Godbole spoke to Rao as well as Chavan. That Rao "did not appear to be keen on getting the whole plan and said that there might be no harm in permitting the construction of the sinhadwar (the gate)" reveals his own plans.

The fact remains that on two occasions, on November 19 or so, before the trip to Senegal, and on November 28, Rao was prepared to impose President's rule and saw no legal impediment to it contrary to his stand in Parliament on December 21. Referring to this speech, Godbole writes: "I must say that at no stage, in all the discussions before December 6, 1992, had the Prime Minister raised this point. Neither had the Law

linistry raised it at any time during the discussions in the CPA or elsewhere... the draft notifications for nposition of President's rule in UP and dissolution of the :gislature had been vetted by the Law Ministry on ovember 27. The question of invoking Article 356 had me up several times during the two or three weeks rior to December 6 in the context of implementation of ie contingency plan." ...

No November 20, the Supreme Court had asked the entre "to indicate its mind". The Home Ministry, herefore, prepared a set of submissions. Their core was ie explicit exclusion of the mosque and disputed lands om UP's plans which it was to be asked to disclose in ill. Read what the Home Secretary records: "The ackgrounder which was intended to be given to the Law linistry and the Attorney General was faxed to the Prime linister at Senegal. On his return to India on November 2, 1992, when I met the Prime Minister at the airport, he ok Rajagopal and me to the VIP lounge at the airport self. He was obviously very upset with the approach and ntents of the backgrounder and said that he could not ree to the approach suggested by me, as it went beyond e Congress(I) party manifesto and he had no authority agree to it without going to the AICC. I tried to explain the Prime Minister that there was no contradiction tween what I had suggested and what the Congress(I) anifesto had promised, but he was in no mood to ten".

After the demolition of the mosque Rao took the very urse which the BJP had urged before the event - ference to the Supreme Court for an advisory opinion nder Article 143, not for a binding decision under rticle 138(2).

On one point the author was wrong; namely, in fusing to order the police in the early hours of ecember 8 to remove the idols placed in the makeshift mple set up after the demolition. Mr. Jyoti Basu's unsel, on December 9, was pre-eminently sound. It was ected by those who had demolished the mosque, "is an egal construction and the Government has every right demolish it".

The While Paper on Ayodhya, laid before Parliament February 1993, is in law a statement to Parliament and, erefore, covered by the law of parliamentary privilege. ie author writes: "The Government White Paper did not scuss the contingency plans prepared for dealing with e situation either in July 1992 or December 1992. It so did not discuss why they were not implemented by e Government on either of the two occasions".

The implications of taking recourse to Articles 355 d 356 of the Constitution were also skirted, so as to be line with the Prime Minister's averments in Parliament. More than anything else, the White Paper was ambivalent about the course of negotiations held by the Prime Minister... It also fails to answer the important question of whether, given the circumstances, the demolition of the structure was unavoidable or whether it could have been prevented. Excessive concern for narrow personal and political gains resulted in many vital questions being left unanswered in the Government White Paper".

Five Issues

Arjun Singh had publicly raised five issues on which the Paper was silent. One was: "What happened in the meeting of the CCPA on November 27, 1992 and what was the resulting directive given to the Union Home Secretary Madhav Godbole?" Another was: "What was the Prime Minister doing between 12 noon and 6 p.m. on December 6, 1992?"

We shall never know the answers from Rao, the one best in a position to depose... But were it not for Madhav Godbole, a civil servant of rare mettle, the facts that we have now learnt would never have seen light of the day.

There are not many like him. There is a world of difference between a civil servant and a servitor...

The country has suffered a lot at the hands of venal and authoritarian politicians and the servitors who lent them their services. It owes a lot more to the upright civil servant than has been acknowledged. Madhav Godbole will rank high among them. A moving passage in the book serves to highlight the deep divide between devout Hindus and the charlatans who play the Hindutva card but whose practices of the Hindu faith have been their best kept secret.

Godbole is a devout Hindu like millions in India. He is careful to mention that he wrote his Preface on Ganesh Chaturthi. What he writes of his visit to Ayodhya serves to expose the monstrous fraud which the Sangh Parivar has perpetrated all these years at the cost of human lives on the innocent masses: "I visited Ayodhya on December 29, 1992 in connection with the proposed acquisition of land and to review the law and order arrangements in the light of the earlier decision to permit darshan. Unlike other visitors from Delhi in the past who took darshan at the Ram Lalla temple and offered pooja there, (Chavan and Naresh Chandra to wit - AGN) I did not do so, nor did I accept any prasad. Though a devout person myself, I believe that one's religion is a personal matter. In any case, I had enough of Ayodhya and sincerely believed that God could not reside in that temple, the construction of which was associated with so much deceit and wanton violence."

(Source: The Statesman, 11-13 June, 1996)

Aurangzeb and the Benares Temple
Pattabhi Sitaramayya: Feathers and Stones

There is a popular belief that Aurangzeb was a bigot in religion. This, however, is combated by a certain school. His bigotry is illustrated by one or two instances. the building of a mosque over the site of the original Kasi Visweswara Temple is one much... A story is told in extenuation of the first event. In the height of his glory, Aurangzeb like any foreign king in a country, had in his entourage a number of Hindu nobles. They all set at one day to see the sacred temple of Benares. Amongst them was the Ranee of Cutch. When the party returned after visiting the Temple, the Ranee of Cutch was missing. They searched for her in and out, East, North, West and South but no trace of her was noticeable. At last, a more diligent search revealed a Tah Khana or an underground storey of the temple which to all appearances had only two storeys. When the passage to it was found barred, they broke and open the doors and found inside the pale shadow of the Ranee bereath of her jewellery. It turned out that the Mahants were in the habits of picking out wealthy and be-jewelled pilgrims and in guiding them to see the temple, decoying them to the underground cellar and robbing them of their jewellery. What exactly would have happened to their life one did not know. Anyhow in this case, there was no time for mischief as the search was diligent and prompt. On discovering the wickedness of the priests, Aurangzeb declared that such a scene of robbery could not be the House of God and ordered it to be forthwith demolished. And the ruins were left there. But the Ranee who was thus saved insisted on a Masjid being built ont he ruined and to please her, one was subsequently built. That is how Masjid has come to exist by the side of the Kasi Visweswara Temple which is no temple in the real sense of the term but a humble cottage in which the marble Siva Linga is housed. Nothing is known about the Mathura Temple. This story of the Benares Masjid was given in a rare manuscript in Lucknow which was in the possession of the respected Mulla who had read it in the Ms. and who though he promised to look it up and give the MS. to a friend, to whom he has narrated the story, died without fulfilling his promise. The story is little known and the prejudice, we are told, against Aurangzeb persists. ...

"I know of no noniviolent method of compelling the obedience of eight crores of moslims to the will of the rest of india however, powerful a majority the rest may represent. We are at present a joint family . Any member may claim a division. ...

– *Mahatma Gandhi*

(Harijan, April 6, 1940 Vol. VIII, P. 76

The Ayodhya Divides

As the most contentious issue of our times, the Ayodhya dispute gives an occasion for anxiety, and reasons for hope. Anxiety, because nearly four years after the demolition, the awareness about this dispute is extraordinarily high. the nation stands divided and so does every section of society, except obviously the Muslims, on whether the demolition was justified. Dalits and OBCs, who are often assumed to be the natural defenders of secularism, are also as divided as the rest. The differences now take the form of a dispute about what should be built. Although 'only temple' emerges as the largest single choice, those who prefer options other than this are in a clear majority.

But there is hope too, for the polarisation is far from complete and is not strictly along Hindu-Muslim lines. A majority of Hindus who have an opinion on this matter disapprove of the demolition. A majority of those who want 'only mosque' to be rebuilt are in fact non-Muslims. More than one-fifth of the respondents want both temple and mosque to be built side by side.

Have you heard about Ayodhya demolition?

	All	North	South
Yes	72	76	63
No	28	24	37

Was demolition justified?

(Only those who have heard about it)

Yes	33	No	53
		(Those who say no)	
		Hindu	45
		Muslim	**94**
		BJP Voters	33
		Cong Voters	63

(Source: The India Today, 31 August, 1996)

BJP: Kalyan Singh's Views

There was no shrine in Ayodhya. It was a disputed structure.

Rama temple will always remain an issue till its construction. We will put the opposition parties in the dock on the temple issue demanding them to spell out their clear stand on it.

... To take active part in the Kashi/Mathura Movements, BJP workers are bound by the party's line of action.

In a democratic setup, everybody has a right to launch their movements and campaigns but there should be no violence.

The BJP Government will not stop any peaceful agitation (by VHP or BMAC).

There are very few Muslim claimants - however a positive effort is being made to field them, but no quota has been fixed for any caste or community.

CBSE: Guidelines for Affiliation of Minority Institutions

. Determination of Minority Character of an Educational Institution

The benefits of Article 30(1) of Indian Constitution an be claimed by the community only on providing that is a religious or linguistic minority and the institution as established by it. The question of proof in a Court of aw is regulated by the provisions of the Indian Evidence ct. This Act requires that when there is a written ocument, other evidence is to be excluded but if there is o written document, other evidence is admissible.

. Objects of Establishment of Minority Educational nstitutions

It is always necessary that the objects for which a inority may establish an educational institution must clude the conservation of its language, script or culture. rticle 30(1) only emphasises that the body establishing nd administering an educational institution belongs to a inority based on religion or language.

It says nothing about the character of education to be nparted by them. Hence, an institution, will be a inority institution, even if it imparts secular education. nce it is proved to be a minority institution, the haracter of education to be imparted and of dministration will be at the choice of those who can dminister it. In these matters, the choice cannot of any ne also.

Fulfillment of Statutory Requirements for seeking ecognition

An institution seeking recognition must fulfil the atutory requirements concerning the academic andards, the qualifications of teachers, and of the udents seeking admission. It must have the financial sources and the capability to run on a sustained basis. hen the applications seeking recognition are not nsidered favourably, grounds of rejection must be mmunicated to the educational institutions filing such plications so as to enable them to overcome obstacles their early recognition.

Medium of Instruction in Minority Educational stitutions

The State Government or the University is not npowered to prescribe the medium of instruction to be llowed by minority educational institutions. However, case of institutions receiving grants-in-aid, there are rtain standards or proficiency to be observed. No cision, within out knowledge lays down that teaching a State language compulsorily is within such nditions for grant of aid. But, if such a condition is laid wn, the institution receiving the aid will be well vised to observed it.

5. Constitution of Governing Bodies in Minority Educational Institutions

The Minority educational institution must be free to induct competent and reputed individuals from other communities in the Managing Committees/Governing Bodies. The minority character of an institution is not impaired so long as the constitution of the Managing Committee/Governing Body provides for an effective majority to the members of the minority community.

The State should not have any power, directly or through the University, to direct the constitution of the governing bodies in a manner so as to deprive a majority of the effective administration of its educational institutions. However, the State or the University may lay down general guidelines to ensure that only qualified persons find a place in the Governing Bodies.

6. Disciplinary Control over Staff in Minority Educational Institutions

While the managements should exercise the disciplinary control over staff, it must be ensured that they hold an inquiry and follow a fair procedure before punishment is given. With a view to preventing the possible misuse of power by the management of the Minority Educational Institutions, the State has the regulatory power to safeguard the interests of their employees and their service conditions including procedure for punishments to be imposed.

7. Admission to Students in Minority Educational Institutions

The minority educational institutions must have the freedom to give special consideration to the students of their own community in matters of admission. Government should not insist on admission in these institutions being thrown open to all strictly in order of merit. The Government cannot enforce the rules of reservation in favour of Scheduled Castes, Scheduled Tribes, and other backward communities for admission of students in these institutions. In granting admissions to children belonging to the minority community itself, rules of natural justice and fair play must be applied and donations or other extraneous factors should not be allowed so as to discriminate against the less advantaged children from the same minority community.

8. Appointment of Teachers in Minority Educational Institutions

The Government cannot enforce the rules of reservation in favour of Scheduled Castes, Scheduled Tribes and other Backward Classes for the posts of teachers and other staff in minority educational institutions.

