



SOCIAL EXCLUSION AND ITS REPERCUSSION TO RELIGIOUS MINORITIES

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Abstract

Every nation has its own problems and prospects in the context of development and in terms of social, economical, political and other traditions. As for as India's concern even after six decade still it is in the crux of internal problems like caste, religion, economic status, gender discrimination, isolated and denied due to health related HIV and other diseases, ageing etc.,. Ageing would be the most important and big social problem in near future in India. Due to exploitation of the joint family system in India, the entire family's divided and Hindu traditions, customs, values are diminishing day by day.

Statement of the problem: The distribution of Muslim population in India today is the result of process extending over almost a millennium. They have been living for ages as an inseparable part of the rural and urban social milieus and bound together by the age-old ties in economy, customs and traditions. Significantly, Muslims in India are neither a cultural community nor a compact ethnic population. They live through layers of identities in a complex society.

Social Exclusion leads to deprivation and frustration as Dr.Amarthya Sen rightly says "Exclusion leads to impoverishment of human life through their casual consequences". Social transformation is the only way to discard social barriers. In this paper I tried to make an attempt to explore debate on discrimination, inequalities, social injustice, exploitation and oppression and observations for social justice in the context of economic reforms and globalization.

Keywords: Depressed Class (DC), Repercussion, Impoverishment, Exploitation.

1. Introduction

The term social exclusion borrowed from European countries. It is a multidimensional concept. It is broadly defined as systematic exclusion and instrumental exclusion. Systematic exclusion reinforced to instrumental exclusion. Systemic exclusion is inbuilt in hierarchical social resources through social arguments. Exclusion based on the caste is a classic example.

Social exclusion generates tension, violence and description but also perpetuates inequality and deprivation in society. In India marginalized communities such as scheduled castes, scheduled tribes and religious minorities and other disadvantaged sections and others experience systemic exclusion in the matter of taking advantage of development. The Government of India developed 'Equal opportunity policy' in the form of 'Reservation' for SC, ST, OBCs semi nomadic, de-notified tribes, women and physically challenged persons.

1.1. Policies for social inclusion:

Pre and post Independence the establishment of British rule in India introduced a western system of education, which was based on the principle of open access and universalistic criterion of admittance. It is the first of

its kind in the process of British efforts to impart education among the socially discriminated sections. In 1885 Sir Richard Temple, the Governor of Bombay proposed to reserve 50% of free scholarship for Muslims and backward Hindu Castes. In 1909, Minto-Morley Reforms was introduced that a separate electorate was set up for Muslim Minorities.

In the year 1947 the drafting committee of the assembly was started for the safeguarding the interest of the Scheduled Castes (SCs) in particulars and the marginalized sections in general, headed by Dr. B.R. Ambedkar.

1.2. Right to Freedom of Religion – Constitutional Provision

Article 25: Freedom of conscience and free profession, practice and propagation of religion: (1) Subject to public order, morality and health and to the other provisions of this Part, all persons are equally entitled to freedom of conscience and the right freely to profess, practice and propagate religion. (2) Nothing in this article shall affect the operation of any existing law or prevent the State from making any law:

- a) regulating or restricting any economic, financial, political or other secular activity which may be associated with religious practice;
- b) providing for social welfare and reform or the throwing open of Hindu religious institutions of a public character to all classes and sections of Hindus.

Explanation 1: The wearing carrying of kirpans shall be deemed to be included in the profession of the Sikh religion.

Explanation 2: In sub-clause (b) of clause (2), the reference to Hindus shall be constructed as including a reference to persons professing the Sikh, Jain or Buddhist religion, and the reference to Hindu religious institutions shall be constructed accordingly.

Article 26: Freedom to manage religious affairs: Subject to public order, morality and health, every religious denomination or any section thereof shall have the right-

- a) to establish and maintain institutions for religious and charitable purposes;
- b) to manage its own affairs in matters of religion;
- c) to own and acquire movable and immovable property; and
- d) to administer such property in accordance with law.

