

Demystifying Article 371(J): A Closer Look at Special Provisions for Kalyan Karnataka region

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Abstract:

This study delves into the intricacies of Article 371(J), with a specific focus on its unique provisions aimed at promoting the development of Kalyan Karnataka. Through a meticulous analysis of the constitutional framework and historical context, the study sheds light on the multifaceted aspects of this provision, demonstrating a dedication to redressing historical inequalities and promoting fair growth. The study primarily aims to explore the historical context surrounding the introduction of 371(J) and its distinctive provisions. Additionally, it seeks to highlight the various reservation facilities available under 371(J).

Key words: Article 371(J), Special Provisions, Kalyan Karnataka region

Introduction:

Karnataka, a significant Indian state in terms of land mass, encompasses around 5.83% of the nation's entire territory. The state is divided into four revenue divisions, including Bangalore, Belagavi, Kalaburagi, and Mysore. Regrettably, the Kalyana Karnataka region, which falls under the Kalaburagi division, is grappling with a host of challenges such as poverty, joblessness, inadequate literacy rates, migration, and regional disparity (Ashok, 2018).

Regional disparities are a common occurrence observed in all states and countries, but their extent can vary greatly. In developing nations such as India, such inequities tend to be higher compared to developed nations. Karnataka, a developing state in India, is no exception to this trend. The roots of regional disparities in Karnataka can be drawn back to the colonial time when the state was alienated into three parts: Mysore state, Bombay Karnataka, and Hyderabad Karnataka. The Mysore rulers implemented various social welfare programs that led to the region's development, while the other two regions remained underdeveloped. Despite Karnataka's unification after independence, little progress has been made in reducing regional disparities, resulting in past protests and calls for a separate state (Hanagodimath 2014).

The regions of Bidar, Gulbarga, Raichur, and Koppal in Karnataka have been facing underdevelopment for an extended period since their incorporation into Hyderabad State. Despite some past efforts to promote growth, they fell short. For over four decades, Karnataka has been advocating for the Kalyan-Karnataka region's special status, the second-largest arid area in India. After a prolonged struggle, Karnataka has finally succeeded in obtaining a distinct position for the region by amending Article 371 of the Constitution. This will enable increased funding for the area's development, creating more employment opportunities for the locals.

Historical Context and Emergence of 371 (J) in the Kalyan-Karnataka Region:

The area now known as Kalyan-Karnataka, or Northeast Karnataka, was once a fragment of the Hyderabad state (Soman, 2016). After Kannada-speaking areas of Hyderabad province were merged with the newly-formed state of Mysore in 1956 (now called Karnataka), the region became known as Hyderabad Karnataka and is presently referred to as Kalyan Karnataka. This region is comprised of the Bidar, Kalaburagi, Yadagiri, Raichur, Koppal, Bellary, and Vijayanagar districts. Despite its rich history of socio-cultural and religious accomplishments, the region has experienced neglect by several rulers and governments before and after India gained independence (Ahmed, 2003). Kalyan-Karnataka region had to fight against the British and the Hyderabad Nizam to secure their independence, even after India gained independence.

The priority for Kannadigas in the newly-formed Karnataka state was not merely freedom from their former rulers, but rather establishing their rightful place within it. The Nizam's Karnataka Parishad recognized the threat to cultural distinctiveness faced by those in Bidar, Kalaburagi, and Raichur and worked to encourage their support for a united Karnataka. Although possessing a significant amount of cultural heritage, talented individuals, and material resources, humanity has yet to reach its full potential. The region historically neglected, even in democratic, independent India, akin to its treatment under the former Nizam's Hyderabad state. (Kotrappa, 2016). Until 1980, all districts in the region, except Ballari, ranked at the lowest in terms of economic indicators. Notwithstanding multiple dissents and calls for a separate state, regional disparities persisted. However, due to the continuous underdevelopment of the region and recommendations from committees such as the Dr. Nanjundappa Committee, authorities have taken specific measures towards progress. The most significant attempt was 98th Constitutional Amendment, which introduced a new Article 371-J in 2012 to offer special provisions in education and employment fields for the people of this region. Although these provisions will take time to yield genuine results, it marks a positive step towards reducing regional imbalances.

Objectives of the study

1. To comprehensively analyse the historical context and emergence of 371 (J) with a specific focus on its application to Kalyan Karnataka.
2. To understand and examine the specific provisions outlined in Article 371(J)

Methodology:

The objective of this study is to comprehensively analyse the historical background and specific clauses detailed in Article 371(J). Through an extensive review of pertinent academic, legal, and policy literature concerning Article 371(J) and the Kalyan Karnataka region, this study employs a descriptive design to achieve its aims.