Muslim Colleges in Kerala - Calicut University

General

1. M.E.S. Mampad College, Mampad
2. M.E.S. Keveeyam College, Valancherry, Malappuram
3. M.E.S. Asmabi College, P. Vemballur
4. M.E.S. Ponani College, Ponani, Malappuram
5. M.E.S. Kalladi College, Mannarghat, Palakkad.
6. M.E.S. College, Erumely, Kottayam.
7. M.E.S. College, Nedungandom, Idukki
8. M.E.S. Marampally College, Ernakulam
9. M.E.S. Asmabi College, Kodungalloor, Trissur
10. M.A.M.O. College, Manasaery, Mokkam., Calicut
11. Sir Syed College, Taliparamba, Cannanore.
12. Farook College, Farooke, Calicut
13. E.M.E.A. College, Kumminiparamba, Kondotty
14. Pocker Sahib Memorial Orphanage College, Tirurangadi, Malappuram.
15. Unity Women's College, Manjeri, Malappuram.
16. Majlis Arts & Science College, Puramannur, Via Valancherry, Malappuram.
17. Sallamussalam Arts & Science College, Areacode, Malappuram
18. W.M.O. College, Muttil, Wayanad
19. N.A.M. Kallikandi College, Panoor
20. Iqbal College, Peringammala, Trivandrum
21. Manarul Hudo College, Ambalathara, Trivandrum
22. A.R. Memorial Arts College, Thonnakkal, Trivandrum.
23. C.H. Mohammed Koya Memorial Arts and Science College, Varkala, Trivandum.
24. Jamiya Mannaiya College, Pangode, Trivandrum.
25. T.K.M. Arts and Science College, Kollam.
26. Milade-Shereff Memorial College, Kayamkulam
27. Al-Ameen College, Edathala, Ernakulam
28. Islahiya Arts & Science College, Muvattupuzha.
29. Muttil Orphanage College, Wayanad
30. Keyi Saheb Arts and Science College, Kallikandy, Cannanore.

B.Ed.

31. Farook Training College, Feroke
32. Jamiya Nadaviya Training College, Edavanna
33. Muslim Cultural Trust Training College, Malappuram
34. Markazu Tharbiyathula Islamic Training College, Karthala, Athavanand
35. Muslim Educational Association B.Ed. Training College, Karimba, Kannur.
36. Salafiya Training College, Payyoli, Kozhikode, Calicut.
37. A.M.T.I. College, Puramannoor, Malappuram
38. Keyi Sahib Training College, Karimba, Kannur, Cannannore.
39. Markaz Training College, Valancherry, Malappuram.
40. Himayathul Muslimeen Training College, Randarkara, Ernakulam.
41. Manarul Huda Training College, Nedumangad, Trivandrum.

Engineering

42. M.E.S. Engineering College, Valencherry, Malappuram.
43. T.K.M. Engineering College, Quilon.

Arabic

44. Rousathul Uloom Arabic College, Feroke College, Calicut.
45. Madeenathul Uloom Arabic College, Pulikkal, Malappuram
46. Anwarul Islam Women's Arabic College, Mongam, Malappuram
47. Anwarul Islam Arabic College, Kuniyil, Malappuram
48. Darul Uloom Arabic College, Vazhakkad, Malappuram.
49. Sullamussalam Arabic College, Areacode, Malappuram.
50. Ansar Arabic College, Valavannoor, Malappuram.
51. Salafi Arabic College, Mappayur
52. Darunnajath Arabic College, Karuvarakundu,
53. Sunniya Arabic College, Chennamangalloor, Calicut.
54. Nasarathul Islam Sangham Arabic College, Kadavathur, Cannanore.
55. Laganathul Irshad Arabic College, Paral, Cannanore.

Gujarat: Vaghela's Communal Posture

.. Recently, the Vaghela group brought out a Gujarati translation of former Jan Sangh president, Balraj Madhok's book entitled Indianisation, known for its strident communal, anti-minority tone, and distributed it free of cost in thousands. Surprisingly, the pamphlet's print line showed that its publisher was Sadachar Samiti which is known as a Sarvodaya organisation.

Another leaflet distributed by Vaghela camp announced the formation of a "Gurjar Sena" whose purpose and programme were couched in a language for which the Shiv Sena is well known. It declared that aggressive ... steps will be taken against the non-Gujaratis living in the state. Moreover, the proposed Gurjar Sena will not allow the non-Hindus to hold any cultural programmes in the state.

It is quite evident that in order to beat the BJP, Vaghela intends to adopt an even more aggressively communal programme. ...

(Source: The People's Democracy, 1 September, 19965)

Hashim Kidwai on Politics of Urdu

Balraj Madhok's article "Politics of Urdu" is biased and is contrary to facts. His contention that what distinguishes Urdu from Hindi and other Indian languages is its overload of Turkish, Persian and Arabic words and Arabic script in which it is written is quite against facts. out of a total of 55,960 words in the Urdu dictionary only 13,625 that is, less than 25 per cent, are of Persio-Arabic origin and as many as 21,600 are purely of Hindi origin and the remaining belong to other sources... Similarly, his other contention or premise that Urdu was imposed during the .. Mughal rule and that it took the place of Persian as the court language is not correct. (Throughout the Mughal rule) Persian remained the court language. Urdu became a court language much later. It was not imposed from above. it was the genuine spirit of unity and goodwill that imbued both Hindus and Muslims to forgo their respective languages and to merge them into a new language, Urdu, essentially Indian in origin, but with full capacity to nourish and develop.

As against this contention of Mr. Madhok that in course of time Khari Boli Hindi which comprehends all varieties of Hindi gained currency as the common language of people of UP, Bihar and Punjab is contradicted by the following statements of Dr. Tarachand and Bhartendu Harish Chandra. Mr. Madhok's contention cannot be accepted against the statements of these two.

According to Dr. Tarachand, renowned scholar-historian, Khari Boli or Urdu emerged as a fit language for polite speech and literary language in the Deccan as well. It was the lingua franca of India and the speech of polite society whether Hindu or Muslim. As late as in 1871 Bhartendu Harish Chandra stated in the preface of his book on the origin of Agarwal community "The speech of Agarwal's of all their men and women is Khari Boli or Urdu (Unki boli stri or purush sabaki, Khariboli or Urdu hai)." What was true of the Agarwal community was equally true of others. It was only at the beginning of the 19th century that modern Hindi started its career (National Language of India edited by Z.A. Ahmed). Urdu is thus entirely Indian in origin and is the living embodiment of our national composite culture.

About its all-India character Sardar Patel writing to his deputy R.R. Devakar in 1949 on the language policy of All India Radio and the Ministry of Information of which he was the Minister, said "sense, Urdu like Hindi cannot belong to one region. Those who speak and understand are not concentrated in one geographical. To this extent Urdu differs from other regional languages".

There are refugees from the Punjab a majority of whom definitely speak and understand this language better than any other language. In UP there is a large concentration of those who speak it. it is, therefore, quite clear to me that you cannot confine Urdu to any one particular region. (Sardar Patel's Correspondence volume 8 page 380). In the pamphlet "Muslims of India" published by the Publications Division of the Ministry of Information it has been stated "however it may be said that Urdu serves as a common link among them and millions of others all over the country. It started as an amalgam of Arabic, Persian and Turkish with the local vocabulary syntax". He advises Urduwallas to commit linguistic hara-kiri by adopting the Devnagri script. Why does he not give advice to Bengali-speaking, Tamil, Telugu, Kannad, Malayalam and Marathi-speaking people to adopt Devnagri script".

(Source: Letter to The Hindustan Times)

C.P. Bhambhri on Linguistic Chauvinism

... The BJP's language policy is linked with their concept of "one-nation theory" and such a nation cannot be constructed without one common language, and that language is Hindi.... Much water has flown down the Ganges since Lohia wrote his Thesis on India, but the Lohia socialists still continue to cling to his caste versus caste and Hindi versus English language as the route towards social revolution. Since Mulayam Singh Yadav is sharing power ... in India, and the BJP is an important political force in the country, the politics of language is likely to assume greater importance... Since many other social, cultural and political groups not only do not share the commitment of Hindi enthusiasts, they actually contest the claim of Hindi to emerge as pre-eminent in the garb of one of the official languages of India.

These linguistic contests are not unknown in our country... If the BJP and the Lohia socialists seriously observe the diversity of India, they will have to go back to the long history of the country. India has clearly identifiable socio-cultural and socio-lingual regions and these regions have cultural identities of their own. Indians are the inheritors of rich heterogeneities which are linked together with commonalities and feelings of mutual respect and tolerance. Conflicts have emerged, but solutions have been found by avoiding the extremes and following a policy of accommodation. Can the multiple tribal communities of Nagaland or Meghalaya agree with any one common tribal language? The answer which these states found was in accepting English in place of multiple tribal languages. The moral of the experience of some of the "seven sisters" of the North-East is very clear: That language problem is decided either by the politics of compromise or by confronting and experiencing violent linguistic conflicts.

It has also been witnessed that any growth of linguistic fanaticism becomes competitive... India has a very delicate socio-linguistic balance and the politics of extremes will create explosive social situation. During the last 50 years, India has created a national economic market and a national labour market. This process of migration will encourage some common language to grow gradually from below... More than this should not be expected. Politics of imposition of language from above will prove disastrous for national unity...

(Source: The Pioneer, 28 June, 1996)

Hamdard Study Circle, New Delhi

... The Hamdard Study Circle, Talimabad, Sangam Vihar, New Delhi - 110062 is the first Coaching Centre in the country with full infrastructure, including hostel facilities and a well laid-out campus... The Circle has concentrated on preparing candidates only for the Civil Services Examinations conducted by the Union Public Service Commission and started functioning from March, 1992.

... The Study Circle Complex has a Library-cum-Reading Room, three Class Rooms for lectures and group discussions, a Conference Room, Director's Room and Office, Administrative Officer's Room, a Hostel comprising fifty furnished single-seated rooms, a Dining Hall, Kitchen and a Recreation Room besides a Reception Hall. Shared facilities for outdoor games are also available. Dormitory type accommodation for ten women candidates has been earmarked in the adjacent Girls Hostel of Hamdard Public School.

Apart from the Director, Professor Usman M. Adhami, who has long academic and administrative experience and delivers core lectures on General Studies and counsels, guides and supervises the trainees, specialists are invited for Compulsory and Optional subjects. Professors from the Universities in Delhi and neighbouring areas, eminent persons in different spheres of life and Civil Servants posted in Delhi, are similarly invited for lectures, group discussions and interaction with the candidates. Stress is given on written assignments and tests for the benefits of the trainees. ...

The Study Circle provides coaching and guidance to the candidates at all the three stages of Civil Services Examination, viz. Preliminary Examination, Main Examination and Personality Test (Interview).

Advertisements are inserted in leading newspapers, and candidates are admitted for the three stages of Civil Services Examination according to the Calender.

For the Preliminary Examination, a Committee screens the applications received, on the basis primarily of academic career and partly of the extra-curricular activities. Selected candidates are invited to appear at a written test and interview at Talimabad at their own expense. The written test consists of a paper each on English Essay and Comprehension. On the basis of the Admission Test, upto 30 candidates are admitted for intensive coaching of about six months, ostensibly for the Preliminary Examination, but preparations are simultaneously set afoot for the Main Examination and the Personality Test.

Candidates who qualify or expect to qualify in the Preliminary Examination from the Study Circle or elsewhere are admitted on the basis of a test/interview for an intensive coaching of about four months for the Main Examination.

Candidates who fail to clear either the Preliminary or Main Examinations are asked to quit... Admission for the third stage, i.e. Personality Test is made on the basis of an interview as soon as the results of the Main Examination are announced. Candidates who clear the Main from Study Circle as well as those who do it from outside are eligible for admission to this programme.

The Hamdard Education Society... started the programme on its own but has lately drawn some assistance from the Ministry of Welfare. The investment made by the Society in the building and other infrastructure of the Study Circle works out to Rs. 30 million. The recurring annual expenditure as of now is about Rs. 10,00,000. The burden of the expenditure is borne mainly by the aforesaid Society. The Ministry of Welfare have agreed, under their relevant scheme, to reimburse part of the expenditure, based on the number of trainees.

The Study Circle does not charge any fees for the infrastructure and for the lectures and counselling and guidance and for administrative expenses. All these facilities, besides books and reading material, are provided free. Each candidate, however, has to pay a consolidated monthly amount of Rs.200/- per month towards maintenance of the residential facilities. A nominal Security Deposit of Rs. 200/- (refundable) is realised at the time of admission. As of now, Rs. 600/- per month per candidate are charged for food. This is subsidised to the extent of Rs. 500/- by the Ministry of Welfare in case of candidates whose family's total annual income is Rs.24,000/- or less.

