

## CASTE-BASED RESERVATION IN INDIA



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### ABSTRACT

India, a secular and democratic country is regarded as a model of pluralistic society. It is reflected in its cultural pluralism of various religions, castes, languages and regions. About 82 percent of the Indian population follows Hinduism and 15 percent Islam and its plurality is visible in the four-fold Varna system (Brahmin, Kshatriya, Vaishya and Shudra) and about 5000 castes and sub-castes.



**KEYWORDS** : *Caste-Based Reservation , secular and democratic country , model of pluralistic society.*

### INTRODUCTION :

Now the segmental aspects of traditional four-fold varna system is reflected in terms of four major caste groups created by the modern participatory democratic political system such as the scheduled castes (SCs: 16.73%), the Scheduled Tribes (STs: 7.95%), other backward classes (OBCs: estimated to be 52%) and the rest regarded as upper castes or forward castes (estimated 23%). These four modern caste categories also include social segments of the minorities.

Reservations have become a big reality in the present-day India. Our governments are busy in giving more and more reservation to different castes or groups in the society. Reservations have old history in India, dating back to 1921, when caste-based reservation was provided to the people of Madras Presidency. From then, reservations are provided in our nation from time to time to different sections or groups of societies. In 1990, this whole process got intensified with implementation of recommendations made by Mandal Commission<sup>1</sup>.

Caste is one of the key issues in this reservation debate whether caste is an indicator of disadvantage at all, in the present. There is now a growing volume of literature that establishes empirically the reality that all indicators of advantage /disadvantage monthly per capita expenditure, land holding, occupational attainment, educational attainment, ownership of consumer assets, type

of housing, poverty ratios and so forth) are very clearly stratified by caste. Thus, while reasonably accurate income data are hard to come by, all these indicators suggest the distribution of both income and wealth are skewed along caste lines.

This is not a trivial finding as it challenges the notion that disadvantage or advantage is randomly distributed between castes and establishes a case for focusing on groups, rather than individuals, as targets for policy making. Of course, this does not deny ultra-group inequality, but any group based programme can be fine tuned to take that into account, if necessary.

Caste-based reservations have existed in India for more than a century. Initially introduced by the British to bring equality of opportunity in education, reservation was later extended to other sectors of the development process to overcome the problem of economic inequalities attributed to caste. Even today concepts like affirmative action and quotas are being debated to justify reservation<sup>2</sup>.

Caste based reservation were implemented during the first quarter of the 20th century. Scholars have argued that the low caste movements first arose in the south because of the greater ritual repression there by the Brahmins, compared to the north.

In 2005, through 93rd constitutional amendment Government of India also introduced 27% reservation for the OBCs (Other Backward Classes) which is presently under the preview of Supreme Court of India. Most recent protests in this series are protest from the Gujjar community of Rajasthan for their inclusion in ST list. This agitation of the Gujjar community nearly paralyzed day-to-day life in Rajasthan and even intensified to inter caste rivalry. This was the first major incidence in the reservation politics which made many intellectuals and political parties to see the reservation issue in different light. Due to this reason, India's Supreme Court is forced to ask the state governments and authorities about the measures taken by them to stop these violent activities or for booking the people who destroyed the property of the nation.

The major apathy with this whole episode is that the state and central governments were not able to take any concrete steps to avoid these activities. This is really a great apathy for the country like India where still violence like this is a common story and where struggling people still destroy the property of others or the nation for realizing their own dreams. Many people in India still need to learn to live in a way which is acceptable to all the people<sup>3</sup>.

This new problem has clearly made situation more difficult for the politicians who indulge in reservation politics. This problem has also started showing the unrest caused by the un-thoughtful decisions of implementing caste-based reservation in India. The chances of early solution of this problem are much less because of the large scale protests by those who are already in ST list - Meena community - because they believe that jobs and education opportunities for their community will decrease with T status being accorded to gujjars.

This is one of the major social unrest problems seen in India after the implementation of caste-based reservation and in future also we can hope to see many more such incidents when other communities may resort to violent means to secure reservation for their community.

