

# The Chinnappa Reddy Report

## Recommendations

The Report of the Karnataka Third Backward Classes Commission under the chairmanship of Justice O. Chinnappa Reddy, which was published in 1990, is progressive report keeping with the constitutional aims of justice and equality. Having relied on the statistics gathered by the Venkataswamy Commission, the Chinnappa Reddy Report recommends reservation based on social and educational backwardness on the one hand and economic handicap on the other. It may be relevant to note at this juncture that the Government had rejected the Venkataswamy Commission's Report *inter alia* on the following two main grounds:

- a. The Venkataswamy Commission did not have the benefit of the guidelines, laid down by the Supreme Court, at the time of formulating the indicators for determining backwardness; and
- b. The data collected in the course of the socio-economic survey conducted by the Commission, was not cross-checked for accuracy.

It may be further relevant to note that Justice O. Chinnappa Reddy does not condone the action of the Government in rejecting the Venkataswamy Report.

In his report, O. Chinnappa Reddy has drawn up a list of 72 castes, communities, tribes, religions and occupational groups and sub-groups of people and has recommended that they be classified into socially and educationally Backward Classes for the purposes of both Articles 15 (4) and 16 (4) of the Indian Constitution.

The socially and educationally Backward classes identified by Justice Chinnappa Reddy have been divided into three categories. Categories I and II consist of the Caste/Community/Religions/Tribal groups identified as socially and educationally Backward. The division into categories I and II is made on the basis of the comparative backwardness of the community as well as the size of the community.

The reservation in favour of each category is as follows:

Category I	(52 groups)	:	5%
Category II	(14 groups)	:	28%
Category III	(6 groups)	:	5%

Category III would include *inter alia*:

- a. construction workers
- b. conductors and cleaners
- c. automobile drivers

- d. auto and cycle rickshaw drivers
- e. handloom weavers not owning more than two looms and working for wages or on piece rate basis
- f. agricultural labourers not owning any land or not owning more than one hectare of rainfed land or its equivalent.

\* The second recommendation is that the following persons should not be entitled to the benefit of reservation either under Article 15 (4) or under Article 16 (4):

1. Either of whose parents is a Class-I or Class-II officer in the service of the Government or holds an equivalent post in a public sector undertaking or is employed under a private employer and draws a salary which is not less than that of a Class-II officer.
2. Either of whose parents is a professional i.e. a) doctor b) lawyer c) chartered accountant d) income-tax consultant e) financial or management consultant f) dental surgeon and g) engineer or architect.
3. Both of whose parents are graduates.
4. Either of whose parents is an income-tax assessee.
5. Either of whose parents is assessed to sales tax, and
6. Either of whose parents or both together own more than 8 hectares of rainfed or dry land or its equivalent.

\* No one should be eligible to claim to belong to the Backward Classes unless he or she produces a Certificate to that effect from the Tahsildar of the locality in which he or she resides. No Tahsildar shall give a Certificate unless the candidate or either of the candidate's parents or guardian swears to an affidavit before the Tahsildar specifying the particulars of his claim to be a member of the Backward Classes and such affidavit is supported by the affidavit of another respectable resident of the locality to the same effect and also sworn before the Tahsildar. The certificate issued by the Tahsildar shall specify all particulars relating to the qualifications of the claimant for inclusion among the Backward Classes. Before issuing the Certificate the Tahsildar may make such enquiry as he considers necessary.

\* Stringent punishment should be imposed on those who obtain false certificates. The legislature may enact a separate Act for this purpose and lay down a punishment of imprisonment of either description for a term not exceeding 6 months but not less than 1 month, and shall also be liable to forfeiture of all the benefits and advantages secured by reason of such certificate. The trial for such an offence should be under the summary procedure prescribed by the Code of Criminal Procedure.

The rule of reservation should be applied at:

- a. the state of initial appointment
- b. the first stage of promotion after initial appointment.