Statement of Successful Candidates in Various Stages of UPSC Civil Service etc. Examinations

	Preliminary Examination					Main Examination				Personality Test/Interview			
Caste	1992	1993	1994	1995	1996	1992	1993	1994	1995	1992	1993	1994	1995
Muslims	8	28	36	36	34	22	38	36	30	14	24	29	26
	(1)	(20)	(20)	(18)	(15)	(07)	(10)	(17)	(14)	(10)	(13)	(18)	(18)
OBC	-	-	-	2	3	-	-	-	4	-	1	6	7
				(1)	(1)				(4)		(1)	(5)	(7)
SC/ST	-	2	2	-	1	3	4	2	1	4	1	3	3
		(2)	(2)		(1)	(2)	(2)	(2)	(1)	(3)	(1)	(3)	(3)
Others	-	-	1	2	2	-	1	1	1	2	1	1	-
Total(including Women)	8 (1)	30 (22)	39 (23)	40 (20)	40 (19)	25 (9)	43 (12)	39 (20)	36 (19)	20 (14)	27 (16)	39 (27)	36 (28)

(NOTE: Results of Main Examination and Personality Test/Interview for the year 1996 are awaited)

Association for Promoting Education and Employment of Muslims, Third National Conference, Hyderabad, 18 August, 1996 Resolution on Reservation, Promotion of Employment wakf Management

The Third National Conference of the Association for Promoting Education and Employment of Muslims, held at Hyderabad, 18 August 1996,

Thanks the Minister of Welfare for his address to the Conference and for adopting a sympathetic and creative approach, for introducing systematic monitoring of the implementation of welfare schemes and credit flow, for reviewing the list of minority concentration districts and for activating the Central and State Corporations for financing the development of the Minorities.

ON RESERVATION

Recalling the Resolutions adopted at the First and Second Conferences held in New Delhi in October, 1994 and March, 1996 respectively which placed the Question of Reservation for the Muslim community in Public Employment on the National Agenda,

Taking into account the crystallisation of a near consensus among the secular intelligentsia and of near consensus among the Muslim community on the imperative of reservation for the progress and development of the educationally, economically and, therefore, socially backward Muslim community in view of its persistent under-representation in public employment in the Centre and in all the States/U.T.s, at all levels and in all job categories,

Unanimously reiterates its demand for the recognition of the Muslim community, as a community, as a Backward Class, in the Constitutional meaning of the term, both in the country, as a whole, and in various States/UTs and for the consequent extension of reservation to the community, **in proportion to its population and level of backwardness,** both in higher and professional education as well as in public employment, at the central and state levels and in all job categories, subject to decennial review,

Demands a separate quota for the Muslim community, as it does for each identifiable community, so that each of them may enjoy the full benefit of their rightful measure of reservation, free of all apprehensions of any encroachment by other relatively advanced communities if bracketted with them,

Concedes that Muslim Sub-communities, which have already been included in the list of Other Backward Classes by the Central or State Governments, shall have the first claim on the Muslim quota, with suitable relaxation, while only the remaining unutilised quota, if any, shall be available for the other Sub-communities,

Is of the view that the selection of the individual beneficiaries under reservation quotas should be subject to the test of 'creamy layer' so that the impact of reservation percolates to the lowest strata of the community,

Appeals to the United Front Government to concede this legitimate demand of the Muslim community in view of repeated affirmation by the Prime Minister Shri H.D. Deve Gowda of the relative backwardness of the Muslim community even compared to the SC's and ST's.

Advises the Muslim organisations to represent effectively the case of the Muslim community before the National and State Backward Classes Commissions and requests the Central and State Governments to extend their full support and cooperation and the Commissions to consider the representations sympathetically and expeditiously

Decides to organise a NATIONAL CONVENTION ON RESERVATION in New Delhi in September, 1996 under the Co-sponsorship of all like-minded Muslim organisations of national eminence and, then to represent the case to the Prime Minister of India as well as to the leaders of all national parties.

ON PROMOTION OF EDUCATION:

Considering the educational backwardness of the Muslim society and the paucity of resources, advises the Muslim community to adopt austerity, avoid extravagance, raise the level of personal and collective savings and establish financial institutions including Bait-ul-Mal and Cooperative Societies and Banks to finances educational and entrepreneurial activities.

Urges the State Governments to establish primary, Secondary, and Higher Secondary Schools as well as Industrial Training Centres, ITI's and Polytechnics in the villages/mahallas, Panchayats/towns, Prakhands and Districts of Muslim concentration in accordance with the national norms

Calls upon the Muslim community to invest their own resources to universalise basic religious education for all Muslim boys and girls in the maktabs attached to local Masjids, to establish and upgrade higher secondary schools or intermediate colleges as well as introduce counselling and coaching services and provide residential facilities at the district level, to enable the Muslim youth to avail of the employment opportunities at all levels and in all grades and categories.

Advises the Muslim community to establish information and service Centres in every Mahalla/

Insaf Morcha: National Convener Shahabuddin's Statement on Reservation for Muslim community, 31 August, 1996

"In order to scuttle the universal and legitimate demand of the Muslim community for reservation in public employment and higher education on the ground of educational and economic, therefore, social backwardness, the vested interests have launched a counter-move to divide the Muslims into forward and backward castes, while, by any nationally accepted criteria, the Muslims, as a community, constitute a Backward Class.

It is being whispered that the Muslim quota shall be swallowed by the so-called 'Ashraf' and the non-Ashraf shall remain as deprived as they are. This is a baseless fear because the concept of the 'creamy layer' shall reduce the access of the so-called Ashraf to the Muslim quota and also because the Muslim Sub-communities notified as Backward Classes by the Central or any State Government shall enjoy preferential access, subject only to minimum qualification, indeed the whole quota, if the number of such candidates is adequate.

So the Muslims have began fighting over a notional quota which does not yet exist!

What is important is a separate quota for the Muslims because even the so-called backward Muslims will not get their due, if they are to draw on a common quota alongwith relatively advanced "forward" groups among the OBC's.

It is the considered opinion of the Association, that the Muslim community as a whole should be declared a Backward Class, as it has been in Karnataka, provided with a quota based on its population and degree of backwardness (which is comparable to that of SC/ST according to the PM). However, to allay the fears and apprehensions in the mind of the non-Ashraf Sub-communities, which constitute 75% of the Muslim population of the country, the government may alternatively carve out a separate quota for the Muslim OBC's. By the logic of the Mandal Commission, their share is at least 4.2% in the 27% quota for the OBC's.

However, considering that the Muslim OBC's generally fall in the category of MBC's and their level of backwardness is comparable to that of the SC/STs, their separate quota should be raised to at least 8.5% on the following basis:

% of Muslims in the national population	:	12%
% of non-Ashraf (estimated at 80% of the Muslim proportion	:	9.6%
Index of Backwardness as compared to SC/ST	:	90%

Quota = 9.6 X 9 = 86.4 i.e. 8.5%

Either the Muslims a whole be declared a Backward Class with a quote of 10% or there should be a separate quota of 8.5% at least for the Muslim OBC's, while the Ashraf may be included in the proposed quota for higher caste Hindus.

In my view, social justice demands that any identifiable social group, whose proportion in national population exceeds 1% should enjoy a separate quota in public employment, if so desires, based on population and degree of backwardness."

Hamdard Study Circle
Regional Break-up of Successful Candidates

	1991	1992	1993	1994	1995
A.P.	—	—	1	1	3
Bihar	3	7	4	11	8
Delhi	—	—	1	—	1
Haryana	—	—	—	1	1
J&K	—	1	3	1	1
Kerala	—	—	1	3	2
Rajasthan	—	1	1	—	—
Tamil Nadu	—	2	2	3	4
U.P.	1	3	3	4	7
West Bengal	—	—	1	3	1
Muslims	**3**	**10**	**13**	**18**	**18**
Non-Muslims	**1**	**4**	**3**	**9**	**10**

Panchayat in order to keep track of educational and employment opportunities as well as to avail of welfare schemes introduced by the Government.

Endorses the proposal for the establishment of a University for Science, Technology and Management and a Central University to provide optional affiliation for minority educational institutions throughout the country.

ON WAKF ADMINISTRATION:

Welcomes the beneficial provisions of the Wakf Act 1995 and **requests** the State Governments to implement the Act seriously, particularly by setting up the Wakf Tribunals for the restoration of wakf properties under illegal occupation or subjected to unlawful alienation and to treat all public wakf properties as 'public premises' and to exempt them from the purview of rent control and land ceiling legislation, in order to raise the income from the Wakfs.

Calls upon the Muslim community to establish Wakf Protection Committee in all districts in order to identify wakf properties which are under utilised or exploited for personal gain and to initiate administrative and legal action for their recovery and proper utilisation.

Urges the utilisation of the surplus income from the Wakf properties for promoting education, upgrading skills, support enterprise and advancing the welfare of the community.

Rowena Robinson on Reservations for Dalit Christian

... There are roughly 16 million Christians in India and these make up 2.6 per cent of the population. While about 25 per cent as the Syrian Christians of Kerala and the upper caste Christians of the Konkan region, belong to the higher social ranks, it is estimated that over 50 per cent of all Christians are drawn from the Scheduled Castes and about 15-20 per cent are tribal. The term "Dalit", taken over from the Maharashtrian experience, has started being used by and for Christians from the Scheduled Castes in recent years.

Particular bodies have emerged to demand reservations such as the National Coordination Committee for SC Christians. Dalit Christian movements are backed by a number of church intellectuals and theologians and derive their legitimacy from certain radical theologies including Dalit theology.

At the time of Independence, special provisions for the SC/ST were included in the Constitution. These embraced the reservation of seats in legislatures, educational institutions and public sector employment. By a Presidential Order it was decreed in 1950 that no person who professes a religion different from Hinduism shall be deemed to be a member of a Scheduled Caste.

In 1956 the Sikh religion was included with Hinduism... The subject of extending reservations to the SCs of other religious groups was discussed during the debate on conversions to Buddhism in 1961. The Government's position was that Untouchables from non-Hindu communities could not be extended benefits because the other religions did not recognise the existence of caste... Nevertheless ... the Government extended reservations to neo-Buddhists in 1990.

The Government's arguments are notably specious. For instance: what about the Sikh stance towards caste? In any case, by bowing to pressure and including Buddhists too under the purview of positive discrimination, the Government has undermined its own position and shown that its decisions are governed ... political expediency.

Dalit Christians suffer from a wide variety of social and economic disabilities. Data on educational mobility and occupational advancement of Protestants in Madras reveal that the Harijans are largely left out in the cold. Material from Andhra Pradesh, Kerala and Karnataka also shows that the Dalits have not improved their economic position substantially with conversion.

More seriously, there are several forms of social discrimination against Dalit Christians. In Tamil Nadu, they are residentially segregated... In Kerala, they are largely landless labourers, and work for Syrian Christians and other landed upper castes. There is no questio inter-dining or inter-marriage between the Dalits and Syrian Christians. In many cases, the Dalits worshi their own churches, called "Pulaya Church or Par Church". If they worship with the Syrian Christians t have separate places to sit.

... The Church has (also) failed to give to Harijans the full advantage of its educational facilit The opportunities made available by it ha disproportionately benefited upper caste converts. T Dalits have been barely touched. ...

... Upward mobility has a price. Dalits can advan but they will most likely have to repudiate all ties wi their kin and brethren who remain depressed. At this co again, perhaps reservations will remove structur disabilities, at least over a generation or so. In any case, is not likely that the raising of the issue of reservations b the church is designed to prevent a possible en mass retreat of their flock back into the 'Hindu' fold. Da show that the actual numbers of such re-conversions ar low.

As it stands... the Government's position indirectl placed a value on Hinduism by extending benefits only t Dalits who had not converted to other faiths. Extendin benefits to Christians means that there will no longer b any even-handed justification for their non-extension t Muslims. Today our whole policy of positive discrimination, its relationship to the principle of merit, its extent and effects and the desirability of its prolongation are being interrogated. What kind of society (and nation) do we wish to construct? ...

Can we raise the possibility, in the first instance, for concerted community action on behalf of the Dalits? ... For the generation of resources - in terms of intellect, commitment and finance - within the community to assist the Dalits, reserved seats for them in Christian schools and encourage them to take up an education, which might render them capable of holding their own in the employment arena? ...

(Source: The Indian Express, 26 August, 1996)

BSP: Kanshi Ram's Views

Despite all the propaganda to the contrary, the Muslim minority had now realised that its political destiny lay in its association with the BSP and not with Mulayam Singh Yadav's Samajwadi Party (SP). Only on August 8 last, SP's minority cell state chief, Mr. Shah Nawaz Qadri, had joined the BSP along with his supporters all over the state.

(Source: The Pioneer, 17 August, 1996)

Supreme Court
On Total Ban on Cow Slaughter

Hasmatullah, Appellant v. State of Madhya Pradesh and others, Respondents.

A.M. Ahmadi, CJI, N.P. Singh and B.N. Kirpal, JJ.

Constitution of India, Articles 19(1)(g), 48, 226 - M.P. Agricultural Cattle Preservation Act (1959), Section 4(1)(a) (as amended by M.P. Krishik Pashu Pariraksan (Sanshodhan) Adhiniyam (1991) - Validity - Total ban on slaughter of bulls and bullocks - Imposes unreasonable restriction on fundamental rights of butchers.

Decision of Madhya Pradesh High Court Reversed.