Article 27: Freedom as to payment of taxes for promotion of any particular religion: No person shall be compelled to pay any taxes, the proceeds of which are specifically appropriated in payment of expenses for the promotion or maintenance of any particular religion or religious denomination.

Article 28: Freedom as to attendance at religious instruction or religious worship in certain educational institutions: (1) No religious instruction shall be provided in any educational institution wholly maintained out of State funds. (2) Nothing in clause (1) shall apply to an educational institution which is administered by the State but has been established under any endowment or trust which requires that religious instruction shall be imparted in such institution. (3) No person attending any educational institution recognized by the State or receiving aid out of State funds shall be required to take part in any religious instruction that may be imparted in such institution or to attend any

religious worship that may be conducted in such institution or in any premises attached thereto unless such person or, if such person is a minor, his guardian has given his consent thereto.

1.3. Cultural and Educational Rights:

Article 29: Protection of interests of minorities: (1) Any section of the citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same. (2) No citizen shall be denied admission into any educational Institution maintained by the State or receiving aid out of State funds on grounds only of religion, race, caste, language or any of them.

Article 30: Right of minorities to establish and administer educational institutions: (1) All minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice. (1-A) In making any law providing for the compulsory acquisition of any property of an educational institution established and administered by a minority, referred to in clause (1), the State shall ensure that the amount fixed by or determined under such law for the acquisition of such property is such as would not restrict or abrogate the right guaranteed under that clause. (2) The State shall not, in granting aid to educational institutions, discriminate against any educational institution on the ground that it is under the management of a minority, whether based on religion or language.

Muslims in India constitute the largest religious minority and a significant segment of Indian society. They constitute about 12 per cent of the total population and in terms of numbers about 12 crores. Thus, they form the second largest Muslim population in the world next only to Indonesia.

The distribution of Muslim population in India today is the result of process extending over almost a millennium. They have been living for ages as an inseparable part of the rural and urban social milieus and bound together by the age-old ties in economy, customs and traditions. Significantly, Muslims in India are neither a cultural community nor a compact ethnic population. They live through layers of identities in a complex society. At some places, they may be seen through a provincial linguistic / ethnic category as in Ladaakh (Jammu and Kashmir), a tribal-biradari/kindship group as in Lakshadweep and through such tribal groups as Gaddi and Bakrewal in Jammu and Kashmir, through a sectarian perspective such as Sunni, Shia, Ismaili etc., or through various Islamic schools such as Deobandi and Barelvi.

The socio-cultural / ethnic heterogeneity of Indian Muslims as described above has at least one thing in common and that is social stratification, by and large, on the lines of Hindu society with whom they have been living and interacting for more than a thousand years.

1.4. ISLAM, MUSLIMS, CASTE AND SOCIAL STRATIFICATION

The question-whether the concept of caste can be applied to the system of social stratification of a community professing a faith other than Hinduism – has often been posed. It is true that the egalitarian social order of Islam stands in sharp contrast with the ideology of caste, yet the ‘Indian Islam’ and ‘Hindu caste system’ have been able to achieve a substantial compatibility. Hutton (1951) sounds convincing when he says that when Muslims and Christians came to India, the caste was in the air and the followers of even these egalitarian ideologies could not escape the infection of caste. Moreover, an over whelming majority of Indian Muslim population come from the lower

Hindu castes who have been coming into the fold of Islam to escape from social persecution and the oppressive socio-economic disabilities. They were also attracted and lured by the social egalitarianism of Islam but the search for equality proved a mirage. In many cases, there were improvements in their socio-economic conditions, yet the goal of social equality remained elusive. Moreover, in most of the cases, the people embracing Islam gave up their religious faith but not the caste that was brought forward even to a new socio-religious milieu. Thus, it would be apt to say that while Islam may not be having castes or caste-like groupings, the Indian Muslims do have. Thus, the interface between ideology and social structure in the context of caste may be full of academic issues requiring discussion.

