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RIGHTS NOT AFFECTED IN THE EVENT OF CONVERSION

"Talk of the possibility of the Depressed Classes having to forego their political privileges under the Poona Pact in the event of their leaving the Hindu Community is discounted by Dr. B. R. Ambedkar, who regards it as a Congress stunt to frighten him and his party from contesting the elections.

"I have evidence in my possession to show that it is a Congress stunt calculated to frighten me and my party from contesting the forthcoming elections and to coerce us into remaining within the Hindu fold."

This is Dr. Ambedkar's reaction to the reports current in the city that the resolutions of the Yeola and Bombay conferences of the Depressed Classes and Dr. Ambedkar's own declared intention to renounce Hinduism must militate against the enjoyment by the Depressed Classes of the privileges secured under the Poona Pact.

Dr. Ambedkar is inclined to laugh at these reports as they are, in his opinion, based on ignorance of the constitutional position and of the provisions of the Communal Award as amended by the Poona Pact.

The original provision of the Communal Award in respect of the Depressed Classes was that they should vote in the general constituencies, but in order to ensure adequate representation to them special seats were to be allotted to them the basis of this provision was a separate electroate for the Depressed Classes.

The Poona Pact, briefly put, substituted joint electorates with the Hindu community for separate electorates for the Depressed Classes. In order to ensure that the representatives of the Depressed Classes carried the confidence of their community with them, a device for a primary election by the community itself was evolved; the electorate of the joint Hindu community was to make its choice from among the panel of four candidates for each seat selected by the voters on the list of the Depressed Classes.

Poona Pact: Hindus' Contention

The main point urged by the Hindu community now is that the circumstances in which the Poona Pact was evolved presumed without doubt that the Depressed Classes would remain as part of the Hindu community. Mr. Gandhi's fast, which was solely responsible for the Pact, was undertaken in order to prevent the dismemberment of the Hindu community, which it was feared would result from the allotment of a separate electorate to the Depressed Classes.

It is argued that the Hindu community has made sacrifices under the Poona Pact and has surrendered some of the seats allotted to it under the original Award solely with the object of allaying the fears of the Depressed Classes and retaining them within the Hindu fold.

Since then, however, a section of the Depressed Classes under the leadership of Dr. Ambedkar has resolved to renounce the Hindu faith. The Bombay Mahar Conference, for instance, resolved that after thorough consideration the conference:—

(*a*) "declares that a change of religion is the only remedy for the Mahar community to attain equality and freedom,

(*b*) "assures Dr. B. R. Ambedkar, their accredited leader, that the community is prepared to change its religion *en masse,* and

(*c*) "urges on the Mahar community, as a preliminary step towards the change of religion, to refrain henceforth from worshiping Hindu deities to put a stop to the observance of Hindu festivals and to put a stop to visiting Hindu holy places."

Orthodox View

This resolution, according to orthodox Hindu opinion, leaves no doubt as to the intentions of the Mahars *vis-a-vis* the Hindu community and they cannot therefore complain if they are denied the electoral privileges conceded to them by the Hindus on the implicit understanding that they would remain Hindus.

In other words, as a Congress leader said recently, "they cannot have it both ways. Either they are Hindus and enjoy the privileges

under the Poona Pact, or they cease to be Hindus and forfeit those privileges."

Invited to explain the position from his point of view. Dr. Ambedkar, in an exclusive interview with a representative of *The Times of India,* repudiated the suggestion that the Hindu community had made any sacrifices to the Depressed Classes.

"It is wrong to presume that the orthodox Hindus have surrendered any seats in favour of the Depressed Classes. In fact there is no such thing as a Hindu seat or a Hindu constituency, there is only a general constituency," he said.

According to Dr. Ambedkar, the constitution does not recognise a Hindu constituency, although there are separate constituencies for Muslims, Europeans, Anglo-Indians, Sikhs (in the Punjab), etc. The general constituency includes not only the Hindus, but also the Parsis, Jews, Jains, Buddhists and a number of other communities. The concessions, if any, granted to the Depressed Classes under the Poona Pact are from the general constituency and not from the "Hindu Constituency "for such a thing does not exist. It was not mentioned in the Communal Award nor in the Poona Pact, nor even in the Government of India Act, 1935, which is to govern the franchise and electoral procedure.

Classification of Constituencies

Too Late to Question Issue

It is too late in the day, argued Dr. Ambedkar, to enter into the justification or otherwise of the classification of Constituencies adopted by the Government of India Act. "There it is and has to be followed. Even in the Punjab, where the Muslims are in a majority and the Hindus in a minority, the former have a separate electorate and the latter a general Constituency," he added.