The inclusion of bull or bullock in sub-clause (a) of sub-section (1) of Section 4 of the Act, brought about by the Amending Act of 1991 has imposed an unreasonable restriction on the fundamental rights of the butchers and to that extent only the sub-clause is held to be ultra vires. The effect of this would be that there would be a total ban on the slaughter of cow, calf of cow and calf of she buffalo while the slaughter of bull or bullock, along with other agricultural cattle, shall fall under sub-clause (b) of Section 4(1) of the Act and they can be slaughtered after complying with provisions of the said sub-clause and obtaining a certificate contemplated by sub-section (2) of Section 4 of the said Act.

Decision of Madhya Pradesh Court, Reversed.

AIR 1958 SC 731 needs no reconsideration.

The absolute ban on slaughter of bulls and bullocks is not necessary for complying with Article 48 of the Constitution.

The statement of some author in the article sought to be relied upon by the petitioner does not indicate as to from where he has obtained the information or data on the basis of which he has concluded that the gain to an owner by retaining a cattle which has stopped giving the milk is still Rs.20,000/- per year. Merely because the article is written in which such a statement is made cannot be a reason for accepting as correct what is stated therein without the Court being satisfied as to the basis on which such a conclusion has been arrived at. Merely because some person has made such vague and unsubstantial statement in writing can be no ground for concluding that an absolute ban on the slaughter of useless bulls and bullocks is a reasonable restriction under Article 19(6) of the Constitution.

Constitution of India, Article 226 - Question of fact - Petition challenging total ban on slaughter of bulls and bullocks - Question involved was "till what age the cattle in question are useful" - Is normally a question of fact - Writ Court has to be very careful in accepting what data should be accepted and relied upon if there is a bona fide dispute between parties.

(Source: AIR 1996 Supreme Court 2076)

Beef: A Cheap Source of Protein

... A ban on cow slaughter will rob millions of poor people of a cheap source of protein. The cheap source of protein denied to millions of people can be substituted by other sources only at a tremendous cost, which the nation can ill-afford when nearly 50 per cent of the population is under-nourished....

People do not feed cows when they stop yielding milk; they become a burden and are left to fend for themselves. If cow slaughter is banned, such animals will become a public nuisance.

Anti-cow slaughter measures would also interfere with the proprietary rights on the animals. Unless the Government acquires these animals, it would be illegal to impose conditions on their use. If the Government does acquire them, it will be saddled with the logistics of impounding and feeding millions of animals countrywide, which will cost the public exchequer a fortune. **(Source: The Tagore Dassan, Mysore)**

Hitesh Mehta
On the Uses of Old Cow Progeny

Whenever the question of complete ban on cow-slaughter is raised, certain 'intellectuals' argue that when there is scarcity of fodder for young animals, how can the country bear the burden of feeding old and useless animals.

But scientifically, old animals are not only viable but also a boon to the country. ...

One bullock consumes about seven kg of fodder, which means about 3600 kg per annum. The fodder which it consumes is returned in the form of dung within twenty-four hours. It gives about five tonnes of dung per annum from which ten tonnes of natural manure is made which can be ... used for fertilizer needs of four acres of land. If jowar or bajra is harvested, the crop production is at least 2400 kg and ... the stalk ... can be easily enjoyed by animals as fodder, is about 7200 kg...

Government should start a decentralised dung centre in every village. ...

CPI(ML) Leader Vinod Mishra on Bathani Tola Massacre,July 1996

July 11, 1996 proved to be the darkest day in the history of over 25 years of peasant struggle in Bhojpur. At Bathani Tola, a small hamlet, 19 persons were literally butchered in broad daylight by the outlawed Ranvir Sena. A dozen others were grievously injured (including) two children (who) died at the hands of a callous and cruel hospital administration....

... All the dead belonged to agrarian labour families coming from the Dalits and ... Muslim communities. The killers, on the other hand, belonged to the landowning classes of savarna, the Rajputs and Bhumihars.

Secondly, though the marauders were well-armed with modern weapons, they preferred to use choppers and swords to hack the women and children to pieces enacting an orgy of medieval barbarism. The very next day, the Rajput and Bhumihar villages celebrated this grand 'heroism' of their Sena by distributing sweets and adorning the foreheads of their young with red tilaks.

Thirdly, the victims were all women and children including infants...

And finally comes the role of the state. This Sena, after it shot dead 13 Musahars at point-blank range at the dead of night one-and-a-half years back at Sarthna village of the same district, was banned by the administration. And because of the mounting tension in and around Bathani Tola primarily over Kabristan and Karbala lands which were occupied by armed savarnas three police camps were stationed there ostensibly to protect the people from the depredations of the Ranvir Sena. And yet on this doomsday, despite frantic pleas of the poor people, not a single policeman cared even to raise his finger against the attackers. The district administration too was duly informed in a written memorandum just a few days ago by the local party unit about their apprehension of a massacre.

It is a well-known fact that in the recently concluded parliamentary elections, these savarna castes were aggressively mobilised in favour of the BJP... The half-hearted measures of the district administration in tackling the Sena in a State ruled by the so-called proponents of secularism and social justice is quite baffling. Chandradeo Prasad Verma, the local MP and a Union Minister of State, has gone on record questioning the very rationale behind the banning of the Ranvir Sena and, instead, has been advocating ban on the CPI-ML. The only plausible explanation can be the eagerness of the JD to court the favour of sections of the ... Savarnas...

... In the war of attrition between the Ranvir Sena and the CPI-ML so far over 250 people have been killed. Newspapers that draw their ideological inspiration from the Sangh Parivar, in their editorials, cried hoarse over the general state of lawlessness in Bihar and then went on to narrate the ... story of ... "parallel" governments being run by Left extremists in 23 districts of Bihar and clamoured for special para-military operations to curb them. An ex-Director of the CBI wrote on the same lines in Asian Age. Several ... newspapers wrote ... about the vicious circle of violence and counter-violence where the basic difference between the massacres ... as a weapon of mass terror employed by ... feudal and the mass resistance of the rural poor for ... self-defence and ... just rights was blurred. In a strange travesty of logic the victims themselves stood condemned.

... The CPI-ML (Liberation) different from some of the anarchist groups, is a mass political party. ... The party does not believe in senseless violence and takes recourse to any retaliatory actions only when they become absolutely indispensable...

Kanshi Ram as well as Ram Vilas Paswan, the two self-appointed spokesmen of the Dalits, didn't feel it necessary to even condemn the incident. V.P. Singh, the foremost votary of Dalit empowerment, who found enough time and energy to visit Ramesh Kini's family in Mumbai, maintained mysterious silence over the entire episode. No Muslim leader worth the name cared to visit the spot despite the fact that the Ranvir Sena is a frontal organisation of the BJP, that a considerable section of the victims belong to the Muslim community, that the immediate issue was the liberation of the Kabristan and Karbala lands and that the massacre had a strong communal overtone.

Indrajit Gupta, the Communist Union Home Minister ... parroted the hackneyed phrase of lack of land reforms as the root cause of the problem... In Parliament the Union Home Minister announced the formation of a task force comprising retired senior police officials to probe into the causes of the rise of extremism in Bihar. There was no word or action against the district administration for their criminal neglect of duty and even the earlier norm of setting up a judicial enquiry to probe such grave incidents was given a go-by under the cover of generalisations.

... Gupta ... in his misplaced zeal of scholarly adventure failed to grasp that Bathani Tola was the reverse case of growing feudal backlash.

In Bhojpur in general... people... have already snatched reforms over wages and land. The feudal backlash, emboldened by the ascendancy of the BJP in the last parliamentary elections in Bihar, was precisely meant to snatch these gains and re-establish the savarna hegemony. Incidentally, Ranvir was a Bhumihar hero of

[Contd. on page 466]

PUCL Report on Communal Incidents, Nagore, Tamil Nadu, July, 1996

On 3rd July, 1995 at about 10.35 a.m. a parcel bomb burst when Mrs. Thangam Muthukrishnan, wife of the District Convenor of Hindu Munnani of Nagapattinam, Mr. Muthukrishnan, opened a parcel addressed to her husband at their house. The blast caused severe injuries to the lady who succumbed by about 1.30 p.m. of the same day at the Nagapattinam District Government Hospital. However, closely following the bomb blast, by 11.00 a.m. itself looting and pillaging of Muslim houses in Hindu dominated areas, and of Hindu shops in Muslim areas, and a series of murders were reported in the press. There were also reports of police excesses in Muslim areas and also about their inaction when the mobs were looting properties. In view of the communally sensitive nature of the matter PUCL - Tamil Nadu and Pondicherry decided to send a Fact Finding Team (FFT) to Nagore Town to enquire into the entire issue (led by) Prof. A. Marx, Tanjore. ...

... The bomb blast ... sparked off communal violence in Nagore town. The situation was used by gangs of rowdy elements and lumpens to loot and ransack houses.

The communal incidents varied in nature, intensity and extent of destruction between the Hindu dominated areas and Muslim populated areas. While not a single Hindu house suffered damage in the Muslim dominated area, a large number of Muslim families suffered great loss with their houses and shops looted and all their belongings burnt.

In the main bazaar road, about 10 Hindu shops were targeted for attack by Muslim rowdy elements and suffered monetary damage. The killing of Murugan ... and attack on Shankar and Moorthy ... Dalit youths was based on a conflict of interest between certain rich Muslims and landless Dalits. ... Thus the assault on Dalits by the Muslims is different in nature from the communal clashes between the Muslims and Caste Hindus in other parts of Nagore town.

There was clear-cut evidence of police excesses in Muslim parts of Nagore town. In particular there was large scale damage of Muslim household properties in streets close to Mohideen Mosque, and abusive treatment and attack on womenfolk including molestation of some women. Although there were many senior police officials including the Addl. DGP (L&O) who had camped in Nagore town for several days, no attempt was made by them to visit affected Muslim houses and shops. In fact most of these affected houses had not been assessed or their damages recorded by Revenue officials until the day the FFT visited Nagore.

Members from both communities complained that whoever went to the police station to record complaints were arrested and put behind bars. This caused a fear psychosis (and) it inhibited them from making public the losses suffered by them... The neighbouring fishing villages who were all Hindus, had this time consciously decided not to take part in the clashes. This was a major factor which prevented the continuation of the communal conflagration... Number of instances were quoted by both Hindus and Muslims when members of the other community gave shelter and protection... A marked feature was the failure of the police to immediately provide patrols in sensitive areas inside the main part of the town. Another aspect was the openly exhibited anti-Muslim feeling amongst many police personnel.

All the three sections, Hindus, Muslims, and Dalits unanimously held the Inspector of Police, Mr. Indrajit responsible for the escalation of communal violence... All sections also complained of excessive violence used by him against all those arrested. Compensation has been granted only to Hindu shop owners. None of the Muslim affected persons have been compensated at all. Similarly a larger number of Muslims numbering over 140 have been arrested compared to only about 40 odd Hindus. ...

Recommendations:

1. The entire coastal Nagapattinam QM District has proved to be a very communally sensitive district for the last 10 years. It is imperative that the Government evolve concrete action programme to prevent the outbreak of communal violence.
2. Rehabilitation measures should be taken to ensure that the displaced ... are given protection to return to their places.
3. There should be permanent police pickets in pockets identified to be communally sensitive. Reserve Protection Force should be stationed in the HQs at 24 hours alert, particularly during festival times... In such places police and revenue officials of both communities should be appointed.
4. Leaders from both communities who have a record of giving inflammatory speeches should be banned from holding meetings...
5. The Government should immediately ban the newly started Vinakaya Chaturthi Process in Nagapattinam-Nagore and other parts... Similarly Milad-e-Nabi procession should also be banned.
6. ... Losses suffered by victims in previous clashes have not yet been compensated. Further looted

(Contd. on Page)

J&K High Court
On State Liability for Loss of Life in Riots

State of Jammu & Kashmir, Appellant v. M/s Jeet General Store and others, Respondents.

M. Ramakrishna, C.J. and V.K. Gupta, J.

Constitution of India, Articles 226, 21 - Right to life - Liability of State - Communal riots - Petitioners suffering losses of properties due to riots - Allegations not constituting negligence, dereliction of duty on part of State in protecting properties of citizens - State not liable to pay compensation - Mere grant of ex-gratia relief does not amount to admission on part of State of its culpability.

Whenever a communal riot or a disturbance takes place all of a sudden, without any notice or warning and without any preparation or pre-meditation and if as a result, the disturbances taking place in a very very short spell of time, and if consequently some property is damaged, surely the State cannot be blamed for not protecting citizen's property.