\* There should be a permanent Committee consisting of the Chief Secretary to the Government, the Chairman of the Public Service Commission and the Secretary to the Government (Backward Classes) whose duty should be to consider and evaluate the progress of each of the castes, etc. groups included in the list of Backward Classes and decide before February 15 each year whether the list needs any revision. The revision should be made on a consideration of three circumstances:

1. a comparison of the percentage of the total number of candidates of the caste, etc. group who have passed the SSLC examination in the three preceding years to the estimated population of the caste with the percentage of the total number of candidates of all groups who have passed the SSLC examination to the total population of the State.
2. a comparison of the percentage of the number of candidates of the caste, etc. group who in the three preceding years have secured admission into the Professional Colleges and Post-Graduate institutions (the list of such colleges and institutions should be specified) in the State to the total number of candidates admitted with the percentage of the population of the caste, etc. group to the total population of the State.
3. a comparison of the percentage of the number of candidates of the caste, etc. group selected for appointments to the Group-A and Group-B services under the Government and to posts in public sector undertakings equivalent to Group-A and Group-B posts under the Government to the total number of posts to which appointments have been made with the percentage of the population of the caste, etc. group to the total state population.

If all three former percentages are higher than the latter three percentages or if they are marginally lower, the Committee shall delete the caste, etc. group from the list of Backward Classes. The Committee's decision should be published before the 1st of March every year.

\* A programme of education for the socially and educationally Backward Classes must cover Adult Education, Compulsory Primary Education and assistance at Middle, High School and University levels of education. These programmes are to be chalked out by expert educationists.

\* In order that the socially and educationally Backward Classes may emerge from their backwardness, the following are essential:

1. They must receive a decent education:
  - a. single-teacher and single-roomed schools are to be replaced by multi-teacher and multi-roomed schools where the children have sufficient space and the teachers can afford to bestow individual attention on pupils.
  - b. the teacher — pupil ratio must be reduced drastically.
  - c. primary schools must be provided with adequate play grounds.
  - d. secondary schools must be provided with libraries and laboratories.

2. Parents must be given incentives to send their children to school or else the former may require the latter to work and earn and contribute as much as they can to the family. The incentives are:
    - a. provision of free-midday meal to the school children
    - b. provision of school uniforms
    - c. provision for a number of scholarship for pupils belonging to the backward classes. This also helps to promote a spirit of competitiveness amongst the students
    - d. each school must have an attendant whose duty should be to bring the children to school and to take them home, and to advise the parents about the child's progress in school.
- \* Hostel facilities should be attached to all high schools and colleges, for children of the backward classes. As far as possible, hostels should not be exclusively for backward class students. They should be common for all students but the state must bear in full or in part the hostel charges of the Backward Class students. Children belonging to the Backward Classes should be provided free or concessional board and accommodation in the Hostels. Those who do not avail of the hostel facilities must be given a scholarship of Rs. 50/- p.m. in the case of a high school student, Rs. 150/- p.m. in the case of a college student and Rs. 250/- p.m. in the case of a post-graduate or a professional college student.
  - \* There should be a general exemption in favour of all backward class children from payment of any school or college fee.
  - \* A comprehensive Adult Education programme should be initiated in which the unemployed youths of the localities are mobilised for participation in the programme by offering them a suitable stipend and giving them a brief training.
  - \* Organisation by the Labour Officer of agricultural labour, domestic labour, construction labour and all unorganised labour.
  - \* Establishment of vocational training centres at different places in every District for the purpose of training persons such as mechanics, fitters, electricians, welders and such other jobs. This may also encourage self-employment.
  - \* State Planning Committee should prepare a Special Component Plan for the Backward Classes similar to the one prepared for the Scheduled Castes and Scheduled Tribes. The work of implementing any scheme or plan should be entrusted to dedicated officers specially trained and briefed for that purpose.
  - \* The Backward Classes Department should be extended. A research wing should be established in the Department. It should have continuous liaison with Universities, the Institute for Social and Economic Change and the Bureau of Economics and Statistics.
  - \* The finances at the disposal of the Backward Classes Commission must be proportionately enhanced — at present the Department is unable to give scholarships to a substantial number of Backward Class students and such scholarships that have been granted by the Department never exceed Rs. 500/- per year.

*The above summary of the Recommendations was compiled by Mahesh Devaiah, Anjum Dabriwal, Rahul Matthan and Ramanand Mundkur — II yr. B.A. LL.B (Hons), NLSIU.*