

RESERVATION: PROPER OR IMPROPER IN PRESENT INDIA

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Abstract: Reservation can be defined as a process of facilitating a person who has category certificates. This policy was made and implemented on the basis of recommendations of Mandal Commission. The main purpose of this reservation policy was upliftment of some underprivileged classes of Indian society but this policy witnessed the rage of general class which was entirely devoid of its facilities. The policy was aimed to be implemented for ten years only but due to political insensitivity it is still continuing. So many lapses and drawbacks have raptured this policy due to its prolonged implementation. Now this policy has become a policy of the 'Harijan Elites' rather than of the underprivileged, weaker, poor deserving SC/ST candidates.

Key Words: Reservation Policy, Scheduled Castes and Scheduled Tribes, Other Backward Classes, reserved categories, under privileged candidates, protests, General Community.

INTRODUCTION:

Reservation is a process in which some particular advantages are given to a person in the field of education, scholarships, jobs and promotion or in other words it can be defined as a process of facilitating a person who has category certificates. Scheduled Caste (SC), Scheduled Tribes (ST) and Other Backward Classes (OBC) and in some states some backward classes of Muslim Community which come under the title BC(M) are the main beneficiaries of this reservation policy with a general purpose of giving equal states and opportunity to the members of every caste and religion in India.

Division of society into various castes and categories is not new as it has been existing in the form of caste system since 1500 BC. In Hindu religion people were divided into four categories as Brahmana, Kshatriya, Vaishya, and Shudra. In this caste system Brahmana were at the top of social hierarchy and Shudras were the people who were at the bottom. They were also called as 'Avarnas' or 'Dalits' (the oppressed).

SITUATION AFTER INDEPENDENCE:

After Independence, this discrimination on the basis of caste was declared illegal by constitution of India and under the laws practice of untouchability was declared as a crime but at that time frequent cases of atrocities against SCs took place in the country which shocked the nation for example, the assassination of the young, educated dalit leader Emmanuel Sekaran in Tamil Nadu, the Ramanathapuram riots of 1957, the Kilvenmani massacre of 42 dalits in 1968 in Tamil Nadu, the grewsome killings of dalits in Kanchikacheria in 1969 in Andhra Pradesh, the killings of 10 STs in Indravalli in Andhra Pradesh in 1978. After these incidents, under the pressure of dalit MPs, government of India started monitoring atrocities against SCs. For protection and progress of these underprivileged castes and tribes it was specified by the government in 1982 that 15% and 7.5% of vacancies in the public sector and government aided educational institutes would be quota reserved for the scheduled caste and scheduled tribe candidates respectively. After eight years, in 1990 the recommendations of the Mandal Commission were implemented in the form of Reservation Policy in government jobs and services by Vishwanath Pratap Singh, who was then the Prime Minister of India.

RESERVATION FACTS:

In this manner, since 1990 in higher education Institutions, government bodies and public sector units 22.5% of total available seats were declared reserved for scheduled caste and scheduled tribes. In 2006 this reservation percentage has been raised to 49.5% by including an additional reservation of 27% for the OBC candidates. An arrangement of providing 5-10% of aggregate marks relaxation, 3 to 5 years of age relaxation and

exemption from tuition fee was also sanctioned to the reserved candidates who wish to take admissions in various government Institutions.

Present Caste – Based Reservation System in the
Union Government

Categories	Reservation %
Scheduled Castes (SC)	15%
Scheduled Tribes (ST)	7.5%
Other Backward Classes (OBC)	27%
Total Constitutional Reservation %	49.5%

For the general category candidates 50.5% seats are available but for these seats also SC/ST and OBC candidates can apply and occupy. Central Government has declared 5% reservation to the physically disabled persons who have 40% or more disability. In 2010 one- third reservation was given to women candidates in gram-panchayat and municipal elections. Some law schools in India also gave 30% reservation to females. In 2012, 25% reservation was provided to the SC, ST, and OBC children while getting admission in any government aided or private school under the Right to Education Act passed by the parliament. In January 2016, government declared 33% reservation for women candidates in all paramilitary forces like CISF and CRPF. Instead of this, in India, most of the scholarships and student- aid is available only to SCs, STs, BCs, OBCs, Women, Muslims and other minorities. Only about 0.7% of scholarship or student- aid is based on merit.