Thus, Dr. Ambedkar maintains, it is" incorrect and mischievous to affirm that the Hindus have made a sacrifice, for it may well be said that the numerous other communities who comprise the general constituency have made the so-called concession to the Depressed Classes.

The next important point made by Dr. Ambedkar is that religion has nothing to do with the political adjustments contemplated in the Communal Award, the Poona Pact and the Government of India Act of 1935, The Europeans constituency included Europeans, whatever their religious persuasion; so also the Anglo-Indians. It is only in regard to the Muslim Community that the political classification follows the religious grouping. Within the general constituency itself, there is no commonness of religious faith serving as the basis of the enjoyment of the political rights conferred on those who come under that electoral category.

Franchise Adjustments

In other words, franchise adjustments have been based on the membership of a community rather than adherence to any religious persuasion. The original classification of "Depressed Classes" has now been changed into "Scheduled Castes" and it refers only to a branch of a community, viewed socially and economically, not from the religious standpoint.

Assuming for argument's sake that there is an element of religion in these classification, renunciation of religion or declaration of loss or lack of faith in a set of tenets does not miliate against the enjoyment of any attendant political right, says Dr. Ambedkar.

It may be a different matter if a member of the Depressed Classes gave up Hinduism and actually embraced another religion, say, Islam or Christianity.

Then, and only after such conversion, will he come under the political group assigned to the adherents of such a religion; then and then only can he be compelled to forfeit the rights attaching to the membership of the Hindu Community.

What if a Hindu is not an ardent believer in the Vedas ? asks Dr. Ambedkar. There are many Hindus in India today who are only Hindus in name and who do not observe the countless religious rites and formalities which go to make a Hindu. Do they cease to be Hindus on that account ? And; what is the standard by which one is to measure the extent of a Hindu's faith in his religion ?

Insistence of Rights

Intention to leave a religious sect born of disgust with current practices or injustice does not sever one's connection with the religion which he is nominally believed to profess.

"Surely, not all the present day Christians are true Christians. What about the Sunday parades in Europe where people who do not believe in Christianity or are indifferent or are rationalists demonstrate in front of Churches on Sunday morning ? They, too, are nevertheless Christians in the eyes of the State.

"You may call me a statutory Hindu if you like," said Dr. Ambedkar humorously," but I wilt insist on my political lights irrespective of the depth of my religious fervour."

To support his contention Dr. Ambedkar cites two instances from the Punjab, where two sections of Depressed Classes have been classified as "Scheduled Castes" in spite of the proved fact that they are not Hindus. The instances mentioned are those of *Ad Dharmis and Ramdasis*. The first of these have gone out of their way formally to intimate to Government that they are not Hindus, and yet they have been classed under "Scheduled Castes" in the general constituency.

The Punjab Census Report of 1931 says :

"The most notable feature of the present census from the stand-point of return of religion has been the adoption of the term '*Ad Dharmi*' by numberous *Chamars and Shudras* and other Untouchables. A new instruction to the religion was given this year, namely, 'Persons returning themselves as *Ad Dharmis* should be recorded as such.'

"The Punjab *Ad Dharmis Mandal* had petitioned the Punjab Government before census operations started in 1930, representing that the Depressed Classes should be permitted to return *Ad Dharmis* as their religion at the time of the census, as they were the oborigines of India and while the Hindus kept them at a respectable distance, they did not believe in the Hindu religion. The President of the Punjab *Ad Dharm Mandal* was informed that a clause was

being provided in the Census Code requiring that persons returning their religion *as Ad Dharm* would be recorded as such. *Ad Dharm* literally means original or ancient religion."

A Negative Attitude

According to Dr. Ambedkar, the dispute over the *Ad Dharmi* agitation became so serious that several murders were committed. However that may be, the *Ad Dharmis* have been classified as "Scheduled Castes" in the general constituency, notwithstanding their unequivocal declaration that they are not Hindus.

In the case of himself and his followers, Dr. Ambedkar points out, the attitude is negative in respect of Hinduism and not yet positive adherence to any other faith.

Similarly, the *Ramdasis* are Sikhs by religion, but they have been classified under "Scheduled Castes" in the general constituency. All of which, according to Dr. Ambedkar, goes to show that religion has nothing to do with electoral classifications have gone exactly contrary to the religious grouping.

Thus, while Dr. Ambedkar does not recognise the Hindus' right to complain or challenge the Depressed Classes' privileges by virtue of the Poona Pact, he affirms that his community's political rights are unaffected by intended or even impending renunciation of Hinduism."[1]

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[1]: Times of India : dated 24th July 1936.