

The R.B.R.R. Kale Memorial Lecture 1980 was delivered by Dr. Aloo J. Dastur on 24th May, 1980 at the Institute. The subject of the lecture was Problems of Indian Minorities.

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Problems of Indian Minorities

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R. R. KALE MEMORIAL LECTURE, 1980

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Pune 411 004**

Orient Longman Limited
Bombay Calcutta Madras New Delhi Bangalore Hyderabad Patna

© Gokhale Institute of Politics and Economics
Pune 411 004

Price : Rs. 3.00

PRINTED IN INDIA

by Shabbir N. Kagalwala, at Sangam Press Pvt. Ltd., 17B Kothrud, Pune 411 029;
and edited and published by V. M. Dandekar at the Gokhale Institute of Politics
and Economics, Pune 411 004.

PROBLEMS OF INDIAN MINORITIES

I deem it a privilege to be asked to deliver the Kale Memorial Lecture on the Founder's Day. Professor Dandekar suggested that I speak on the Problem of Indian Minorities; I made a slight but conceptually a vital change and the title now reads as Problems of Indian Minorities.

It is appropriate that we discuss this subject as minorities are too much with me, not only in our country but in the world at large. Minority consciousness and awareness are at their peak at the present time. Official and non-official bodies are exercised over the treatment meted out to the minorities; the Civil Rights Commission in USA, the Minority Rights Group in England, are two apt illustrations which work towards securing human rights for the minorities. The United Nations itself expressed concern and appointed a Sub-Commission on Prevention of Discrimination and Protection of Minorities which has done good work within the limitations imposed by the doctrines of state sovereignty and democratic jurisdiction. It defines minorities as

....only those non-dominant groups in a population which possess and wish to preserve a stable ethnic, religious or linguistic tradition, or characteristics marked by different from those of the rest of the population...a minority must include a number of persons sufficient by themselves to develop these characteristics and its members must be loyal to the country of which they may be nationals.

India has its fair share of minorities. They cover the entire gamut of race, tribe, religion, language, culture and nowhere else have they had it so good as in the Constitution of India. The Constitution makes no distinction between the majority and minorities where fundamental and political rights are concerned; also equality before the law and equal protection of the law are guaranteed to every citizen; nor can any citizen be subjected to hostile or adverse discrimination in the matter of rights, privileges and immunities enjoyed by him. Universal adult suffrage is another illustration of the principle of non-discrimination and political equality.

Not satisfied with providing for equality the Constituent Assembly assuaged the fears and misgivings of the more vocal minorities by incorporating special provisions for safeguarding and protecting the interests of minorities. In these are included the right to conserve their language, script or culture; to practise preach and pro-

pagate their religion subject to public law, health and morality and to establish and maintain their educational institutions. Personal law of religious minorities is respected and is their sheet-anchor against attacks and encroachments of a uniform Civil Code.

Legally, then minorities in our country have and should have no cause for complaint, still less for grievance. They are not disadvantaged; nay more; the Supreme Court has generally interpreted minority rights liberally and generously.

I have been referring to the rights of minorities almost as group rights. But rights cannot be group rights except under a distorted social perspective. A danger lurks in accepting group rights because the next step in overlooking if not acquiescing in undesirable, even inhuman, group practice like head-hunting, sati, the caste system, female infanticide, untouchability, child marriage, polygamy, talak to mention a few. Several of these have passed into history because the country threw up men and women of vision, courage and character who actively opposed "cultural" traits and practices not in conformity with norms of civilized living or human rights; where human rights are involved there can be no majority or minority, there can and should be no compromise. Rights are essentially individual rights as envisaged in the UN Declaration of Human Rights.

It is the dualism in the approach to rights that partially fosters problems of the minorities. The rich variegated mosaic that makes up our people naturally throws up a diversity of cultures from the simplest to the highly sophisticated. Our oldest inhabitants, the adivasis — the scheduled tribes as we now refer to them — are scattered over the country, living in small or big concentrations. Their share of poverty and illiteracy is a little larger because of territorial isolation and social seclusion. Their economic activities are at the minimum ranging from food-gathering and hunting through shifting cultivation to settle plough cultivation. They have their own different cultures that vary from region to region and tribe to tribe. They live at different levels of development. Some have been hardly touched by the main currents of history and where they have been so touched they have developed a consciousness of segregation or separateness. To take two extreme examples: the Nagas, for the first two decades of independence, demanded secession from India and though they can now mould their lives and economy in their own state of Nagaland, a section is not reconciled to Indian nationality. So, too, with the Mizos.