Special provisions to the state of Karnataka: (371-J)

In 2012, the Constitution 118th Amendment Bill established Article 371(J) to offer tailored support for the Kalyan-Karnataka region's six underprivileged districts - Kalaburagi, Yadgir, Raichur, Bidar, Koppal, and Bellary. As per the bill's provisions, individuals from this area are eligible for 70% regional reservation and 8% state-level reservation.

Special provisions under 371 (J):

- (a) To empower the Governor of Karnataka to take steps to develop the Kalyan-Karnataka Region.
- (b) Separate Development Board for the welfare of region
- (c) Offer equal distribution of financial support for the development of the region
- (d) Offer reservation in employment and in admission of educational institutions for domiciles of the region
- (e) To promote overall development to lessen regional disparities in the State.(112th Amendment Bill of Lokasabha 2012)

Reservation facilities under 371(J): Institutional set up and legislations

Kalyana Karnataka Region Development Board:

The Board, established on November 6th, 2013, plays a vital role in the development of the 40 assembly constituencies located in Kalaburagi, Yadgir, Raichur, Bidar, Koppal, and Bellary districts. With a mission to achieve overall development while ensuring social justice for all districts of the Region, the board has been successful in promoting all-round development through its Macro and Micro level planning strategies. Moreover, the board allocates 60% of funds for Micro Projects proportionate to the Comprehensive Deprivation Index (CDI) for Taluka, ensuring critical infrastructure and institutional gaps are given priority. The remaining 40% of funds are allocated sector-wise for Macro Projects, filling the gaps in Macro sectors as per guidance from the Dr Nanjundappa Report on Redressal of Regional Imbalance. In short, the Kalyana Karnataka Region Development Board is dedicated to the all-round development of the region and has been successful in achieving its objectives through efficient planning and allocation of resources. (KKRDB 2020)

Kalyan Karnataka Special Cell:

The inclusion of 371(J) in the Indian Constitution has granted special status to Kalyan Karnataka, which aims to address regional imbalances. This includes a focus on offering reservations in employment and educational field, and development opportunities for the region. To support this initiative, several orders have been issued such as the orders relating to Employment 2013, Education-Regulations of Admission, 2013. These orders will help facilitate employment opportunities for Indigenous persons in the public sector and improve their chances of securing admission to private educational institutions. Efforts are underway to develop the districts of the Bidar, Kalaburagi, Yadagiri, Raichur, Koppal, Bellary, and vijaynagara.

Karnataka Public Employment (Reservation in Appointment for Hyderabad Karnataka region) Order 2013:

This order has a significant regulation facilitates the reservation of Regional and State quotas for public services or positions within local authorities, bodies, or organizations under state government control in that area, as well as state-level offices, institutions, and apex bodies. It accomplishes this by creating a separate local cadre specifically reserved for the designated

force, allowing for a fair and equal distribution of opportunities for all eligible candidates in the region. (Karnataka order, 2013)

This order offers for the creation of a local cadre and reservation in the Kalyan Karnataka region as:

- **Group A** - 75% of the posts in the offices/establishments in case of all direct recruitment posts, while in promotions, the reservation is up to Group A Junior Scale posts
- **Group B** posts -75% of the posts in the offices/establishments.
- **Group C** posts - 80% of the posts in the offices/establishments.
- **Group D** posts - 85% of the posts in the offices/establishments.
- 8% of the reservation in state-level posts

Karnataka Educational Institutions, Order 2013 (Regulations of Admission in the Hyderabad Karnataka region):

The above order guarantees that 70% of the seats in admission offered by regional universities or educational institutions in the Kalyan Karnataka region will be reserved for students who are either born or domiciled in the same region. Additionally, 8% of the seats in every course of study offered by state-wide universities or educational institutions will also be reserved for students from the Kalyan Karnataka region. This ensures that the students from the region have a fair chance at pursuing higher education and contributing to the development of their community. (Karnataka order, 2013).

Karnataka Private Un-Aided Educational Institutions (Regulations of Admissions in the Hyderabad Karnataka region) Order 2013:

According to the Order of 2013, 70% of the seats in every course of study offered by regional universities or educational institutions, and 8% of the seats in every course of study provided by state-wide universities or educational institutions, must be reserved for admission. This regulation aims to provide fair access to educational opportunities for students in the Kalyan Karnataka region and throughout the state.

Conclusion

The research paper titled "Demystifying Article 371(J): A Closer Look at Special Provisions for Kalyan Karnataka" offers a detailed analysis of the historical context and legal framework surrounding Article 371(J). It lights on the various aspects of provisions and offers valuable insights into effectiveness in addressing regional disparities, fostering development, and protecting the unique identity of Kalyan Karnataka. The study emphasizes that the mere implementation of Article 371(J) will not be enough and that effective executive implementation is crucial for enhancing education, employment opportunities, and regional development for the people of the area. Ultimately, this research aims to ensure that the special provisions in Article 371(J) continue to serve the best interests of Kalyan Karnataka and its inhabitants in the ever-evolving landscape of Indian governance and federalism.

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