

GOVT. JUSTIFIES CREATION OF CASTE CORPORATIONS

Relevant for: Developmental Issues | Topic: Rights & Welfare of STs, SCs, and OBCs - Schemes & their Performance, Mechanisms, Laws Institutions and Bodies

Taking the government's statement on record, a Division Bench comprising Chief Justice Abhay Shreeniwas Oka and Justice M.G. Shukure Kamal adjourned hearing.

'Conscious policy'

"Actions of the State government in establishing the corporations/ development boards is a conscious welfare policy initiative which is well within the powers of the State government under the Article 162 of the Constitution of India," the government said while contending that the petitioners had no legal right to challenge this "policy" decision of the State.

These bodies will facilitate and ensure identification of the intended beneficiaries who are the most deserving for receiving benefits of welfare programmes and policies within these communities, the government said.

Stating that only two corporations were set up in 1970s — one for both the Scheduled Castes and the Scheduled Tribes, and another for the Other Backward Classes and the Minorities — the government pointed out that subsequently these were made four separate corporations for better implementation of targetted welfare schemes.

In later years, separate corporations were set up for around seven castes notified as OBCs to specifically cater to the unique problems and issues faced by the Vishwakarma, Uppara , Ambiga, Savitha Samaja and its sub-caste, Madivala and its sub-castes, Alemari and Arey Alemari, and Kadugolla.

Off shoots

Thus, the new corporations are invariably the off shoots of either the ones that came under the SC and ST Development Corporation or the OBC and Minorities Development Corporation, the government said, while pointing out that these new corporations are special purpose vehicles to identify the needy persons in each communities and bring them into economic and social mainstream with targetted welfare schemes.

On the creation of corporations for Maratha, Veerashaiva-Lingayat, Arya Vaisya, and Brahmin communities, the government said that Maratha and Veerashaiva-Lingayath are categorised under OBC; and Arya Vaisya and Brahmin communities are notified as economically weaker sections.

Pointing out that the petitioners were not claiming that "every individual in the community of Brahmin, Maratha, Veerashaiva-Lingayat, Arya Vaisya, Vishwakarma etc., are socially, economically, and educationally forward..." the government said, "It is a matter of fact and experience that there are many individuals in every community who require helping hands of the State" to reach mainstream.

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