But, the present paper says clear of the issues whether the model of social stratification among the Indian Muslims is the replica of the Hindu caste system or not and, consequently, the terms such as caste and caste system among the Indian Muslims would be used in a conveniently loose manner. It is undisputedly true that there are groups of people among the Muslims who are organized more or less like the Hindu castes but this is also true that they are less rigid because Islam, theoretically at least, permits marriage between different classes of believers. Nazir (1993-2898) takes a fresh look on this whole issue:

“It is necessary to make a distinction between a caste system and caste labels: the former refers to a local system of hierarchically ordered corporate groupings involving social division of labour, occupational specialization, unequal dependence, and recruitment by birth only; the latter refers to a set of non-local, non-corporate named group which provide a ranking hierarchy, and which do not involve occupational specialization, unequal dependence, and recruitment by birth only”.

Perhaps, the ‘caste system’ and ‘caste-like groupings’ among the Indian Muslims with all their fluidity may be better analyzed and understood through this observation. Even within this framework, as Harjinder Singh (1977) remarks. “There might be regional variations in the nature of Muslim stratification in India.” Ghaus Ansari (1960), in his pioneering study on caste and social, stratification among the north Indian Muslims Places Muslim castes into three categories: (i) Ashraf, (ii) Ajlaf, and (iii) Arzal. Ashraf includes the Muslim nobility that claim to be the descendants of early Muslim immigrants, Sayyad, Shaikh, Moghal or Pathan, as well as descendants of higher Hindu castes such as Muslim Rajputs. Clean occupational castes, such as Julaha (weavers, Darzi (tailors), Qassab (butchers), Hajjam (barbers), Kunjra (green grocer), Mirasi (bards, singers and musicians), Manihar (bangle makers), Dhunniya (cotton carders), Gaddi (graziers, milkmen), etc., were included in the category of Ajlaf (mean). The third category of Arzal (literally very mean) includes the unclean or ritually polluting castes such as Bhangi of Mehtar (sweepers and scavengers).

With the establishment and acceptance of caste / caste – like social hierarchy among the Muslims with its own norms and patters of behaviour, space for upward mobility also emerged among the Muslim castes. The process of sanskritization among the Hindu castes has also subsumed the Muslim castes. When Ahirs (the Hindu milkmen caste) trace their origin to the Chandravanshi Yadava and Krishna, the Muslim Julahas (weavers) add ‘Ansari’ with their name referring to the Ansars (highly revered companions of Muhammad). Likewise, Qassabs / Chikwas (Muslim butchers) add ‘Qureshi’ with their names referring to the tribe Quraish Muhammad came from. Certain other middle-level Muslim castes add ‘Khan’ with their names extending their claims to a Pathan or Afghan ancestry. So, in the

process, Julahas (weavers) became Momin Ansar, Hajjams (barbers) became Salmani, Kunjras (vegetable vendors) became Raeen, Darzis (tailors) became Idrisi, Bhistis (drawers of water) became Abbasi, Lohars (ironsmith) and Badhai (carpenters) became Saifi, and so on. As a result of welfare and development programmes, several such occupationally specialized castes attained prosperity and with heightened political consciousness, organized themselves into caste-based organizations or jammals/biradaris. This, in turn, promoted social solidarity among them. Thus, on the lines of the Hindu castes, the Muslim castes too have adopted the lifestyle and behaviour pattern of their higher castes such as Sayyed and Shaikh in the process of sanskritization).

1.5. MUSLIM BACKWARD CASTES, COMPENSATORY DISCRIMINATION AND RELATED ISSUES

Three backward segments of population were identified and targeted for special treatment with the advent of independence and subsequently promulgation of the Constitution of India. These were scheduled castes (SCs), scheduled tribes (STs) and other backward classes (OBCs). Various compensatory discrimination policies are directed at these categories, related to job, education, welfare and development. If we try to situate Muslim population in these categories, we find that SCs cannot be Muslims as this category is restricted to Hindus, Sikhs and Buddhists. The STs can be Muslims but Muslim tribes are few such as a microscopic population of small tribal groups of Lakshadweep, Gaddis and Bakrewals of Jammu and Kashmir. This obviously means that only the third category of OBCs seems open to them. For a long time, the Muslims, despite their socio-economic backwardness, could not take advantage of this mainly because it remained a vague category and criteria for inclusion in this category were not specified in the Constitution. Although some states had implemented reservation for OBCs on the basis of recommendation of the state-level backward classes commissions, the reservation issue for OBCs attained centrality only in 1990 when V.P. Singh Government decided to implement the Mandal Commission's recommendation for government jobs at the national level. The Mandal Commission had declared 82 Muslim groups as backward. Dwelling upon the status of OBCs among the non-Hindu communities (mainly Muslims), the Mandal Commission (1980) observed.

