



Whither Reservation Policy in India? : An analysis

G. Sumathi, Research Scholar, Dept. of Economics, Andhra University,
Visakhapatnam

Abstract

Caste system paved the way for strongly prevailed in human activities between the upper caste and downtrodden communities which led to exploitation of down trodden communities in India. Caste is one of the prohibited grounds of discrimination along with others such as sex, religion, and region. To bring the depressed communities into the main stream of progress, and to enlighten them, a great struggle was carried out for over a longer period by the great personality Dr. B.R. AMBEDKAR. He is the representative of the suffered communities fought against social and economic injustice meted out weaker section of the society. As a result of which our founding father of mankind insisted upon constitutional provisions to protect the interest of socially economically and educationally invisible groups in India. In this context an attempt is made in this paper to explore reservation policies provided to different down trodden communities particularly SC's, ST's, BC's and emphasizing on women reservation and their progress in Andhra Pradesh as well as in India.

Keywords: dalits, sex, religion, region, woman

Introduction:

Caste system is existed in Hindu religion since 1500 BC to 1952AD that was abolished in the Indian Constitution. The caste system the people were divided into four categories i.e Brahmana, Kshatriya, Vysya, Shudra where the brahmana were supreme and the shudra were the discriminated one. After independence period, caste system was abolished under the constitution of India and untouchability is declared as the crime. The struggle started by Dr. B. R Ambedkar aimed to Social Justice, Social Equality and Democratic values. He led the movement like chavdar talab for the right to have access to public drinking water, kalaram mandir, right to enter in temples and also the burning of manu smriti, or symbolic of the rejection of the religiously ordained caste hierarchy. The social political base of his

movement which was aspiring for throwing away the British colonial power and also struggling for democratic values. To Annihilate above problems, and to bring Social Justice in the Society Ambedkar suggested reservation system in the constitution. Reservation means form of quota based affirmative action and is governed by Constitutional laws, statutory laws and Local rules and regulations.

In this context an attempt is made in this paper to explore reservation policies provided with reference to constitutional provisions to different downtrodden communities more properly SC's, STs, BCs and emphasizing on women reservation Andhra Pradesh as well as in India.



Caste in India:

Dr. B.R Ambedkar said "The caste system is not merely a division of labour. Which is quite different from division of labour – it is hierarchy in which the division of labourers are graded one above the other. In no other country is the division of labour accompanied by this gradation of labourers (Section IV) annihilation of caste Vol.7 Dr. B.R Ambedkar: writings and speeches Access to opportunities and status is intrinsically rooted in one's caste status.

Caste has been the major maker of Indian, particularly Hindu, Society. We had religiously of Indian, particularly or dined the system of Varna – Jati (caste). In this caste system people are divided into four categories, i.e. Brahmana, Kshatriya, Vysya, Shudra, where Brahmana were the supreme and Shudra were the discriminated ones¹.

The major contribution to the understanding of the genesis of caste from Ambedkar, as per whom caste being due to ideological religious factors. According to him the caste system came into being as the result of ideology of Dharma sutra, which was part of Brahmanism. During the vedic period the varna system was used the system consisted of four ranked Varnas. A person's varna was defined by his or her socio economics duties. These duties were either voluntarily performed or assigned by local administrator – one's varna was initially not defined by one's birth into any particular family. However, over the centuries, the system has changed to caste, based on the person born in the lineage than by his karma or profession. The reservation policy has been here for quite long now and it has not yielded what was expected

of it. The main problem is that it is caste based. The benefits of the quota have gone overwhelmingly to the better off people among the reservation category castes².

Reservations in India:

Dr. B.R. Ambedkar the framer of the Indian constitution and one of the leading advocates of civil rights, tried to turn the wheel of law towards social justice for all. The state through pronouncement of its normative prescription of secularism and democracy, took up to guarantee all its citizen equality liberty, and freedom from exploitation. State sponsored mobility for backward castes and communities was perceived as a means of compensation for justice, deprivation, untouchability and discrimination which these communities have suffered historically and in fact continue to suffer. For safe guarding their interest and accelerating socio-economic development it was realized that these communities need special provisions. A policy of reservations was instituted in order to in order to combat social disability and economic backwardsness.

Article 46 of the constitution of the India states that, "the state shall promote, with special care to the education and economic interest of weaker sections of the people in particular of "the scheduled caste and scheduled tribes and shall protects them from social justice and all forms of social exploitation.

Articles 330, 332, 335, 338 to 342 and the entire fifth, sixth schedules provisions for implementation of the objectives fourth set in article 46³.

The objectives of the Indian reservation system is to increase the



opportunities for enhanced social and educational status of the under privileged communities and thus uplift their life style to have their place in mainstream of Indian society⁴.

The reservation system exists to provide opportunities for the members of the scheduled castes & tribes increase their political reservation in the state legislatures. The executive organ of the union (centre) and states, the labour force, schools, colleges and other public institution⁵.