As distinct from this, the adivasis of Central India consolidated themselves in another way. As some of the tribes educated

themselves, they formed societies for social improvement. Later as the franchise came to be extended, consequent on the Montague-Chelmsford Reforms, social organisations like the Chhotanagpur Unnati Samaj began to have political ambitions. They felt that the way to political power and progress lay in having a province of their own. The Samaj changed its name to Chhotanagpur Adivasi Sabha in 1938 and to the Jharkhand Party in 1946 and called for a Jharkhand State. The cry is not often heard these days.

With independence other problems have cropped up. Political, social, educational and industrial development have contributed to bring the adivasis in certain areas out of their territorial seclusion. The multi-purpose dams and large-scale steel and industrial units have affected them in a variety of ways. They were uprooted from their soil and this land alienation has led to social disruption resulting in loss of traditional occupations, unemployment, unfair competition with migrant and skilled labour and increasing poverty due to early exhaustion of the meagre cash compensation received.

Social anthropologists are not agreed on the attitude to be adopted towards tribes and their place on the social and political map of India. At least three alternatives present themselves, to leave them in their natural state uncontaminated by the modern influences, to pursue such policies as will assimilate them in contiguous developed communities, or so to integrate them that while retaining their cultures they will contribute to unity in diversity.

An indelible scar on our civilisation and philosophy is the theory and practice of untouchability. Religious tracts advocated it; social attitudes recognized it; history sanctified it. Occasionally at different times persons with a moral conscience revolted against such inhumanity. It is, however, in our lifetime that a sustained and concerted effort is being made to see that it is not allowed to continue. Both Gandhi and Ambedkar shook the institution to its foundation. The Constitution abolished untouchability and its practice is forbidden by law. In the last 30 years the law has been tightened but old prejudices die hard. Atrocities like murder, arson, rape, continue to be perpetrated on individuals and groups; even villages are burnt out of existence. But more often than not the police and magistracy turn their eyes away from the place where crimes are committed. This subtle and not so subtle collaboration between the arms of the law and perpetrators of crimes does not bode well for the future.

Politically the scheduled castes and scheduled tribes are protected by the Constitution which provides for reservation of seats in the Lok Sabha and state legislatures and recognises their claims

to appointments to services and posts in connection with the affairs of the Union or a state, consistent with the maintenance of efficiency of administration. A similar privilege has been extended more recently to other socially backward classes. It is as if the present generation has undertaken to undo the injustices and hurts inflicted by the past. It is here that new social and political tensions arise. The most conspicuous illustration was provided by Bihar on the issue of job reservation and reservation to educational, particularly professional and training institutions. There are reserved quotas for promotion in service. Such special considerations shown to the hitherto underprivileged and deprived sections of society have invited a backlash from those on a higher social plane but surviving at a low even precarious economic level.

There is another side to the same problem. The socially ostracised among the Hindus have been looked after; not so those of other religious groups. Poverty does not discriminate between castes or even religious communities; it is here that decrying has taken place. Scheduled castes converted to Buddhism are recognized for special consideration only in Maharashtra; but those including the Scheduled Tribes converted to Christianity are not. By what standard of logic or justice can this duality of official attitudes be explained? True, the Government of India does not extend to neo-Buddhists the facilities enjoyed by the Scheduled Castes. A rethinking at the highest political level is needed to resolve this double discrimination.

There is further cause for concern. Over the years quite a few from among the Scheduled Castes and tribes by their guts, intelligence and moved by a social purpose have established themselves in politics, professions and diplomacy. By Indian standards they rank among the affluent. To our consternation we find that their children who have had their education in the best schools and elite colleges take advantage of reserved quotas to enter All-India and State Services. This is obviously unfair, even unjust. Commissions for Scheduled Castes and Tribes have stressed that due to these distortions backwardness has a tendency to perpetuate itself and become a vested interest.