RSEARVATION POLICY:

The Reservation policy has been one of the most controversial issues of India. Whatever reasons are provided by the people who oppose reservation but it remains a fact that reservation has helped to increase the representation of reserved category. As it has been stated also that, “Reservation is a political necessity, required for peace keeping in India. It is a medium to increase representation of the present underprivileged caste groups.” In many government institutes an increase has been noticed in proportion of SCs, STs and OBCs representatives. Through a study undertaken by Ashwini Deshpande, Professor at Delhi School of Economics, tried to prove that the reservation Policy has implemented a positive impact on productivity and efficiency in the Indian Railways between 1980 and 2002. Thomas Weisskopf, Professor of Economics at the University of Michigan, also worked on the same topic and through his research found the policy productive. He stated that this system helps to increase the opportunity for better social and educational states of the underprivileged communities. This system works effectively and helps to uplift the lifestyle of deprived castes to have their place in the mainstream of Indian society. This system provides opportunities to the members of SC/ST categories to increase their political representation and their participation as a labour- force in schools, colleges, and other public institutions. This policy also favours and justify the statement written in Article 46 of the constitution which states that, “The state shall promote with special care – the educational and economic interests of the weaker sections of the people, and in particular of the scheduled castes and Scheduled Tribes and shall protect them from social injustice and all forms of exploitation.”

Since the implementation of reservation many protests have been witnessed especially from people belonging from upper caste as they saw it as a direct threat to their educational and career growth. That’s why at the time of implementation of this policy upper caste students protested against the Mandal Commission and argued that allocating quota is a form of discrimination which is contrary to the right of equality. They blocked roads and highways, did demonstrations in government services and schools, stopped transportation services and went on strike. About 150 students throughout India attempted self immolation in protest. In 1990 two students Rajiv Goswami and Surinder Singh Chauhan committed self- Immolation in protest of Mandal Commission. In 2006, when Indian Government decided to implement 27% reservation for OBC community in central and private institutes of higher education then also series of protests were organised by students and doctors against this system. Students belonging to privileged sections of society formed organisations like ‘Youth

for Equality’ and protested to repeal the policy but all these protests proved futile as reservation policy was finally implemented by the government and as the time passed these protests slowly died down.

It is quite surprising that in past these protests were against the reservation system but now so many communities can be seen protesting for the inclusion of their community in SC, ST or OBC categories to avail the benefits and opportunities which come under the reservation system. For example- Gujjar agitation started in 2008 in Rajasthan and their demand was a lower scheduled tribe status, instead of their current OBC status. Total 37 people died in this protest. Patidar community of Gujarat also protested and put their demand for the status of OBC category. This protest started in July, 2015 and around 11 people died in this. The recent Jat agitation is still going on for the demand of reservation. Jats are violently demonstrating in Haryana and Delhi and demanding for the right of their inclusion in OBC category. This reservation policy in India has now shifted from a policy of upliftment to vote bank politics and no one wants to lose the opportunity.

Some sections of opponents of Reservation feel that allocating quota is a form of discrimination which is contrary to the right of equality according to the constitution, which says, “No discrimination on the basis of caste, religion or sex” but it is completely surprising that in India reservation is provided on all of these three grounds.

Time to time the policy of reservation has been criticized by people of general categories on the grounds that the benefits provided under this policy were intended to implement for ten years only but now so many years have been passed and it is still going on without any review. In other words it can be said that since reservation has been there for a long time, now at least the ratio of reservation should be made lesser and lesser every year and eventually end it altogether but it is not happening and will never happen because of our unscrupulous politicians who are misusing its policies for their selfish gains during election times. The saddest part is that instead of scrapping the reservation the government is increasing it through various amendments. Reservation, which was planned to give as ‘a help offered by the system’ but unknowingly has become a sort of fundamental right for reserved categories.

PROVISIONS FOR RESERVE CATEGORIES:

The provision of scholarship and student aid which is only available to OBC, SC, ST, Women, Muslims and minorities also hampers the growth of aspiring students of the general category who are financially weaker. As Prof. J.R. Kamble also approved the same idea that, “Many people belonging to the reserved category are taking undue advantage of the reservation but from another point of view those who are worthy based on merit are losing their value due to reservations.” Thus, the poor and the needy youths belonging to the general classes are the worst sufferers because being economically weak they are not classified as weaker section and henceforth not entitled for special provisions which are granted under this reservation system. Therefore they have adopted a new slogan, “Abolish reservation because merit and efficiency in danger.”

