

A COMMENTARY ON THE POSITIVE DISCRIMINATION POLICY OF INDIA**T Deane*****Summary**

Affirmative action and discriminatory measures are complex and controversial issues. The goal of affirmative action is to speed up the creation of a representative and equitable workforce and to assist those who were historically disadvantaged by unfair discrimination to fulfil their maximum potential. The term invokes emotions that range from fear and rage to satisfaction. Affirmative action has encouraged an ongoing debate regarding the legal, moral and economic questions arising from the preferential treatment of certain groups of people in society. Underlying this debate are various concerns about the notion of reverse discrimination or the unfair disadvantage to individuals who bear no responsibility for past or present discrimination practised by others. This article states the current position with regard to the caste system and the reservation of jobs in the Republic of India in the context of affirmative action and the achievement of equality in the workplace. Its purpose is to highlight the extreme division of opinion about what is socially acceptable, namely, caste. Further, it provides the reader with an understanding of the need for affirmative action in the first place in India, and thereby creates a powerful tool for understanding discrimination and the need for affirmative action measures. Another goal is to provide useful guidelines and information to all persons involved in implementing affirmative action programmes. It serves to show that if affirmative action measures and/or discriminatory measures are not properly thought out then affirmative action becomes burdensome and even more discriminatory, rather than being a means of achieving equality and redressing past wrongs.

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