The existence of the fundamental right of life and liberty is one thing but the extent of the obligation of the State to protect the life and liberty is a slightly different matter. The balance, therefore, is to be struck between obligation of the State to protect the property of its citizens in absolute terms and the need to protect the property in the light of the sources available as also the practical problems and difficulties faced in the day-to-day administration of the State. The concept of reasonable care in turn gives rise to an equally important concept of negligence on the part of the State. In the instant case, the petitioners failed and omitted to level any allegations against the State for not either taking proper care to protect the properties or for being negligent in the discharge of its constitutional obligations of protecting the life and liberty (including properties) of the petitioners and, therefore, State would not be liable to compensate the petitioners for the losses suffered due to communal riots. Further grant of ex-gratia relief cannot amount to any admission on the part of State. There are cases galore where the State grants ex-gratia relief to citizens in some tragic situations and events, where it even indirectly had no role to play with such events or happenings. For instance, the cases of floods, earthquakes or plain road accidents involving motor vehicles wholly owned by private parties. In all such unfortunate incidents and happenings, where the State is not connected with any act, it does grant ex-gratia relief to the citizens so that they tide over their immediate difficulties. This is not done by the State because it thinks that it is or was responsible for any such act. This is done only because the State being a welfare State thinks that it should help citizens in their hour of need by some assistance, in one form or the other because the citizens have suffered and they need help in their hour of difficulty. Hence directions issued to State to pay sums of money in absence of any allegations constituting culpability on part of State would liable to be set aside.

(Source: AIR 1996 Jammu and Kashmir 51)

(Contd.from PageC P I Leader... 464)

yesteryear who fought against Rajput domination and, therefore, Rajputs were generally wary of joining the Ranvir Sena. At Barki Kharaon, the unity between the two castes was effected by the BJP elements using the convenient communal pretext as the current struggle there was over Kabristan and Karbala land... The confrontation has its genesis in 1978 itself when Yunus Mian defeated Kesho Singh in the Panchayat elections for the post of mukhiya, and then the subsequent razing to the ground of the Imambara.

Bathani Tola is a typical case of open class war which, though rising at the grassroots, is defined by the parameters of political struggles at the top, a typical case where caste as well as communal antagonisms - the two major social parameters of contemporary Indian society - are blended within the framework of class struggle... With the outbreak of open class war the Centrist and social-democratic forces have turned impotent often adopting a neutral position that only goes to benefit the predators.

This class war ... subsumes within itself the issues of caste and communal discriminations...

If the 25 years of the history of Bhojpur is any guide, the struggle has never stopped half-way here. The rural poor, compared to their position 25 years ago, have snatched socio-economic gains and have advanced politically to a considerable extent. No Bathani Tola is going to make them surrender even a small bit of their gains. The battle, therefore, goes on and shall continue till the last vestige of feudalism is ultimately razed to the ground. **(Source: The Mainstream, 7 September, 1996)**

(Contd. from Page465)

property has not yet been recovered in most cases... Prompt action (should be) taken in this regard.

7. Muslim leaders agreed to suggestion made by the FFT that the disputed lands meant for housing Dalits should be made over to them in a gesture of goodwill by withdrawing cases. The Government should take immediate action to ensure the issuance of house site pattas to the Dalits.
8. Innocent persons, old persons, and mentally retarded people allegedly arrested by the police should be immediately released. Similarly people held hostages (for) accused persons ... should be released forthwith. Further, all those who have been arrested under Preventive detention should be released immediately or else remanded to judicial custody.
9. Action should be taken against policemen responsible for the excesses.
10. Of paramount importance is human rights education to police personnel and training to decommunalise the police force. **(Source: The PUCL Bulletin, October, 1996)**

Supreme Court: Clarificatory Statement on Hindutva Judgement

J.S. Verma, N.P. Singh, K. Venkataswami, JJ.
Text of Order in Aslam vs Union Government

The prayer in this writ petition under Article 32 of the Constitution of India is for reconsideration of the judgement in Manohar Joshi vs. Nitin Bhaurao Patil and Another, (1996) 1 SCC 169. The petitioner's contention, in substance, is that the judgement is incorrect. ...

However, in view of certain apprehensions expressed by the petitioner, we deem it proper to make some further observations now, which we had considered unnecessary to incorporate in the judgement in Manohar Joshi.

We may observe that the decision of this court in S.R. Bommai and others vs. Union of India and others, (1994) 3 SCC 1, did not relate to the construction of, and determination of, the scope of sub-sections (3) and (3A) of section 123 of the Representation of the People Act, 1951 and, therefore, ... reference to the decision in S.R. Bommai is ... inapposite in this context.

We may also add that the challenge in the writ petition to the correctness of the decision in Manohar Joshi is based on a misreading... In the judgement, the decision on the question of law is based on earlier Constitution Bench decisions of this court by which we are bound; and the observation therein which is challenged as incorrect ... is not the basis of the decision but an opinion expressed on an assumption if the making of the alleged statement of the hope of Maharashtra becoming a Hindu State, in the speech is held to be proved, without recording a finding that it was so proved. This allegation was based on a police report and Manohar Joshi did not admit the making of such a statement in his speech. Moreover, strong disapproval was expressed of such a statement, if actually made....

A careful and dispassionate reading of the decision would show that the apprehensions and misgivings expressed in the writ petition are imaginary and baseless. There is no occasion to read in the judgement in Manohar Joshi something which is not said or to say that it conflicts with the concept of secularism in S.R. Bommai. ...

The application of the decision in Manohar Joshi in cases like Dr. Ramesh Yeshwant Prabhoo vs. Shri Prabhakar Kashinath Kunte and others, 1996 (1) SCC 130, Shri Suryakant Venkatrao Mahadik vs. Smt. Saroj Sandesh Naik (Bhosale), 1996 (1) SCC 384, and Mohan vs. Bhairon Singh Shekhawat, 1996 (1) Scale Sp3, is another pointer to indicate that there is nothing in the judgement in Manohar Joshi to give rise to any such apprehension that it can enable misuse of religion for making an appeal for votes in an election.

We may add that the deficiency, if any, in the statutory prohibition enacting the corrupt practices in section 123 of Representation of the People Act, has to be cured by legislation and that deficiency cannot be cured by reading into a penal provision something which is not enacted therein. ...

We do hope that at least now there would remain no misapprehension in the mind of anyone.

The writ petition is, therefore, dismissed.

(Source: The Religion and Law Review - Vol. V (1996)

Warning on 'Hindutva'

Editorial, The Times of India, 28 March, 1996

The Supreme Court's unusual clarification of its ruling in the Manohar Joshi case that 'the words Hinduism or Hindutva are not necessarily to be understood and construed narrowly' should serve to dispel the anxieties voiced by critics and dampen the enthusiasm of those who had vociferously welcomed the judgement. Both sides were evidently wrong.

While construing the law, the court has ruled that the use of these words per se does not constitute a violation of the election law. However, by upholding the principle that religion and politics do not mix, it has implicitly warned that the religion of a candidate cannot be used for gaining political mileage.

Furthermore, it has put the onus on the legislature to cure the malaise of using religion for seeking votes... Nevertheless, the law as it now stands, unambiguously forbids appeals by a candidate for votes on grounds of religion. Equally, it forbids the promotion of enmity or hatred between citizens on the basis of race, caste or religion.

In an earlier ruling in the Bommai case... the court ... had held that secularism is an integral part of the basic structure of the Constitution. It is true, as the judges have now noted, that it was not a case under election law. But surely the election law must itself be interpreted in the light of that fundamental principle.

To be realistic, political parties and their candidates do not expend money and effort to propagate religion but to acquire power in its name, thus misusing religion for political ends. The terms 'Hinduism' or 'Hindutva' are used in a political context during election campaigns, and not in the abstract. The fact also remains that Hindutva, which is a narrow politico-religious construct, cannot be equated with Hinduism. Regrettably, the court's clarification does not touch upon this aspect. Nevertheless, it is bound to serve as a deterrent to those who had mistakenly believed that the earlier ruling gave them carte blanche to exploit religion for political gain.

... Given the terms, tone and tenor of the court's statement ... those in the Bharatiya Janata Party or the Shiv Sena who now resort to the Hindutva plank will only be tempting fate.

K.G. Ramakrishnan on Gandhi and Ideology of Nationalism

... During the Hunter Commission enquiry he was asked: "Is it not because many indignities were visited on the Indian people by an irresponsible foreign government that you started the non-cooperation movement?

"No, my Lord, replied Gandhi, "A foreign government has nothing to do with my decision".

Lord Hunter then said that in a democratic national government, there would be no need for a movement to force the government to respect people's wishes".

"I am not so sanguine," replied Gandhi.

He said that even in Britain under so-called democracy the people were often ignored. He went on to add that **civil disobedience was more valid under Home Rule than under foreign rule because a foreign ruler did not have the advantage of using democracy as a convenient cloak for suppressing the people.**

Gandhi ... often used to say that he did not want the British Army of occupation to be replaced by a National Army of occupation.

Gandhi was as much opposed to the national idea as to franchise-based Western models of democracy, buttressed by the checks and balances system...

European nationalism was the inevitable corollary of the Industrial Revolution. Big industry and small states went ill together. Larger states and direct democracy also could not coexist. The answer was either absolutism or representative democracy which gave the people authority to confer on the "Representatives" authority to rule over them. In such a situation vote or non-vote meant nothing for the people who in any event were becoming irrelevant to governance, statecraft or economic development which was why Gandhi felt that if people were to become masters of their destiny, the first attack must be on large industry. His last words in his correspondence with Henry Ford were in reply to Ford's question, "Is it not that you are against monopoly?"

Gandhi said: "That is all."

He was against monopoly of power, political or economic. He was convinced that any large government, national or foreign, democratic or despotic, would necessarily be an oligarchy.

He said: "I am not against capital but against capitalism. I am not against industry but industrialism". That is, if capital and industry had a function he did not object to either but he could not grant them an extra functional role of imposing their will on the people. He could have gone on to say that he was not against justice or democracy but against institutionalised or systemised and mandatory forms of either. Though he was a tremendously organised person he recognised the tyranny that inhered in every organisation. His Hind Swaraj written in 1908 contained much of his message. He came back to it in his letters to Nehru in 1945. To identify Gandhi ... with narrow nationalist ideas is the result of not understanding him.

The continuity of Indian wisdom in social and political matters was maintained by Gandhi. India alone was in a position to challenge the Western concepts of a nation-state built on large industry and sustained by expansionism. Though Nehru deviated from Gandhi's prescriptions, he was too sensitive not to acknowledge his fault during his last days as he did in two speeches, one in the Lok Sabha and the other in the NDC. But Nehru was succeeded ... by Philistines and profligates and later by pigmies and prevaricators. Today India seems to have already been overwhelmed by the cultural and economic waves of mercenary American expansionism. It looks at the moment that India may not be able to prevail against this menace...

(Source: The Mainstream, 2 March, 1996)

M.S. Sondhi on Religious Pluralism

Prof. T.N. Madan's exploration of the meaning of religious pluralism is most welcome, stimulated as it is by the 'pluralist definition currently favoured in India'. ...

The task of complementing minimal state neutrality by dialogue in civil society to overcome religious divisiveness is indeed a positive suggestion. (This was) advocated ... in my 1993 monograph, Hindu-Muslim Dialogue. I had outlined several preconditions for dialogue (between religious parties) which would integrally include the secularists. These include (i) a mutual recognition of strict equality amongst the various religious and ideological systems - not an equality of substance but of endeavour and a common untenable claim to absolute truth - or incompleteness; (ii) an agreement to refrain from conversion, which is an implicit assertion of one's own faith over another's; and (iii) to abstain from conflict of any kind. In other words, pluralistic egalitarianism, not so radical as to engender mutual incomprehension, but grounded in a presumed common background, could provide the philosophical or ideological basis for a national multi-cultural society, indeed for an international society.

It may not always be possible to love one's neighbour or to identify with his beliefs but one may come to know, accept and respect him. Prof. Madan also suggests as part of the dialogic process, not only understanding but, idealistically, as he himself admits, experience of one another's faiths. Indian history shows that intermingling of religious experience can take place ... at folk and popular levels. However, the partition of India and modernisation have further contributed to the refirming and hardening of separate religious identities. In such a situation, inter-community dialogues, via the articulation of both commonalties and differences, might be the most practical way to get started on the road to religious pluralism.

(Source: The Times of India, 6 September, 1996)

Human Rights Activist K.G. Kannabiran On Secularism and Secular Values

... Out attachment to secular values is as deep as is our attachment to personal liberty and other related fundamental rights. Propagation of secular values, if done with commitment, has the possibility of unleashing the forces of social transformation. All religious practices reinforce the status quo - whether they be of the majority or of the minority. The response to the criticism of religious bigotry has always been the exposition of the transcendental excellence of the philosophical backdrop of all the religious texts. This "sleight of mind" (an expression coined by Justice Iyer) shifts the focus from the vulgar and obscurantist practices which fuel fundamentalist politics to its transcendental content and thus in a weird way to justify entry of religion into politics.