The constitution of India state in article 16(4) "Nothing in (article 16) or in clause (2) of article 29 shall prevent the state from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the scheduled castes and tribes⁶.

Today, out of 543 seats in India's Parliament, 84(18.42) are reserved for SC/Dalits and 47(8.66%) are reserved for ST/tribes. Allocation of seats for scheduled castes and tribes in the Loksabha are made on the basis of proportion of scheduled castes and tribes in the state concerned to that of the total population vide provision contained in 330 of the constitution of India read with section 3 of the R. Pact 1950.

In central government funded higher institutions 22.5% of available seats are reserved for scheduled caste (SC) students 15% and scheduled tribes (ST) students 7.5%.

This reservation percentage has been raised to 49.5% by including an additional 27% reservation for OBCs.

This ratio is followed even in parliament and all election where a few constituencies are earmarked for those from certain communities⁷. The

university grants commission (UGC) provides financial assistance to universities for the establishment of special cells for SC/STs. The cells help universities to implement the reservation policy in student – admission and staff recruitment process for teaching and non-teaching jobs⁸. In India most of the scholarships or student aid is available only for OBC's SC, ST, BC women & minorities and Muslims.

As per Rediff labs only 0.7% of scholarships or students aid in India is based on merit. In India politicians are using these reservations as a means to achieve their political ends. There is no uniformity all over India for these reservations⁹. Andhra Pradesh is the state having the highest percentage of reservations in India in any form. Minimum 83.33% reservations are applicable in the state.

Women reservation:

The constitutions (108 Amndment) bill a pending bill which proposes to amend the constitution of India to reserve 33% of all seats in the lower house of parliament of India the loksabha and in all legislative assemblies for the women. The seats to be reserved in rotation will be determined by draw of lots in such a way that a seat shall be reserved only once in three consecutive general elections. The upper house Rajya Sabha has passed the bill on 9th March 2010¹⁰. As of February 2014, the lower house loksabha has not yet voted on the bill¹¹. If the Loksabha were to approve the bill it would them have to be passed by half of India's state legislatures, and signed by President¹². Recent research on the quota system has revealed that it has changed perceptioin of women's abilities, improved women's electroral chances, and raised aspirations



and educational attainment for adolescent girls.

In addition, women in India get reservation or preferential treatments in education and jobs. Its opposes consider as discrimination against them in admission to schools, colleges, and universities. For instance several law schools in India have a 30% reservation for females. A segment of feminists in India are strongly in favour of providing preferential precedence to women in order to create a level playing field for all of its citizens.

Since there will be more women participation in politics in the society.

Reservation for women is expected to increase opportunity for women.

Women will avail 33% reservation thus after their bill is passed political, social and economical condition of women is expected to improve drastically as a result¹⁵.

Implications and consequences of reservation India:

In India public sector units & government bodies 22.5% of available seats were made reserved for scheduled caste (SC) 15% scheduled tribes (ST) 7.5. This reservation percentage has been raised to 49.5% by including an additional 27% reservation for OBC's in 2008 5 – 10% of aggregate marks and 3 – 5years of age relaxation and exemption from tuition fees given to SC, ST & OBC candidate who wish to take admission in various government institutions. The central government has given 5% reservation to the physically disabled persons who have 40% or more disabilities. In 2010 women get one third reservation in gram panchayat and municipal elections. The CBSE has

introduced examination reform using continuous and comprehensive education (CCE) in its affiliated schools from the academic year 2009-10 under the new procedure, children below class 10th will be evaluated under the grade system in mid 2012, 25% reservation is provided to the reserved category children in the government aided & private schools under the right to education act which was passed earlier by the parliament.

The financial and social status reserved category people increasing and well supported by the government the percentage of SC, ST, OBC in government institutions raising today. The total percentage of reserved category persons in these institutions is above 40%. The exploited non reserved (general) category persons who missed the opportunity because someone else has taken place have become deprived and miserable in the poor economic conditions of India.

Several unreserved or general category communities have started demanding reservation for them these communities which include Gujar, Jats, of state of Haryana seers etc. Some philosopher's believe that India has lost its pace for the development due to the reservation in India, since more capable persons were not offered the places which they deserved on the bases of acts done in the past. Some people think that reservation in India is not good for society since the people were still remain divided among themselves due to the increase and decrease of financial and social status in the society.

Conclusion:

In the population India is taking second place in world. About 70 to 60% People of India have been depending



upon agriculture sector and living in the rural and hill areas. Fifty percent of the downtrodden community people are living under the poverty because of uncivilization, illiteracy unemployment. In so many backward districts and states scheduled caste and scheduled tribes and other backward community people unable to fulfill their basic needs, even though the government is providing facilities for upliftment of these uncivilized, innocent and illiterate people. It necessitates the importance of reservations are for the downtrodden communities even after 68th years of Indian independence.

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