Modern or current thinking is that affirmative action programmes can minimise inequalities prevailing in society; conscious efforts must be made in this direction. Here arises a crucial question: To undo injustices of the past do we indulge in injustices in the present? Those who are in positions of advantage due to social, economic or historical considerations will naturally resent any action

or law which seeks to curtail their existing advantages. Some compensation must be made to re-introduce social justice and this cannot be done except by reverse discrimination. It might be argued with some legitimacy that this makes for individual injustice; but this may be necessary to overcome a historic group or caste injustice.

The educational opportunities provided do not spread themselves evenly among these disadvantaged people. Dominant castes or groups are the real or main beneficiaries. A study conducted by the Maharashtra Government in 1962-63 revealed that Mahar students were awarded post-Matric scholarships out of all proportion to their members; being 35 per cent of the total Scheduled Castes population in the state they carried away 85.8 per cent of the scholarships; the Mangs, on the other hand, while being 32.6 per cent of the population received 2.2 per cent of the scholarship. Likewise, in Bihar the Chamars far out distance the Dusadhs in education and literacy although in their numbers they are close to each other. Preferential treatment, thus, has in its turn created hierarchies; and yet, we cannot afford to surrender it at the present juncture.

Having justified reverse discrimination let me set limits to its operation in the Indian context. The preferential treatment provided by the Constitution is time-bound; but 30 years as originally contemplated was not adequate so it has been extended. Political considerations, mainly the periodic vote, have also contributed to the extension. We might recall how the bill to extend the concessions was hurriedly adopted by the present Parliament with no dissentient voice. This however, cannot be continued in perpetuity and the Scheduled Castes will have to seek their proper niches in the large communities to which they belong. Shall we say the cut-off date should be the last day of this century? By then two generations will have been benefitted. This can only come about by a firm national commitment backed by informed public opinion. Intense efforts will have to be made to create such public opinion because privileges once created are rarely surrendered without struggle.

If untouchability is a slur on our culture, communal disturbances are disgrace to our polity. Judicial inquiries, unofficial reports have more often than not revealed how trivial were the causes, how terrible the consequences in loss of life and property. Religion, religious practices no more provoke communal carnage; it is a spirit of revenge or deliberate act of provocation as in Jamshedpur.

Here we come to our permanent minorities—the religious minorities. Of these the largest is the Muslims who constitute 10 per cent of the population even today. It is almost trite to say they are

a frustrated lot. The causes of their frustration are many, not the least of which is the partition of the country. Those who laboured for a Muslim state did not and could not enjoy the result of their achievement because they lived and worked in Hindu majority provinces. Pakistan came to be carved out of Muslim majority provinces, where the strident cry for a new state based on religion was hardly heard. The former saw their erstwhile leaders desert them for loaves and fishes of office in the new state; a small elite of officials, professionals, traders and businessmen migrated. More than 40 millions stayed behind; their disappointment can be readily understood.

What is not quite so readily understood is their attitude and functioning since independence. Sir Sayyid Ahmed Khan's appraisal of nearly a hundred years ago is still valid: "Ask them (Muslims) to leave anything and they would say it was sanctioned in Islam; ask them to learn anything, they would say it was prohibited by Islam." Is this a dilemma or is it obscurantism? The Constitution, to repeat, has recognised Muslim Personal Law; on this score the Muslims should have no fear or cause for fear because even Nehru with his modern outlook did not muster the courage to respect the honour and dignity of the Muslim woman when against opposition from within his own party he advocated the abolition of polygamy among the Hindus. Earlier the Constituent Assembly with the indomitable Sardar Patel had shied away from a uniform Civil Code. During the weeks and months when the strident cry of the superiority and supremacy of Directive Principles over Fundamental Rights was heard, none was brash or rash enough to refer to Art. 44. What the Constituent Assembly, Nehru and the Emergency dare not do, the lesser breed of politicians of today and tomorrow will not. So on this score the Muslims can relax in comfort in the foreseeable future unless there is a movement from within the community, specially by the women, which may force the pace and make the government and parliament of the day rectify a continuing injustice and indignity Muslim women suffer from.