93rd Constitution Amendment:

The stir against reservation for Other Backward Classes (OBCs) in educational institutions, including Central Professional Institutes such as Indian Institutes of Technology (IITs) and Indian Institutes of Management (I.I.Ms) including medical colleges and institutes of excellent education and training was un-called for and illogical. It has now melted into nothingness. The 93rd Constitutional amendment in Constitution is a fait accompli. Former Prime Minister. Dr. Manmohan Singh has declared in unequivocal words quota issue as settled, "There was no going back on the reservation issue."

The 93rd amendment in Constitution inserting sub-clause (5) in Art. 15 on 20th Jan 2006 was consensually passed by all political parties. This newly inserted sub-Article reads as follows.

"Nothing in this Article or in sub-clause (g) of clause (1) of Article 19 shall prevent the state from making any special provision, by law, for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes or the Scheduled tribes in so far as such special provisions relate to their admission to

educational institutions, including private educational institutions, whether aided or unaided by the state, other than the minority educational institutions referred to in Clause (1) of Article 30”

This was a direct consequences of Supreme Court Judgment in P.A. Inamdar case (August 12, 2005) which declared that state could not impose its reservation / quota regime on: (i) minority (ii) and non-minority un-aided private educational institutions, including professional colleges and institutes; the court found the entire quotas regime as unreasonable restriction in exercise of “the fundamental right of freedom of profession, trade and business” guaranteed by Art 19(i) g of the Constitution. P.A. Inamdar case is a clarifactory judgment of the two previously delivered judgements – viz; T.M.A. Pai Foundation case (Oct 31, 2002) and Islamic Academy Case (August 14, 2003). To summarize the rational of the cases;

- i) There shall be no quota regime in private un-aided educational institutions and minority established and administered educational institutions. The SC held that neither could the policy of reservation be enforced by the State nor any quota or percentage of admissions carved out to be appropriated by the State in a minority or non-minority unaided educational institutions. The judges said: “The State cannot insist on private educational institutions which receive no aid from the State to implement State’s policy on reservation for granting admission on lesser percentage of marks i.e., on any criterion except merit.” they were of the opinion that “a limited reservation of seats, not exceeding 15 per cent, in our opinion, may be made available to NRIs depending on the discretion of the management”.
- ii) Regarding admissions, the court held that the court said up to the level of undergraduate education, the minority unaided educational institutions enjoy total freedom. However, different considerations would apply for graduate and post graduate level of education as also for technical and professional educational institution. Such education cannot be impaired by any institutions unless recognized by or affiliated with any competent authority created by law, such as a University, Board, Central or State Government or the like.
- iii) Regarding fee structure to be charged from the students, in the Pai foundation case, the court declared that every institution was free to devise its won fee structure subject to the limitation that there can be no profiteering and no capitation fee can be charged. According to the Constitution bench in the Islamic Academy case, a provision for reasonable surplus can be made to enable future expansion. The relevant factors which would go into determining the reasonability of a fee structure are (i) the infrastructure and facilities available, (ii) the investment made, (iii) salaries paid to the teachers and staff, (iv) future plans for expansion and betterment of the institutions etc. (v) And regarding management of the colleges; the judgement in the Pai Foundation case is unanimous on the view that the right to establish and administer an institution, the phrase as employed in Article 30(1) of the Constitution (Right of minorities to establish and administer educational institutions), comprises of the following rights: (a) to admit students; (b) to set up a reasonable fee structure; (c) to constitute a governing body; (d) to appoint staff; and (e) to take action if there is dereliction of duty on the part of any of the employees. A minority educational institution may choose not to take any aid from the state and may also not seek any recognition. Such institutions cannot indulge in any activity which is violative of any law of the land they can admit all students of their own community.