Fortunately the assault on the Babari Masjid and the subsequent carnage led to considerable amount of judicial introspection the result of which led to the redefinition of secularism and its role in the political processes of the country in S.R. Bommai (AIR 1994 SC 1918). In the Constitution Bench of nine judges seven of them expressed in detail what secularism is all about and also set down the principles which should guide the court in adjudicating election disputes by interpreting section 123(3) and (3a) of the Representation of Peoples Act (PRA) 1951. There was no dissent. Justice Verma and the late Justice Yogeshwar Dayal did not express any opinion. On secularism the majority held:

a) Secularism is a constitutional and basic feature of the Constitution and any step inconsistent with this constitutional policy is, in plain words, unconstitutional.
b) Religion cannot be used with any secular activity of the state - in fact, the enforcement of religion into secular activities is strictly prohibited.
c) Secularism is part of the fundamental law and basic structure to all its people socio economic needs essential for mains excellence with material and moral prosperity and political justice.

And it was declared that it is absolutely erroneous to describe secularism as a vacuous or phantom concept.

Linking secularism to the electoral process the majority held:

a) No government can patronise any particular religion as a state religion and therefore all political parties are enjoined to main neutrality of religious beliefs and prohibit practices derogatory to the Constitution and the laws.
b) Introduction of religion into politics is prohibited by the Constitution and the RPA 1951 as well.
c) Political parties, groups of persons or individuals who would seek to influence the electoral process with a view to come to power should abide by the Constitution and the laws including secularism. Section 123(3) should not be permitted to be circumvented by resort to technical arguments as to the interpretation of the section. Ram Jethmalani's argument that Section 123(3) and (3A) should be confined to cases in which the individual candidate offends religion of rival candidate and that ratio cannot be extended when a political party has espoused as part of its manifesto a religious cause, was rejected as wholly untenable. Ram Jethmalani argued that the partition of the country was on the basis of religion and called for the acceptance of the theocratic principle. It was pointed out by the court that no political party or organisation can be simultaneously a religious and a political party. The necessity of registration of parties for allotment of symbols obliges every party seeking registration to file declaration affirming its faith in the principles of "socialism, secularism and democracy".

This decision for the first time declared that secularism is an indispensable premise which should inform not only governance but all the other institutions in the society. All interpretative endeavours by the courts should really be governed by this decision. But unfortunately this was not to be.

In Manohar Joshi and the other cases the High Court formulated the proposition correctly when it said:

> It must be noted that this election petition is not based on individual acts of Respondent or his election agent or any other person with his consent. This petition is based upon the above mentioned plank and/or policy decision of the Shiv Sena and BJP and the campaigning by the party and the Respondent on the basis of that plank.

Supreme Court in Kihoto Hollohon and S.R. Bommai.

In the Supreme Court the learned Judge of the High Court was faulted. Justice Verma points out:

> The requisite consent of the candidate cannot be assumed merely from the fact that the candidate belongs to the same political party of which the wrong-doer was a leader since there can be no presumption in law that there is consent of every candidate of the political party for every act done by every acknowledged leader of that party.

This is totally divergent to the views of the Supreme Court on the party system, secularism and the limitations imposed by these decisions on the role of religion in the political processes.

(Contd. on page 26)

T.N. Madan on Religious Fundamentalism

The phrase "religious fundamentalism" has been much in vogue since the Iranian Revolution of 1979. Bigotry, intolerance of dissent within the community of believers and often hostility towards other faiths are among its characteristic features. ... Fundamentalism is different from communalism or religious nationalism. ...

Role of Scripture

Today, all over the world, there are movements and organisations that are called fundamentalist. They all apparently attach a central importance to scripture as an infallible and accessible (easy to understand, not in need of interpretation) guide to the conduct of human affairs. Maulana Maududi ... argued against the modern notions of "nationalism" and "democracy" and said that sovereignty belongs to God alone Muslim fundamentalists everywhere share these views.

In the 1870s, when the Arya Samaj was formed, Dayanand Sarasvati claimed that the Vedas were the only true and complete revelation. All other scriptures (including the Bible and the Koran) were, according to him, false... He sought not only to cleanse Vedic ritual of later accretions, such as idol worship, but also to reform the caste-based Hindu society of such social evils as untouchability and the discrimination against women against women. The professed concern with the purity and sanctity of culture that today characterises the RSS ideology is a continuation of the Arya Samaj agenda, but as Hindutva, it is ruthlessly intolerant of pluralism. Every India is required to consider India both the fatherland and the holy land. The cost of dissent, it has been said, should be the loss of citizenship rights.

In the recent past, Jarnail Singh Bhindranwale ... identified three enemies of the Khalsa, namely the fallen (patit) Sikhs, the Hindus and the secular or godless state. He said that if the Sikhs did not follow the traditional codes of conduct, they would surely be oppressed by others. The call to recite scriptures was combined with the exhortation to use firearms for self-protection.

Quest for Power

From the above, two key characteristics of fundamentalism may be inferred. First, faith in the authority, infallibility and transparency of scripture or other sacred traditions. Second, a concern with the ordering of the family, the civil society, and the state according to it or them. In short, fundamentalism is about scripture, culture, and power conceived of as a system of interrelated elements... The fact that fundamentalist claim sole access to truth results in the intolerance and bigotry that one associates with them. Bigotry combined with the quest from political power lead to militancy, terrorism and secessionism.

A question that often is asked is whether ... fundamentalism is not only a new name for revivalism and traditionalism. To a certain extent fundamentalists are revivalists, but they are not simple traditionalists. In fact they are innovators. The strategy employed is that of selective retrieval or invention of tradition. Dayananda stressed the Vedas and rejected the Puranas and Epics. The Ayodhya movement has recast Rama in a strident warrior mould which is not faithful to the benign image that Tulasi Das handed down... Bhindranwale consistently stressed the personal example of the sixth and tenth Gurus almost at the expense of the first... the Iranian Revolution ... installed a system of governance ... heavily indebted to Greek and Western liberal political thought and institutions, but at its helm a guardian who is the best Islamic jurist available. In the 1300 years of the history of Islam there never had been such a government. The doctrine of the guardianship of the jurist (vilayet-i-faqih), which was offered by Ayatollah Khomeini... was a late development in Shia political... In short, fundamentalists redefine tradition in terms of their assessment of contemporary needs, before giving the call for a return to it.

Another Aspect

... Fundamentalist movements ... reject "secularism" as an ideology (but) they are not against the use of science and technology in economic life or modern methods of political mobilisation and bureaucratic organisation, or indeed modern methods of mass communication. Christian fundamentalists in the West also have made their peace with secularisation ... but denounce secularism as error.

... To confront the excesses of fundamentalism ... rationalisation alone is inadequate. Religious pluralism ... intellectually the exact opposite of fundamentalism ... by repudiating ... claims or the possibility of anyone being in sole possession of the whole truth, ... shows the ways to the opening of inter religious dialogues and the making of tolerant societies. **(Source: The Times of India, 29 August, 1996)**

(Contd. from page469)

Suddenly we find the entire focus being shifted to Hinduism and equating it with Hindutva, a later concept which came into vogue more emphatically when these parties were planning an assault on Babari Masjid. Misuse of these terms, the judges point out, cannot alter their true meaning. Quite true. But the issue is not Hinduism and Hindutva in the abstract.... Bal Thackeray and his colleagues were not expounding Hindu philosophy in its transcendental dimension. In fact election campaigns have never been occasions to embark in religious discourses... What was being expounded was vulgar Hindu nationalism and anti-minority diatribe. By delving on Hindu religion and culture the learned judges legitimised vulgarity and canonised Bal Thackeray as a Hindu saint. This is unfortunate... True, the consequence was unintended, but nonetheless it is a consequence which we will have to live with and perhaps suffer!

(Source: The Mainstream, 11 May, 1996)

Sudheendra Kulkarni

On RSS's Role in Reform and Consolidation of Hindu Society

... One of the important truths about the RSS, and (Deoras), the man who led it for 21 years, is its silent but steadfast endeavour to unite the Hindu society on the basis of the harmony principle... There is simply no other socio-cultural organisation which has been working with so much dedication and determination as the RSS to re-forge the weakened bonds of equality and fraternity in the caste-ridden Hindu society. No doubt, the RSS has been wedded to the goal of Hindu unity since its inception in 1925. But, indisputably, Deoras it was who transformed samarasata (harmony) from merely being a fine concept embedded in the philosophy of the organisation into its main programmatic direction.

Just one sentence of Deoras - "If untouchability is not a crime, then nothing in this world is a crime" - should suffice to show the intensity of his concern for social reform in the Hindu society. He had correctly diagnosed that the chief source of the weakness in Hindu society was internal - its hierarchical caste system and the injustice it heaped on those who were unfortunate to have been born into the so-called lower castes. He did not care much for ritualistic Hinduism.... Deoras preferred to be a Karma yogi. The emphasis on action, service-oriented action, increased during his helmsmanship of the RSS.

Deoras realised that the Hindu society's neglect and apathy towards it own poor and downtrodden would prove costly in the long run... if the Hindus continued to be weak and divided. He looked at ... the stark dichotomy between the philosophy and reality of Hinduism. Hindu society was losing its vitality and creative energy due to caste divisions, the occasional flare-up of these divisions into violent conflicts, and the blatant exploitation of these divisions by politicians for their narrow electoral gains. Minakshipuram and the steady, albeit unpublicised, demographic hemorrhage of the Hindu society caused by fraudulent proselytisation in different parts of the country illustrated the other face of the dangers inherent in the neglect of the Dalits, tribals and the poor in general. The RSS learnt necessary lessons from this reality and, under Deoras' quiet guidance.... (Its) volunteers became more active in slums and Harijan bastis than ever before.

... The decades of the 1970s and the 1980s witnessed unprecedented levels of political activism by Dalits and backward castes. Occasionally, it also manifested in various forms of mindless militancy. Surfacing sometimes as an independent political stream, but oftener being co-opted by the Congress and other parties, the multi-hued Dalit and backward caste movement had nonetheless one common source of inspiration: B.R. Ambedkar. The question before the RSS was: "How do we assess the personality and legacy of Ambedkar?" It was by no means an easy question. Ambedkar had, in the evening of his life, left the Hindu fold to embrace Buddhism along with tens of thousands of his followers. (Some) Ambedkarites ... were unanimous in badmouthing the Hindu culture, society and the RSS.

Deoras ... faced the challenge head-on. The life and legacy of Ambedkar was no doubt complex, but one could not even begin to understand it unless one had the head and the heart that revolted against the inhuman conditions in which the people of his caste were condemned to live... Besides, Ambedkar himself had a far from antagonistic relationship with Hindu nationalists of his time, such as Savarkar. To cap it all, the reasons he gave for embracing Buddhism, in the face of many allurements from Christian and Muslim proselytisers, were such as would remove all doubts about his innate commitment to India's cultural nationalism. Thus, under the leadership of Deoras, contemporary Hindu movement began a serious and honest re-appraisal of Ambedkar. The process has progressed so far that, today, the RSS considers the great champion of social justice to be pratah smaraneeya (worthy of being reverentially remembered every morning).

It was again Deoras's visionary outlook which prompted the RSS to start in 1983 a new affiliated organisation, Samajik Samarasta Manch, solely devoted to the cause of creating social harmony between various castes and sub-castes in Hindu society... The RSS way of establishing samarasata is through a combination of samata (equality) and manata (kindness of heart). This also shows that the RSS movement for samarasata carries a distinct imprint of Gandhiji's perspective on social reform... This Manch ... today gets the highest attention from the Sangh's top leadership...

Undoubtedly, the Hindus have a long way to go before the ideals of equality, fraternity and harmony are fully reflected in their decidedly multi-cultured, multi-lingual and multi-caste existence. But if, at long last, this maddeningly plural Hindu society is beginning to experience some kind of confident self-identity - an identity which, even while respecting Hinduism's rich diversity, proudly upholds its underlying unity - then a good part of the credit must go to the ... RSS.

(Source: The Pioneer, 13 August, 1996)

Kuldip Nayar onLahore Resolution How Created Two Minority Problems

... Nothing could be more futile than an argument now about who was responsible for the partition of the subcontinent. With the sequence of events stretching back for several decades, such an exercise can only be an academic distraction. But it is clear that the differences between Hindus and Muslims had become so acute by the beginning of the forties that something like partition had become inevitable.

March 23, 1940, when the Muslim League adopted a resolution to demand the formation of Pakistan, comes to my mind when I think of those days....

In his address, Jinnah said that "the Musalmans are a nation by any definition" and that "if the British government are really earnest and sincere to secure the peace and happiness of the people of this subcontinent, the only course open to us all is to allow the major nations separate homelands by dividing India into autonomous national states."