The Hindus have had their renaissance after centuries of stagnation. Over the last two centuries men and women of enlightenment and courage of conviction moved against the tide of Hindu orthodoxy. A similar Muslim move is almost inconceivable, particularly against the wave of Islamic fundamentalism that is overflowing the Muslim countries of West Asia. Over the centuries Muslims have collected rites and customs which are unhealthy and un-Islamic and these have been given a sanctity similar to that of the original teachings. Although some learned and enlightened scholars have just begun to speak and write about it, they have yet to make a visible dent.

Two other sensitive issues that disturb the Muslims are Aligarh Muslim University and the place of Urdu in education and administration. Aligarh Muslim University has become a political issue, a rallying cry specially at election time. The manifestoes of all parties during the seventh election guaranteed the restoration of minority character of the University. There is a legal dimension—the Supreme Court judgment in the Azeez Basha Case, with which the vocal Muslim opinion is dissatisfied. Is a legal remedy possible? Perhaps, but as the Aligarh Muslim University Faculty members were frank enough to assert, they want not a legal remedy but a political solution. The implication is obvious.

And what of Urdu? A beautiful, expressive language of poetry and literature, it is made into a tinsel toy of politicians. Hindu chauvinists call it the language of the Muslims, ignoring the fact that some of the finest Urdu writers have been and are Hindus. The way the Muslims lay claim only to it they offer grist to the mill of Hindu conservatism. Their grievance is that in a land where states were reorganized on the basis of language Urdu is totally ignored as an official language. Guidelines for recognition of a language by percentages of population are much too mechanical to meet an emotive, explosive sentiment. Urdu, like Aligarh Muslim University, is now a bargaining counter in the game of politics. Whether it be an official language or not, the fullest opportunities should be available for its development, spread and enrichment. Not only must the state foster it but it must be seen and known to foster it.

One major problem that is now increasingly coming to be publicly recognised is that of rampant illiteracy among the Muslims. In a land where the actual numbers of the illiterate increases every decade the Muslim contribution is substantial. Syed Khalilullah Hussaini, Principal of Anwarul Uloom College, Hyderabad, has summed it up well :

Muslim literacy is less than half of other communities. Out of 3604 degree colleges, 2716 are run privately by different communities and the share of colleges run by Muslims is only 54. It is true that one cannot make headway in a financially weaker community, but surely Muslims can do better. Muslims whose prophet ordained that, irrespective of sex, they should seek knowledge and travel to far-off lands to that end should not lay behind in education.

One major problem persists, that of employment. Dr. Y. D. Phadke in the Late Lajpatrai Memorial Lectures has presented a dismal picture :

The representation of the Muslims in the public services is woefully inadequate. According to the figures given by Professor Rosheeduddin Khan, there were only 105 Muslims in the Indian Administrative Service consisting of 3398 officers. It means that the Muslims formed a bare 3 per cent of the total membership of this most prestigious All India Service. The Muslims had almost the same percentage in the Indian Police Service. There were only 53 Muslims out of the total of 1661 Police Officers in this second important All India Service. Compared to the Muslims the representation of the Christians was almost exactly in proportion to their numerical strength in the total population of the country. The Christians constituted 2.6 per cent of India's population in 1971, while their percentage in the two All India Services was 2.44 and 2.04 respectively.

The figures are very telling and the argument is pregnant with consequences for the future. Should a minority employment potential be proportional to its numbers in the wider community? Why is Muslim representation in competitive services so poor? Can that be due to discrimination or is it that comparatively few take the examinations? Over the past few years the Chairmen of the three largest government recruiting agencies — the Union Public Service Commission, the Staff Selection Commission and the Director-General of Employment Exchange — belonged to the minorities and till last year all were Muslims. Under such a dispensation is it not possible that justice is done to the minorities? Is it again feasible to correlate employment with education and training. In western India, a good number of Muslims is self-employed being essentially in business and trade; and they are comparatively better off.

The argument about the Christians is easily met. They are not employed in proportion to their numbers in the population by any preferential treatment. They are there by dint of their own labours, training and education. What a small, less significant minority can do can be emulated by a larger minority without much discomfort. Christian mission schools have gained in popularity since independence and this also has a lesson for the minorities. Education has to keep in step with the times and harking back to the glories of the past is but a fraction of modern training. The madressa so popular in north India among the Muslims, is hardly a suitable medium to train its students to take their proper place in today's society. Secular education and technical training are better instruments for employment in the present and future. Is the quota system for employment the right way of restoring the balance? Hardly, for one thing

it sets the Seal of approval on incompetence and inefficiency. A rigorous and well sustained drive for education in a big way is the answer.