Therefore in pith and substance and in reality education, to great extent, was made trading merchandise protected by art 19(i) g of the Constitution. The commercialization of education is apparent from the allowance made to the management of colleges for carving out seats, not exceeding 15% for NRIs (with no consideration of merit and creation of free domain for minority education tycoons. So the political classes as a whole unanimously passed 93rd amendment in the coming monsoon session to implement the constitutional mandate of Art. 15(5).

But a very serious feature of sub-clause (5) of Art 15 is that it provides exemption to minority educational institutions referred to in clause (1) of Art. 30 of the Constitution from its operation / Prima facie, it appears that this exemption was provided to the minority institutions as they enjoy “a special right to establish and administer educational institutions of their choice” as provided by a Art 30 perhaps, it was thought that imposing quota regime on minority institutions would be violative of Art. 30 of the Constitution being unreasonable restriction and also against the Principle of secularism enshrined in the Constitution. It is submitted that this view is superficial and violative of the principle of social justice which is the basic structure of the Constitution, as constitutionally recognized in Art. 15(5); and also violative of Art. 15(1). To be more candid, Art 15(1) mandates the State not to discriminate against any citizen on grounds to religion, race, caste, sex or place of birth or any of the three. The exemption phrase in Art. 15(5) (supra) discriminates on the ground of religion (and lanague) and that is too under the protective umbrella of Art 30 i.e., right of minorities to establish and administer educational institutions of their choice, Prima-facie, Backward, Most Backward and deprived sections of a minority community (OBC Muslims, such as Weavers, Telis, Nais, Saqqas, Nilgars, Khakrobs et al and Dalit Christians and Mazhabi Sikhs are deprived of the benefit of social justice policy of the State in the institutions established and administered by the elite and forward classes of their religious brethren.

As well said Art 15 (5) has given constitutional recognition to the principle of social justice that is empowering thee weaker and deprived classes of the society. But exemption phrase added to Art. 15(5) ignores the stark social reality that Muslim minority (and to a great extent the Christians) is not a homogeneous social monolith. It is, like its Hindu counter-part, caste/class ridden, vertically divided on castes and class lines. Indian Muslim society is also based on caste hierarchy; on its apex are socially and educationally (and also economically) advanced classes / castes i.e., Syeds, Shiekhs, Mughals and Pathans (called Asrafs) and at the base of this social pyramid are artisans, poor labourers and socially educationally backwards and most backwards called Ajlafs / Arzals. This social fact is recognized in Kaka Saheb Kalelkar report, Mandal commission report (part I p. 55) and Mandal’s judgement of Supreme Court (p. 83). The fact of existence of other Backward Classes and Educationally Socially Most Backward Classes (below poverty line and double poverty line) in Muslim society was confirmed in scholarly works of eminent social scientists like Professor M. Imtiyaz Ahmad and Prof. Rajni Kothari and other eminent sociologists). Successive census reports show the Indian Muslim society as largest minority community (13.4% of the Indian population) and also show that majority of Indian Muslims are socially and educationally backwards (approx. 85% of Muslim population) who are indigenous scheduled castes and depressed / deprived class origin.

The sad unfortunate historical social reality is that the social/occupational structure of weak and deprived classes of Muslim society (since Qutubdin Aibak 1206 A.D) continued. They had no reach to education even after embracing Islam and their social educational backwardness was perpetuated so deep that they are still sulking in the

quagmire of social educational backwardness. The National Policy on Education (N.P.E) 1986 has also recognized backward / most backward” but they had no access to benefits on programme of Action of NPE, partly because bureaucratic inaction and partly because the Muslim elitist class had no inclination or desire to improve the social educational status of their weaker coreligionists.