### SUPREME COURT INTERVENTION

The Supreme Court has intervened in the controversy over the United Progressive Alliance (UPA) government's plans to expand caste-based reservations (mandatory affirmative action programs) at the country's premier universities and professional institutes, saying the issue "requires judicial review."<sup>4</sup>

In a ruling issued arising from two "public interest litigation" cases that challenged the legality of the government's plans, a two-judge panel of India's highest court ordered an end to strikes at public

hospitals by doctors and residents. The almost three week-old medico strikes had seriously disrupted hospital services in many major urban centers and become the focal point of the anti-reservation agitation. Of greater consequence, however, was the panel's assertion of the Court's right to scrutinize the constitutionality of the government's plans. Agreeing with the claims of the plaintiffs, Justices Aijit Pasayat and Lokeshwar Singh Pant said the proposed expansion of reservations would "have serious social and political ramifications and this court will deal with it appropriately."

The panel ordered the government to answer a series of questions concerning the rationale for, and criteria to be used in, setting aside 27 percent of all entry-places at central government-funded universities for students who belong to a state created agglomeration of lower-caste groups known as the Other Backward Classes (OBCs).

The ruling thus opens the door for the court to order delays in the implementation of the UPA reservation scheme modify it or even strike it down entirely.

While India's poor are effectively denied education and health care because of the lack of decent public facilities and trained personnel, the UPA government is claiming that by reserving a tiny number of university entry places for OBCs- 15,000 or less per year it is striking an historic blow against caste oppression and for social inequality. No less self serving are the claims of the corporate media and big business which, in the name of upholding merit, have egged on the anti-reservation protests. The elite instinctively sympathize with the protesting students, who generally come from prosperous and traditional upper caste families and are hostile to any questioning however minimal and misconstrued of "the gross social inequalities that characterize Indian capitalism".

Through the current furor over OBC reservations in central government funded universities, the corporate elite is, above all, seeking to carry out a pre-emptive strike against the UPA's as of yet nebulous plans to extend reservations to business. Private sector reservation would not create a single job, only ration out the woefully inadequate number of jobs according to caste. But business fears it will mean additional regulatory costs and views any curtailing of management prerogatives as a return to the "had old days of "Nehruvian socialism".

The corporate media welcomed the Supreme Court's ruling as did the Youth for Equality, the ad hoc student group that has been in the front of the anti-reservation protests. Declared the Hindustan Times in an editorial, "The striking medical students have played a heroic role in resisting the irrational government policy of enforcing quotas for the OBCs in institutions of higher learning. The Supreme Court's decision to look into all the aspects of the issue is a victory, and the students should see it as such."

In recent years the Supreme Court has aggressively attacked worker rights. In an infamous August 2003 decision, it upheld the constitutionality of the brutal measures the Tamilnadu state government took to crush a strike of government workers and then proclaimed those public sector workers, and possibly other workers, have no inherent constitutional right to strike. In this case, by contrast, the court, instructed the government to drop any and all disciplinary action against the medicos. Justices Pasayat and Pant indicated sympathy for the plaintiffs' contention "that the adoption of this policy will divide the country on caste basis," saying "the court will consider this issue later." The judges ordered the government to explain on what basis OBC membership was determined and the rationale for these criteria. (Government inquiries have come up with different caste-based definitions of what groups should be included in the "other backward classes" and this, along with the fact that the government does not employ caste as a census category, has led to varying estimates of what percentage of India's population ought to be classified as OBC, ranging from 30 to 52 percent.)<sup>6</sup>

The judges also instructed the government to explain the reasoning behind its decision to fix the

percentage of university places reserved for OBCs at 27.5 percent and how the reservation scheme will be implemented. In an attempt to mollify opposition, the government announced recently that it would dramatically increase the total number of places in Central government funded institutions so that the new OBC quota does not reduce the real number of general or non-reserved seats. But university administrators and others have complained that such an expansion could not be properly carried out, given the need for new facilities and instructors, within the one year time frame established by the government.