Main drawback of this system is the improper utilization of the seats reserved for SCs, STs, and OBCs categories. As only a slight increase in the representation of oppressed sections in higher education institutes can be seen and a large number of reserved seats still remain vacant. For example- enrollment of SC and ST Candidates has increased in UG, PG, technical and professional courses but percentage of enrollment of SCs in these categories was 7.08% in 1978-79 which only slightly increased to 13.36% in 1995-96. In government bodies also the representation of SC, ST candidates has risen sharply but most of its percentage is comparatively very less as they are still working in lower tier positions or jobs.

The biggest drawback of the policy is that it was planned for the deserving candidates but it has never reached to the right person. Most of the time, SC/ST people belonging from urban areas usually grab the benefits of this system. Successive government have used reservation as a lollipop to lure the public but the benefits have not yet reached to the poor deprived scheduled caste’s and tribe’s candidates, who are living in remote rural areas. Most of the time reserved seats are generally grabbed by privileged rich class of SC/ST students and it becomes difficult for the poor SC/ST students to get any benefit of it. As a result, a creamy layer of a ‘Harijan Elite’ has been formed which is gradually moving farther and farther away politically, socially and

economically from the rest of the under privileged SC/ST population. There have been protests by the people of these SC/ST communities who haven't got any benefit from the current reservation system. The conflict of Mala and Madiga case in Andhra Pradesh and Gujjar agitation in Rajasthan are some examples of this discontent.

Due to reservation policy the problem of unemployment has also increased in India. In 1951 around 3.29 lakhs educated people were unemployed which has increased to 300 lakhs in 2010. Thus, with successive increase in percentage in reservation, dissatisfaction among unemployed youth is gradually increasing.

Now this is widely acceptable that Reservation Policy of India has a widespread affect which can be prominently seen in the field of higher education and politics. India's political sphere has now have a significant presence of socially backward class and tribe, owing to the presence of parties like Bahujan Samaj Party and Samajwadi Party but still the topic is of much debate. At present law has banned all the practices of discriminating the people of lower castes. Untouchability has also become a thing of past but no one can deny that caste based reservation- policy perpetuates the caste- system instead of eliminating it. It creates gap as well as promotes differences instead of equality.

BENEFITS OF RESEARVATION:

There is no doubt that reservation has helped people from backward community to stand and compete with people of upper- caste but now it has been long time since this policy has been in implementation, there are several people who have attained benefits from it and even today their fourth and fifth generations are enjoying its advantages. Now it's the time when reservation based on caste should be brought down or the concept of reservation only up to two generations, on the basis of economic- condition should be promoted. Government should do some amendments in this reservation policy so that the advantages and facilities should be provided only to the economically weaker sections, girl child, physically challenged people and deserving SC, ST and OBC candidates belonging to rural areas. It will be definitely a welcome- move taken by the government. Inter-caste marriages should be promoted as they are the best way to reduce the caste barriers. We also need an expansion of reservation in judiciary. If this can be done a large number of issues can be handled easily. A kind of special support is also required from people belonging to reserved categories that they should not use the benefits of this policy if they are financially strong. Instead of this they should allow some needy poor reserved candidate to use it because this is a fact that, "No nation is perfect, it is perfect because of people living in it."

CONCLUSION:

Reservation policy can be regarded as an anti-progressive scheme in which people are not rewarded on the basis of need, merit or efficiency. Only the creamy rich layer of the reserved groups takes and enjoys its benefits and the latter remain devoid of its advantages. Therefore, reservation has become a system which promotes further inequalities instead of removing them. Reservation facilities reduce motivation to perform to the best of one's ability. This is also a fact that poor, underprivileged, and weaker sections of society do not necessarily belong to a particular caste or tribe that's why economic inequalities may not be addressed through a caste-based reservation system. Thus, it can be said that caste- consciousness from the country will never be eliminated if caste- based reservation is being followed. It will thwart the growth and development of our nation as it will stand forever in the way of allegiance to sovereign democratic republic.

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