A microscopic but once significant minority is the Parsi community. The smallness of its numbers does not now make any impact upon the larger state or national life. Till the early decades of this century Parsis were pace setters in industry, international trade, politics and nationalism, science and technology, education and social welfare. More recently other groups and communities have overtaken them and they have receded into the background, harbouring, I like to believe, no sense of discrimination or having no consciousness of being done out of positions they occupied earlier.

To take an overview, problems of our minorities are largely akin to those of the majority. Poverty like unemployment and illiteracy is no respecter of religion, race or language. All of them indiscriminately spread their tentacles disregarding differences between groups of people. None of these, then, is a minority problem, it is a national problem and has to be tackled at the national level. This is not to say that the minorities should do nothing towards their solution. Minority attitudes must change. Specially the Muslims have a long leeway to make up; and there are a few hopeful signs on an otherwise grey horizon. In December, 1973, at the Muslim Education Conference convened jointly by the Indian Secular Society and the Muslim Satyashodhak Mandal at Kolhapur, a radical and practical demand was that Muslims should be educated through the medium of Marathi rather than Urdu. Not mere acquaintance but ability to communicate in Marathi is essential for employment in the state. Similar arguments can be offered elsewhere.

An interesting point to note here is that Aligarh Muslim University has English as its medium of instruction and its teachers are opposed to the switch-over to Urdu. And Muslims lay a claim to AMU as exclusively their own; what then happens to the demand for Urdu universities in the north and south? In AMU itself a professional college, the Medical College, has a minority of Muslim students, the reason being they do not get adequate number, not that they are discriminated against.

In another respect, too, the minorities move parallel to the majority—in the poverty of their contemporary leadership. After Ambedkar, the Scheduled Castes splintered and the Dalit Panthers growled for a time only to disappoint. The Muslims find themselves without anything worthy of the name of leadership. And whoever claimed some influence made the intitial mistake of aligning the community with the Congress Party. At the end of 30 years and seven

general elections the Muslims as Muslims find themselves in political doldrums with the Shahi Imam of Jumma Masjid, Delhi, playing the game of general post in politics. Indian politics offers the widest possible spectrum from the extreme left to the extreme right. Very much as the Christians have done, the Muslims, too, must find their niches in the various parties according to their political and socio-economic persuasions. Political leadership, specially of the Congress, is partially responsible for instilling a fear complex among the Muslims. It has spread the fiction that only the Congress Party is secular and Muslims will suffer unless the Congress remains in power. Such a myth has to be exploded because in three decades the community's continued electoral support has not reaped dividends for it.

Beverley Lang writing on India's Muslims in *World Minorities* has well summed up the Muslim dilemma :

"Legally, the Muslims are under no disadvantage. India, as a secular state, prohibits any discrimination on the grounds of religion or race. Muslim personal law is allowed to exist. However, they are badly represented in most spheres. A small elite have good jobs, some Muslims have held high office and there are 30 Muslims in the Lok Sabha. In the public sector, the number of Muslims is low and steadily decreasing. In the private sector, Muslims face serious discrimination. . . . Furthermore, the Muslim education standard is low and the competition for jobs high. The stagnating economy and high level of unemployment makes their predicament particularly serious.

"The problem of Muslim minority lies not so much in the fact of discrimination, but in the feeling of the community that they are discriminated against."

It is this minority psyche which has to be tackled. The emotional and psychological resources have to be commissioned to resolve the problems of our minorities. The majority community must cultivate a sense of responsibility towards the minorities and seek ways and means to carry them alongside and not behind it. We certainly, have had an unfortunate history which we need not attempt to relive. The majority must have the generosity to do a little more, to give a little more for the minorities. Let us get our perspectives right. Our minority problems have been created by us for temporary advantages. With realism and a modicum of humanity we can so arrange our public life, our administration, our economy, our education that our minorities shall continue as such only for religious and partly socio-cultural purposes; for the rest the dividing line will be erased.