He did not use the word 'Pakistan'. Nor did it figure in the body of resolution, which was hammered into final form at the League's Subjects Committee long after his speech. But Pakistan was by then a popular term, the concept of an independent country for Muslims. Sikandar Hayat was opposed to partition because his Unionist Party, then in power in Punjab, was a platform of Hindu-Muslim-Sikh co-existence. But he was in a minority of one.

The operative portion of Lahore Resolution or, for that matter, of the Pakistan Resolution was: "That no constitutional plan would be workable in this country or acceptable to Muslims unless it is designed on the following basic principles, namely, that geographically contiguous units are demarcated into regions which should be so constituted, with such territorial readjustments as may be necessary, that the areas in which Muslims are numerically in a majority, as in the North-Western and Eastern zones of India, should be grouped to constitute independent States in which the constituent units shall be autonomous and sovereign".

Jinnah lived to rue the day the words "such territorial readjustment as may be necessary" were used in the resolution. Mountbatten, the last British Viceroy, picked up the words to justify the split of the Muslim-majority Punjab and Bengal when the subcontinent was partitioned. Still catastrophic was the phrase "independent states" because, later the supporters of independent East Bengal (now Bangladesh), argued that the creation of two independent countries, one in 'North-Western' and the other in the 'Eastern' zones of India, was conceived in the Pakistan Resolution itself...

... In the archives in London, there is a report on the findings of a Muslim League Committee constituted to implement the principle of the Lahore Resolution.

The committee had recommended the formation of the two Muslim states: one in the north-west (Sind, Baluchistan, NWFP and Punjab, together with Delhi after amalgamation with Punjab); the other in north-east (Assam and Bengal excluding the districts of Bankura and Midnapur, together with the district of Purnea from Bihar). Surprisingly, the committee did not say a word on Kashmir, which led India and Pakistan to wars subsequently.

An Avalanche

The Pakistan Resolution did wonders, beyond Jinnah's own expectations. It was an avalanche that swept away all other ideas from the Muslim mind and transformed the League into the Congress of Muslims. Only the Pathans in the NWFP remained unaffected...

From then on, Jinnah went on developing, relentlessly and impassively, his two-nation theory and the Pakistan demand. When his opponents talked of matters like the economic non-viability of the sate he envisaged, his reply was: "Then leave us to our fate". When some spoke nostalgically about the composite culture of Hindus and Muslims, he said: "Our sense of values and objectives in life and politics differ so greatly." And when Hindu referred to the Pakistan demand as "vivisection of the motherland", he said that for Muslims it was a struggle for survival.

For Muslims, Pakistan became "the promised land" and Jinnah a Moses. Rich and poor, politicians and civil servants, farmers and shopkeepers, young and old, men and women, rallied behind him. In Pakistan, they saw the realisation of their personal dreams, separation from Hindus, who had more riches and jobs. Still more, they saw in Pakistan the return of the days (of Islamic conquests).

Linlithgow, the British Viceroy at that time, summed up the Muslim attitude in a letter to Amery, then Secretary to State: "No matter what guarantees were given to the Muslim minority, they would always feel like a Cindrella with trade union rights and a radio in the kitchen, but still below stair"

The Muslims began to believe more and more that Islam would be in danger in an India with a vast Hindu majority. Little thought was apparently given to what might happen to Muslims living in UP, Bihar, Maharashtra, Karnataka or in the other states which were to remain part of 'Hindu Hindustan' after the Muslims were given their 'homeland' state. And it was strange to

Extracts from the Guilty Men of Partition

Ram Manohar Lohia's Views on Muslim Indians

"Muslims of India think that they owe their origin to such marauders as Ghazni and Ghori. An element of false self-pride enters into such erroneous understanding, which is further sustained by a theory of history that sees in every conquest an act of progress. Undoubtedly, there must have been stagnation and utter decadence in a society, which fell to an invader. Equally undoubtedly, every new force also one that conquers, brings some good alongside of the evil that it injects. To assess a conquest on the basis, first, of its success against a weaker foe and, secondly, of its introduction of novelty and movement would be to obliterate the distinction between good and evil, to worship the powerful and to select facts one-sidedly. No conquest is ever good, except in the wholly imaginary instance of a people that would have stayed stagnant until doomsday without it. A nation that reads history in any other way becomes chronically subject to invasions and conquests and India easily holds the world record in this respect.

"Muslims, because they have acknowledged Ghazni and Ghori as their ancestors, have been unable to protect their own freedom and rule. India's mediaeval history is just as much a war between Muslim and Muslim as between Hindu and Muslim. The invading Muslim has fought and conquered the native Muslims. Five times were the native Muslims unable to protect their freedom. They were subjected to such unparalleled massacres as those of Taimur and Nadirshah. The Mogul Taimur massacred the native Pathans and the Irani Nadirshah the native Moguls. A people who acknowledge invaders and massacres as their ancestors are unworthy of freedom and their self-pride is false, because they have no continuing identity that they can maintain. This, however, does not solve the problem of the enduring effects of a conquest, if it has lasted long. Conquerors who change into natives in course of time become a part of the nation and a formula must be evolved that corresponds to this change in realities. It is one thing not to acknowledge the rape of one's mother, it is quite another to refuse to accept its results. The Muslim has erred in acknowledging both the rape and its results, the Hindu in refusing to acknowledge either. The Hindu has been unable to protect his mother and he adopts the easy way of transferring his anger at his own infirmity on to the head of his half-brother. The half-brother in the turn goes native and falls victim to another variation of the disease. His scale of values falls so low that he mistakes infirmity for prowess.

"I have felt lately that the Moguls with the exception of the great Akbar and the clever Jahangir were a relapse into estrangement, while the Pathans had reached an unusual degree of approximation with the Hindu. Jayasi and Rahiman are as bright stars of Hindi poetry as any Hindus. In fact, Rahiman is a name that embodies the Indianisation of Islam. It is like the name of Russian Muslims, whose Islamic names have been traditionally Russianised by the addition of such suffix as `ov' or `in' or that of Indonesian Muslims, most of whose Indonesian or Hindu names have not been changed in spite of the conversion to Islam..." **(Source: The Organiser, 21 July, 1996)**

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find the Muslims of those areas more vocal in support of the demand for Pakistan than those in Punjab, the NWFP and Sind, which were to form parts of the new country.

... Maulana Abul Kalam Azad, top Congress leader, warned that the Muslims in UP, Bihar and Madras would "Awake and discover overnight that they have become aliens and foreigners. Backward industrially, educationally and economically, they will be left to the mercies of what would then become an unadulterated Hindu Raj".

When Jinnah was once asked by former Maharashtra Chief Justice M.C. Chagla what would happen to the Muslims left behind, he said: "They can take care of themselves". And later, he said elsewhere that there would be after all "Hindus in Pakistan just as Muslims in India". It looked as if to solve one minority problem, he was creating two similar problems in India and Pakistan.

(The Radiance Viewsweekly, 18-24 August, 1996)

Sir Sikandar Hayat Khan on Hostage Theory

One day in October 1938 during a conversation with Sir Sikander I began talking to him, rather enthusiastically about the merits of the Pakistan idea and suggested that it might after all be the best way of dealing with the communal problem. Sir Sikander, usually so calm and suave, after listening for a few minutes turned upon me, his eyes burning with indignation, and took me to task with these words:

"How can you talk like this? You have been long enough in Western Punjab to know the Muslims there. Surely you can see that Pakistan would be an invitation to them to cut the throat of every Hindu bania."

"I put forward the hostage theory - there would be so many Muslims in Hindustan and so many Hindus in Pakistan that both sides would hesitate to harass their minorities for fear of reprisals. He brushed it aside. The Baluchis and Awans of West Punjab, he said, would not care at all about the lives of Muslims in Hindustan. The hostage idea was a mere fancy. Both sides would kill their own hostages. `I do hope', he went on, I won't hear you talk like this again. Pakistan would mean a massacre".

(Source: Divide and Quit by Sir Penderel Moon I.C.S.)
(Courtesy: The Organiser)

Pan-Turkism, Pan-Islamism or Secular Nationalism in Central Asia?

Turkkaya Ataov, Professor of International Relations in Ankara University in Turkey

Introduction

The disintegration of the former Soviet Union resulted in the entry of five Turkic republics into the community of sovereign nations as new independent states, ... whose peoples, nevertheless, have been part of Asian history for many centuries. The Turkic-speaking multitudes, scattered in a number of places in the former Soviet territory, including that of the present Russian Federation, constitute many more communities, large and small. In fact, the Turkic family of languages is the mot numerous in what was the USSR. It includes about twentyfive closely related dialects. Those whose mother tongue is a Turkic language inhabit a vast territory extending from the Caucasus to the most eastern corners of Siberia. However, most of them live just across Turkey's border in the east, in Central Asia, which is the "original homeland" of the Turkish people.

... The dispersal of the Turkic-speaking peoples in a number of directions from the Central Asiatic mainland is a historical truth... This is only a matter of undeniable cultural affinity. Although the extent of relationship may very in each case, there is no doubt that the Turkic languages have a common core. Some dialects may be loaded with Russians, Arabic and Persian words but the construction, the grammar and most of the vocabulary are identical or similar.

... Turkey is developing, ... relations with ... the Commonwealth of Independent States (CIS)...

On the other hand, the Soviet demise created a "vacuum" in the Caucasus and Central Asia, where the new republics are experimenting with nationalism, pluralism, religion and market economy. Turkey considers its role in both areas as a duty and responsibility, as well as a matter of interest. The Muslim Turkic republics look at Turkey as an advanced political model with a developed economy and technology...

One of the reasons for Turkey's interest, weight and hold over these areas is the fact of a basically common language...

Conclusions

There is an obvious cultural affinity among all Turkic-speaking peoples. This fact and the inevitable development of close relations between the Turkic peoples is not going to whip up "Pan-Turkism" or "Pan-Islamism". The Turkish perception of a new Turkic world coming forth is different from that of some foreign circles. It is important to remember that the nineteenth century ideas of a Turkic world did not originate in the "home country", that is, the Ottoman state and the Turkish Republic, but in the diaspora. In this way, it differed from Pan-Germanism or Pan-Hellenism. Secondly, their inception unfolded on the cultural plane with emphasis on unity or similarity in language, literature, folklore and history. Thirdly, its propagators felt themselves justified because they had more than their share of competitors or opponents in the form of Pan-Slavism of Czarist Russia and the similar irredentism of some other neighbours. Other nations usually had one "opponent image", but Turkey had more than one. Fourthly, no matter where and how the ideas concerning a Turkic world might have originated or developed, the governments of the Republic of Turkey have never committed themselves to "Pan-Turkism" and never went beyond acknowledging cultural affinity. "Pan-Turkism" never became a government policy. Kemalist patriotism was Turkey centred... Turkey... faces the mammoth task of assisting its "distant cousins" to stand on their own feet. This position may indirectly increase Turkey's influence, prestige and weight in the new arena of international politics, but it is a by-product.

It is true that if there is one centre of the "Turkic world", the heart happens to be contemporary modern Turkey. It is also important to underline that the "Turkish model" is a secular one. Islam is on the rise, not only in the periphery, but also in the very new republics, a phenomenon easily judged by the construction of mosques and the printing of the Koran. there are some neighbouring countries which send religious leaders to all the Central Asia republics and Azerbaijan and invite hundreds of young students as part of their efforts to bolster Islamic fundamentalism. Kemalis is the ideology of the Turkish Revolution of the 1920s, on the other hand, placed secular thinking as a cornerstone of the new Constitution and tried to free the polity from religious considerations. Since then secularism is a constitutional principle with the Turks of Turkey.

The competition connected with Islam's place in the society is ranging around the choice of an alphabet to replace the ... Cyrillic... While some neighbours ... recommend a return to the old Arabic script... Turkey suggests the Latin... Kazakhstan, with a large Russian minority, may be content with Cyrillic... but other Turkic peoples are more open to adopt the Latin ... used by most of them until the Russification campaign of the Stalin era.

(Source: The Mainstream, 22 June, 1996)

Fred Hill on the Demographic Solution in Mindanao

Mindanao is continuing to earn its reputation as the "wild west of the Philippines." ... Kidnapping and banditry, ethnic and "religious" violence, all contribute to the island's frontier image.

... Western journalists choose words like "Muslim" and "extremist" as if they are interchangeable, and add terms like "terrorist" to cast judgement on their cause. Repeated acts of violence appear to be beyond explanation, as if war was the inevitable result of mixing Christians with Muslims.

... Mindanao is an island with a culture and history quite different from the rest of the Philippines. Islam has dominated the island for centuries. Its proud mujaheddin have defended their homes against colonial invaders from Spain, the United States and Japan. Now the Philippine government rules Mindanao, and they are exploiting the resources, diluting the Muslim majority and containing tribal peoples in enclaves of underdevelopment. Settlers from the crowded and predominantly Christian Luzon and Visayan islands have grown into a dominant culture, seizing Muslim homelands declared 'public domain' by the courts of Manila. Newcomers prosper while the indigenous displaced and abandoned to poverty..