A plain reading and analysis of Art. 30 will lead to the irresistible conclusion that “the fundamental right to establish and administer educational institution of their choice” is constitutionally conferred on the community and not on self selected individuals in the garb of a registered society or trust. Laws of education throughout India adorns and bans monopolizing educational institutions in the hands of a few / or in closed family circles; they also provide that no educational institution can be established / administered for profit motive. The Supreme Court has also time and again, warned against profiteering in education. Education should always be grass root collective community affair. (Aligarh education movement in North, Anjuman Islam movement in South and DAV education movement of Arya Samaj can be alluded to) But what is happening in practice is that private minority educational institutions are established and run for profiteering. Socially educationally backward classes of Muslim and other minorities are not getting any benefit; their educational needs are not addressed in the minority institutions. There is no legal / moral justification for either minting money in the name of minority rights and for monopolizing of now expanding educational opportunities under Art. 30 of the Constitution by the elitist affluent and forward classes of minority community. Examples can be cited to prove that the much publicized Muslim minority educational institutions with high sounding sentimentally attractive Islamic religious names in South India and in the North at Deobad, Lucknow, Delhi, Aligarh and elsewhere are charging exorbitant capitation fee from the aspiring students with costly fee structure (the only appreciable exception is Hamdard University where no capitation fee is charged and the fee structure is less costly). There is complete lack of transparency in these so called minority educational institutions in matter of admissions and financial transactions. Ostensibly most of these minority institutions receive no grant in aid from the state exchequer but receive petro-dollars from West Asia and Europe and USA and funds from government aid agencies and Zakar from philanthropists. Weaker and deprived sections of Muslims are not getting any benefit from the minority educational institutions. There can be no justification of minting money. It is submitted that the phrase added to Art. 15(5) conferring exemption to minority institutions will create segregated education system benefiting financially and educationally only the elitist forward castes of Muslims. It reminds one Adam Smithians principle that “the state ought not to meddle with the education of the rich” (Muslims). This exception has also provided a handle to Hindutva forces for centrifugalising simple minded Hindus on the slogan of ‘Muslim appeasement,’ widening communal divide.

In the proposed bill for implementation of social justice programs under Art. 15(5) there should be effective provisions for auditing of performance of all religious / minority educational institutions to ascertain the extent, nature and modalities of profiteering and also effectively monitor and find out which section, caste or classes of minorities are reaping benefits from the empowerment process under Art. 30 of the Constitution. There should be permanent statutory machinery for the purposes of performance auditing and financial screening.

The proposed law should also provide admission policy in minority institutions and there should be mandatory guidelines for admissions of students specifying not less than 30% out of 50% of admissions from weaker sections of

the particular minority. (50% open category + 20% general minority + 30% OBCs and MBs Muslims – 100%) To be lucid there need to reserve quota for Dalits and O.B.Cs of indigenous origin among minorities in state aided as well as unaided minority educational institutions under the proposed law. There should be mandatory reservation for the classes / castes of indigenous (Dalit) origin (Christians and Muslims) as is available to non-Christians and non-Muslim Dalits. The proposed bill should mandatory ensure the compliance of the guidelines given by the Supreme Court in Islamic Academy case barring capitation fee and allowing “reasonable surplus”. The over sight committee headed by Veerappa Moiley should also consider the educational needs of Muslim OBCs and MOBCs and MBCs below poverty line and double poverty line. There is a general strong need to reserve specific quota for Dalits and OBCs among minorities in aided as well as un-aided minorities educational institutions under law. There is strong case for extending benefits of reservation to citizens of all Dalit origin, of Muslims and Christians as is available to Dalits bracketed as Hindus.

It may be noted that social engineering for national integration and the program of social justice require that all sections of the community shall be provided access to admissions. The law only prohibits imposition of any fixed quota for any category other than minority. It does not bar a minority to devise and develop a preferential policy of admissions of students of their community on the basis of percentage of backward / deprived classes in a minority community to fulfill the obligations of social justice in this autonomous area. Proposed law should address this important issue of reservation of deprived and depressed Muslim minority students in Muslim (minority) institutions. Minority status of an institution under Art. 30 is not an open general license for profiteering and money minting and for conferring educational benefits on affluent, socially advanced elitist classes of the minority community. It does not confer freedom to block admissions of minority OBCs and MBCs.