R. B. R. R. KALE MEMORIAL LECTURES

Lecturer	Subject	Year
1. V. G. KALE	<i>Modern Tendencies in Economic Thought and Policy*</i>	1937
2. G. S. GHURYE	<i>The Social Process†</i>	1938
3. B. R. AMBEDKAR	<i>Federation Versus Freedom†</i>	1939
4. K. T. SHAH	<i>The Constituent Assembly*</i>	1940
5. A. V. THAKKAR	<i>The Problem of the Aborigines in India†</i>	1941
6. V. L. MEHTA	<i>A Plea for Planning in Co-operation†</i>	1942
7. S. G. VAZE	<i>The Formation of Federations; Rs. 1.50</i>	1943
8. JOHN MATHAI	<i>Economic Policy*</i>	1944
9. S. R. DESHPANDE	<i>A Statistical Approach to Vital Economic Problems*</i>	1945
10. J. V. JOSHI	<i>Indian's Sterling Balances*</i>	1946
11. C. D. DESHMUKH	<i>Central Banking in India : A Retrospect†</i>	1948
12. D. G. KARVE	<i>Public Administration in Democracy†</i>	1949
13. H. L. DEY	<i>Policy of Protection in India: Re. 1.00</i>	1950
14. M. VENKATRANGAIYA	<i>Competitive and Co-operative Trends in Federalism : Rs. 1.50</i>	1951
15. A. D. GORWALA	<i>The Role of the Administrator : Past, Present and Future; Rs. 2.00</i>	1952
16. LAXMANSHASTRI JOSHI	<i>Indian Nationalism*</i>	1953
17. W. R. NATU	<i>Public Administration and Economic Development†</i>	1954
18. P. C. MAHALANOBIS	<i>Some Thoughts on Planning in India*</i>	1955
19. S. K. MURANJAN	<i>Reflections on Economic Growth & Progress†</i>	1956
20. B. K. MADAN	<i>Financing the Second Five-Year Plan†</i>	1957
21. V. K. R. V. RAO	<i>Some Reflections on the Rate of Saving in Developing Economy*</i>	1958
22. K. P. CHATTOPADHYAY	<i>Some Approaches to Study of Social Change; Re. 1.00</i>	1959
23. B. VENKATAPPIAH	<i>The Role of the Reserve Bank of India in the Development of Credit Institutions; Re. 1.00</i>	1960
24. B. N. GANGULI	<i>Economic Integration : Regional, National and International; Re. 1.00</i>	1961
25. A. APPADORAI	<i>Dilemma in Modern Foreign Policy; Re. 1.00</i>	1962
26. H. M. PATEL	<i>The Defence of India†</i>	1963
27. M. L. DANTWALA	<i>The Impact of Economic Development on the Agricultural Sector*</i>	1964
28. PITAMBAR PANT	<i>Decades of Transition—Opportunities and Tasks*</i>	1965
29. D. R. GADGIL	<i>District Development Planning†</i>	1966
30. S. L. KIRLOSKAR	<i>Universities and the training of Industrial Business Management; Re.1.00</i>	1967
31. E. M. S. NAMBOODIRIPAD	<i>The Republican Constitution in the Struggle for Socialism; Rs. 1.50</i>	1968
32. J. J. ANJARIA	<i>Strategy of Economic Development; Rs. 2.00</i>	1969
33. RAJNI KOTHARI	<i>Political Economy of Development; Rs. 2.00</i>	1971
34. V. V. JOHN	<i>Education as Investment*</i>	1972
35. K. N. RAJ	<i>The Politics and Economics of "Intermediate Regimes"; Rs. 3.00</i>	1973
36. H. K. PARANJPE	<i>India's Strategy for Industrial Growth: An Appraisal; Rs. 5.00</i>	1974
37. ASHOK MITRA	<i>Growth and Diseconomies; Rs. 2.00</i>	1975
38. S. V. KOGEKAR	<i>Revision of the Constitution; Rs. 3.00</i>	1976
39. M. N. SRINIVAS	<i>Science, Technology and Rural Development in India: Rs. 3.00</i>	1977
40. J. P. NAIK	<i>Educational Reform in India: A Historical Review, Rs. 3.00</i>	1978
41. TARLOK SINGH	<i>The Planning Process and Public Policy: A Reassessment Rs. 3.00</i>	1979

* Not Published.

† Out of print.

(Postage-extra)

No lecture was delivered in 1947 and 1970.