An armed resistance developed in the late 60s, with the Moro National Liberation Front (MNLF) and the Moro Islamic Liberation Front (MILF) opposing the Philippine military and Christian vigilante forces. President Ferdinand Marcos responded with ... force... MNLF leaders sought recognition from the Organization of the Islamic Conference (OIC) and the United Nations. Under pressure from Islamic states, Marcos began peace negotiations and offered a formula or regional autonomy. Today the Autonomous Region of Muslim Mindanao (ARMM) poses as a cosmetic independence that satisfies no one. Yet MNLF Chairman Nur Misuari is cautiously committed to this experiment, and enforces his end of the cease-fire while giving peace a chance. More militant members of MNLF and the children of guerrillas martyred in the separatist battles of the 70s have chosen more dramatic means of resistance, including Abu Sayyaf.

Containing the Muslims

"Ethnic cleansing" is a harsh term to apply to the Philippine government... The tools of Philippine's ethnic cleansing are more subtle, and easier for the outside world to ignore.

In addition to settlement and "development" policies, the Philippine government regularly manipulates population statistics to minimize the Muslim count. Since only Christian birth and death records are recognized as official, there is no accurate census available on the current Muslim population. Voter representation and the need for government services in Muslim sectors can thus be denied or devalued, and electoral results are easily manipulated. Despite autonomy votes in 13 provinces with apparent Muslim majorities, autonomy was granted in only the four poorest provinces. Any visitor can see that the number of Muslims appear to be much more than the official estimates claim. The explanation given by the government is that the rest were "squatters" routinely evicted when their settlements were burned.

Development planners allocate resources to benefit Christian settlers at the expense of native Muslims. The National Power Company (NPC) has crowded 7 hydroelectric dams along a 30-km. stretch of the Agus River, to power the factories of Iligan and Cagayan de Oro. This enormous strain is destroying Lake Lanao, the river's source... For centuries the Maranao ("people of the lake") have relied on this lake for the subsistence of thousands. Now more than half of it has been drained away ... while Muslim cities like Marawi suffer diminished resources. NPC executives explain that some "Muslim bandits" have retaliated by cutting power lines and sabotaging generators. These officials dismiss the international protest of this ecocide... Hardships to the Muslim population seem to attract little concern.

Cheap energy lures out-of-town contractors to build up industry along the coast. National Steel Company, the Philippines' largest steel mill, is often trumpeted as a grand development scheme to industrialize northern Mindanao. Located in the Muslim countryside, west of Iligan City, it is a major employer in the area. But most of the 4000 employees are Christian Visayans, many of whom were brought there... in the 1970s. They ... displace farming and fishing villages. Despite the official line that "local hiring" was the rule, no Maranao names could be found on the union list. Responding to a query that how many Muslims work here, one of the bosses said, "Five or ten, I'd say." Not percent, but only 5 or 10 out of 4000. It is bluntly said that local Muslims are not educated enough to be employable in the steel mill. Recent efforts by the Mayor of Iligan to expel all Muslim students from the city's public schools would presumably preserve this imbalance.

The media publishes reports about the "Muslim" violence in Mindanao, but not the reasons for their frustration. Philippine policies to water down and displace the Muslim majority (now a minority, since the 1950s) government repression of all resistance and schemes of token "autonomy" co-opts the moderates and enrages the rest. As the forests and lakes recede and the benefits of the resources are drained off to others, some Muslims feel compelled to take more drastic action. Groups like Abu Sayyaf commit regrettable acts of violence, but these actions can hardly be dismissed as "pointless terrorism" Instead, these are the predictable responses of an endangered people.

(Source: The Islamic Horizon, March/April, 1996)

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According to the deputy prime minister of the Crimean regional government, Ilmi Umerov, of the 250,000 Crimean Tatars now living in Crimea, 120,000 are homeless; more than 20,000 people who are building homes for themselves are unable to complete them because they have no money left; and 40,000 are jobless. Behind these stark statistics is a far more grim situation of the families who are having to fend for themselves.... 51% of the children suffer from various diseases and there are vacancies for only 8,000 of them in the pre-school institutions; of the women, 80% are unable to get any secure government jobs, when "84% of them have higher and middle professional education"; and 126,000 of the Crimean Tatars have still to get recognition of Ukrainian citizenship from the state.

... Most ... Crimean Tatars are living in appalling conditions, compared to which their station of life in their enforced exile in the former Soviet Union was often much better... The returning Crimean Tatars, half of whom have trekked back in the past six years, to see their former homes and lands occupied by Russian settlers... The UN Coordinator in Crimea, Lubov Horich, says more than 50% of the Crimean Tatar Population 'have no water or electricity in their homes and no paved roads' in their settlements. ...

The Commission of the Ukrainian Cabinet of Ministers investigating the causes and consequences of the Crimean Tatar unrest in eastern Crimea in June 1995 came to the conclusion that 'the Crimean Tatars are much worse off than the rest of the population', and the meagre funding provided by the government to integrate into society the deported people, only those who have returned so far, it will take 100 years to implement the programme.

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The Shia-Sunni Divide in Pakistan

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Pakistan is no stranger to sectarian violence and social turmoil. The recrudescence of Shia-Sunni violence is as dangerous as it is depressingly familiar. ... Karachi today is of course a dying city which is not only rocked by religious and political violence but also by the rise of the mafiosi and the underworld. The Mohajirs are being treated as second-class citizens. If in the 1970s the chauvinist Pakistanis forced the Bangladeshis to secede, the Mohajirs today are perhaps being pushed to a similar plight. Over 2,000 people died in Karachi last year in communal violence.

The continuing turmoil in Pakistan has exposed the myth that religion can be a sound basis of nationalism. Pakistan which does not miss any opportunity to blame India for communal violence or insurgency in Kashmir has been most intolerant towards the Mohajirs, Shias and the microscopic minority community of Ahmediyas... Religious fanaticism and terrorist violence extended into Kashmir by Pakistani leaders are only the flip side of the coin of extremism and terrorism stalking Pakistan... In reality, Pakistan's own existence is precarious. It is paying the price for its inability to accept cultural pluralism. Sectarian violence is the result of multi-dimensional conflicts in Pakistani society which have been left to fester.

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as question authenticity. Remains inspected (15
duddin Khan's suggestion for perpetuation of
temple on Babari Masjid site severely criticised by
Masjid Movement and Ulema. *VHP demands
ation of disputed site as Ramjanma Bhoomu by
slation and convenes Dharma Sansad on November 16-17,
iterates demands in respect of Mathura and Varanasi.
*Shankaracharya Swaroopanand criticises Prime Minister for
under-playing the importance of Ramjanma Bhoomi.

OTHER MATTERS OF CONCERN

Mathura Idgah: *Architectual artifacts found in excavation in Idgah courtyard handed over by administration to Krishna Janambhoomi **(17 Aug)**.

Reservation: *JD President Laloo Yadav demands end to 50% ceiling on reservation **(17 Aug)**. *Muslim Samaj, Lucknow demands 30% reservation of Muslims in UP **(19 Aug)**. Former Cabinet Secretary Zafar Saifullah supports reservation for minorities **(20 Aug)**. Association for Promoting Education and Employment for Muslims holds Regional Convention in Hyderabad which reiterates demand for reservation at various levels in proportion to population and index of backwardness. Welfare Minister Ramoowalia inaugurates Convention and highlights steps taken to promote welfare and development of minorities **(18 Aug)**. *Railway Minister Paswan reveals Government's intention to extend reservation to private sector **(23 Aug)**. National Convention of Dalit Sena demands 10% reservation for minorities **(24 Aug)**. PM Deve Gowda reiterates 10% reservation for economically backward higher castes. *National Convention of Muslim OBCs sponsored by Cong(I) demands recognition of all backward Muslims as OBC/SC/ST **(29 Aug)**. *JD NE decides to appoint a Committee to determine quantum of reservation for religious minorities 'without disturbing reservation already given to backward sections among them'; also favours separate quota for non-Hindu Dalits **(2 Sept)**. *HM Indrajit Gupta opposes reservation on the basis of religion **(10 Sept)**. BJP Arya Pratiniti Sabha and VHP oppose recognition of Dalit Christians as SC **(2 Sept)**. *Government Constitutional Amendment Bill to reserve 33% for women in Lok Sabha and State Legislatures supported by all parties but referred to Select Committee **(13 Sept)**.

Communal Violence - Anti-Sikh Riots, 1994: 88 persons sentenced to 5 year's imprisonment for involvement in 1984 Anti-Sikh Riots in Delhi **(27 Aug)**. One person sentenced to death **(11 Sept)**.

Meerut Disturbances, 1987: Mulayam Singh demands publication of confidential reports on Maliana and Hashimpura Massacres.

Personal Law: Government informs Supreme Court that legislation to introduce Uniform Civil Code will be against Government's policy of non-interference with Personal Laws of minority community **(3 Sept)**.

Electoral Roll: AASU agitates for fresh revision of voters list in Assam before ensuing bye-elections **(15 Sept)**.

Wakfs: West Bengal names Justice G.R. Majumdar, sitting Judge of Calcutta High Court, to head judicial inquiry into alleged Wakf Scams **(28 Aug)**. A.I. Muslim National Convention opposes trifurcation of Punjab Wakf Board (14 Sept). Wakf Minister Ramoowalia admits to poor progress in implementation of Wakf Act, 1995 **(28 Aug)**. Rajya Sabha discusses Wakf Administration and appoints a committee to look into misuse **(10 Sept)**.

Education: AMU Staff Association observes one day token strike to press demands for introduction of merit promotion scheme and regularisation of ad hoc teachers, etc. AMU appoints Commission of Enquiry under Justice Mathew (25 Aug).

Prof. Mushirul Hasan's appointment as Acting Vice Chancellor following sudden demise of Prof. Basheeruddin Ahmed revives campus agitation against him **(12 Sept)**. *Welfare Minister Ramoowalia announces enhancement of Maulana Azad Educational Foundation budget to Rs. 200 crores.

Hindu Chauvinism: Bajrang Dal revives agitation for renaming Aligarh as Harigarh **(20 Aug)**.

Freedom Movement: 75th anniversary of Moplah Revolt observed in various parts of Kerala **(23 Aug)** but ignored nationally.

Haj: Government announces plan for separate Haj Air Terminal at New Delhi **(26 Aug)**.

Jama Masjid: Delhi High Court postpones clearance of Bukhari's Wuzu Khana projects until clearance by ASI and the DUAC **(5 Sept)**.

Urdu: A.I. Urdu Rabita Committee demands implementation of Gujral Recommendations **(23 Aug)**. *Supreme Court orders proper maintenance of Mazars of Urdu Poets Ghalib and Zauq in Delhi, particularly, removal of public toilet over or near latter's grave **(23 Aug)**.

Mass Media: Buddhists demand ban on telecasting film on Buddha's life **(25 Aug)**. *Hindu organisations demand ban on school textbook for offensive reference to Hanumanji.

Jharkhand Movement: Muslim leaders demand due representation in JAC and appointment of a Muslim as V.C.

Muslim World: Cease-fire in Chechnya followed by agreement welcomed **(16 Aug)**. Philippine President signs agreement with Moro Liberation Front for autonomy and development of Muslim majority districts in South Philippines **(3 Sept)**. *United Kingdom rules out extradition of MQM leader Altaf Husain Quraishi to Pakistan **(29 Aug)**. *Protest against massacre of Shia Muslims in Pakistan organised in Delhi (30 Aug). Continuance of Shia-Sunni riots in Pakistan universally deplored **(11 Sept)**. Home Minister Indrajit Gupta advises Muslims to denounce forthrightly Pakistan's interference in Kashmir **(10 Sept)**. BJP leader Vajpayee deplores US attack on Iraq **(5 Sept)**.

Obituary: *Sheen Muzaffarpuri, Urdu novelist, passes away in Sitamarhi. *Shia leader Ghalib Imam dies in Patna **(20 Aug)**. *F.M. Mohsin, 76, former Union Dy. Minister, passes away in Bangalore **(3 Sept)**. *Mufti Mahmoodul Hasan Gangohi passes away **(4 Sept)**. *Basheeruddin Ahmed, 64, Vice-Chancellor Jamia Millia Islamia, passes away **(7 Sept)**. *Mansoor Habibullah, former Speaker, West Bengal Assembly, dies in Calcutta **(14 Sept)**.

Commemoration: *Annual Urs of Hazrat Nizamuddin Auliya observed in Delhi. President S.D. Sharma in his message extols his message of love, fraternity and service.