It is the right and duty of the state to provide education for all the common citizens, with no discrimination, this means the deprived and weaker sections of the society must have reach to the sources of educating and knowledge from primary to the higher education to the scientific and technical education.

The state should not ignore the socio-educational interest of the socially educationally backward/depressed classes of the Indian Muslim society. If you leave the multitude of Muslims un-educated, depriving them from modern educational, there is serious risk that misplaced religious sentiments embedded in ignorance irrationality and superstition may produce the most dreadful consequences of theorization.

2. Conclusion

There is no doubt that social and educational backwardness among the non-Hindu communities is more or less of the same order as among the Hindu communities. Though caste system is peculiar to Hindu society yet, in actual practice, it also pervades the non-Hindu communities in India in varying degrees. There are two main reasons for this phenomenon: first, caste system is a great conditioner of the mind and leaves an indelible mark on a person's social consciousness and cultural mores. Consequently, even after conversion, the ex-Hindus carried with them their deeply ingrained ideas of social hierarchy and stratification. This resulted in the Hindu converts inadvertently acting as Trojan horses of caste system among highly egalitarian religious such as Islam, Christianity, Sikhism etc., Secondly, non-Hindu minorities living in predominantly Hindu India could not escape from it dominant

social and cultural influences. Thus, both from within and without, caste amongst non-Hindu communities received continuous sustenance and stimulus”.

After giving a good deal of thought to these difficulties, the Mandal Commission evolved the following rough and ready criteria for identifying non-Hindu OBCs:

- i) All untouchables converted to any non-Hindu religion.
- ii) Such occupational communities, which are known by the name of their traditional hereditary occupation and whose Hindu counterparts have been included in the list of Hindu OBCs (e.g. Dhobi, Teli, Nai, Kumhar, Lohar, Darzi, Badhai etc).

Though we do not have any separate census enumeration for Muslim OBCs, those engaged in advocacy for them claim their population to be of the order of 80-85 per cent of the total Muslim population of India. In sociological terms, in the Ashraf – Ajlaf – Arzal categorization, all the Muslim castes / groups coming within Ajlaf-Arzal social categories qualify for the status of OBCs. Even the constitution protected rights of religious minorities; we are observing religious intolerance in such communities. This should be changed.

References:

- [1]. Ashfaq Husain Ansari (2007); Basic problems of OBC & Dalit Muslims, Serials Publications, New Dehli.
- [2]. Carsten K.W. De Dreu and Nannek. De Vries “Groups Consensus and Minority influence (2001); Implications for innovation, Blackwell Publishers, U.K.
- [3]. Derek Kiton, (2000); “Race, Ethnicity and Adoption”, Open University Press, Buckingham, U.K.
- [4]. Dr. Durga Das Basu (2010); Introduction to the Constitution of India, 20th edition reprint, Lexis Nexis, Butter worth, Wadhwa Nagpur, Haryana.
- [5]. Sukhadeo Thorat and Narender Kumar, (2010); “B.R. Ambedkar perspectives on Social Exclusion and Inclusive policies”, Oxford University Press, New Delhi.
- [6]. Tayyab, M. M. A., (2015); Positions of Dalits in Indian Social System, International Journal of Pure and Applied Researches (IJOPAAR), 2015Vol. 1(1), pp.127-146.
- [7]. Verma, R. and Pandey, R., (2015); Private Enterprise Development among Scheduled Castes in India: A Comparative Study of Ownership, Productivity and Policy Implications, International Journal of Pure and Applied Researches (IJOPAAR), 2015Vol. 1(1), pp.75-82.
- [8]. Pandey, R., (2015); Globalisation and Poverty: Human Insecurity of Schedule Caste in India, International Journal of Pure and Applied Researches (IJOPAAR), 2015Vol. 1(1), pp.105-110.
- [9]. Zia A. Pathan, 2009 “Muslim Elite – A Sociological Analysis, Serial Publications, New Delhi.