The Supreme Court panel gave the government 8 weeks to answer to its questions and tie public interest litigants a further 6 weeks to respond to the government's answers. During this time, rallies and demonstrations for and against reservation will likely continue<sup>7</sup>.

The Supreme Court intervention underscores that India's ruling elite is sharply divided over the reservation question. Most of the political establishment has voiced support for OBC reservation in Central-government funded institutions. The official opposition, Hindu supremacist Bharatiya Janata Party (BJP), which in the name of Hindu unity poses as an opponent of casteism, initially endorsed the UPA initiative along with its partners in the National Democratic Alliance. But in recent days divisions have emerged, with some prominent BJP politicians joining the anti-reservation protests, while other BJP leaders who identify themselves as "OBC leaders" have criticized the party leadership for not being more supportive of the government on this issue.

The corporate media and business groups, by contrast, have been strongly supportive of the anti-reservation agitation, making it a veritable cause célèbre and the dominant domestic news story for much of the period. From these quarters voices have been increasingly heard that call into question the very notion of reservation.

While OBC reservation emerged as a major political issue only in 1989, reservations for dalits (the ex-untouchables) and the tribal peoples in parliament, higher education and government jobs became state policy soon after India became independent.

Reservations have utterly failed to raise the vast majority of dalits and tribals from abject poverty. But they have served as an important prop of bourgeois rule, nurturing a small layer of dalit and tribal petty bourgeois that is loyal to the Indian state and zealous in its promotion of identity politics.

The current reservation controversy is an expression of acute social crisis. The ruling elite is sharply divided over the government's latest attempt to use caste appeals along the stock and trade of Indian politics to give a populist covering to its pursuit of the socially incendiary neo-liberal agenda of big business<sup>8</sup>.

The anti-reservation strikes and protests meanwhile are testament to the fact, the claims of 'shining India' notwithstanding. That even among the more privileged sections of the middle class there is acute anxiety over jobs and economic security.

And then there are the hundreds of millions of toilers whose anger and opposition to mass unemployment and social deprivation cannot find positive expression because those who claim to lead the working class the Communist Party of India (Marxist)-led Left front were sustaining the Congress-led UPA government in office in the recent past. At one with this policy was the Left Front's support for the UPA's plans to extend reservations.

"There is a grave danger that the Stalinists will enable the Indian ruling class to divert the mass social discontent of India's toilers into mobilizations focused on the rationing of education-places and jobs that is the rationing of capitalist misery on caste lines. Such politics leaves the program of big business and the capitalist social order unchallenged and reinforces caste divisions, thereby allowing

the bourgeoisie to press forward with the implementation of its neo-liberal policies and opening the door for the BJP and other ultra-right forces to falsely present themselves to the rural and urban middle class as their defenders.”

A genuine struggle against caste oppression is possible only through a working class-led movement that mobilizes all sections of the oppressed, irrespective of caste, religion or ethnicity, against the UPA government and the capitalist social order, and for jobs educational opportunities, and quality public services for all.

### CONCLUSION

Reservation has today become a major social issue and therefore needs a more in-depth solution. So far most of the governments have used reservation for more political benefits and less for the benefits of the people. Though, there are few proofs available from the southern states where reservations have helped the lower castes. However same kind of solutions cannot be implemented throughout the whole nation because different states have different issues. Secondly government needs to get the latest data and conduct fresh studies on the success of reservation policies for example Mandal Commissions used 1930 census data for granting the reservation.

At present question facing us is how to get the right solution for the people's problems and not just implement new reservations. As per our constitution, there should be no discrimination on the basis of the religion race caste, sex and place of birth but un-thoughtful reservation policies are only altering the basic right of every Indian. Moreover, these reservations are also dividing Indians in the name of castes or groups which are a sign of a concern for our nation in the long run and if not properly dealt, can have harsh impact on the calm social climate of India. Caste-based consciousness will further caste divisions. Except for a tiny minority everyone was aware of his or her caste identity. Caste based enumeration as unavoidable in the Indian context.

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