

Analysis of the Reservation System in India: A Study of the Recent Judgment on Sub-Classification under SCs and STs

¹Purnima Tyagi,²Dr. Rajesh Bahuguna

¹Research Scholar Law College Dehradun, Uttarakhand University

²Professor & Dean Law College Dehradun, Uttarakhand University

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Abstract

The 'reservation system' for redressing historical disadvantages of the marginalized Scheduled Castes (SCs), Scheduled Tribes (STs), and Other Backward Classes (OBCs) forms the foundation of the affirmative action realm in India. These were implemented in accordance with Articles 15(4), 15(5), and 16(4) of the Indian Constitution in order to provide equal opportunity in the fields of politics, work, and education. In order to address intragroup inequity, the reservation structure has evolved over time to include sub-classification under SCs and STs. This issue was recently sharply pushed to the legal and public domains by a Supreme Court ruling regarding sub-classification under SC and ST. Additionally, the verdict underscores the necessity for a more advanced strategy in the. As the "creamy layer" notion has been for OBCs, the ruling also highlights the need for a more sophisticated method in identifying and prioritizing the most marginalized members of these communities. The historical evolution of the reservation system, the constitutional and legal tenets that underpin it, and the consequences of subclassification are all covered in this essay. Important rulings from the Supreme Court and other courts are examined in order to assess the extent to which they have contributed to the success of the reserve policy. The conclusion offers insight into the difficulties and possibilities brought forth by sub-classification by implying that an equitable and inclusive affirmative action policy may require at all times

1. Introduction

The reservation policy in India had been introduced more as a corrigendum approach to redressing centuries of historical social and economic marginalization amongst the Scheduled Castes, the Scheduled Tribes, Other Backward Classes and, more lately, the economically weaker sections as well. The reservation system aims to ensure that groups of people have equal access to opportunities in education, employment, and political participation, thus helping society as a whole achieve social justice and inclusiveness.

The socio-economic realities of these groups have changed over time, and the reservations have been modified to accommodate the changing realities, with provisions making sure that all members are represented with chances for growth. However, with the introduction of sub-classifications within SCs and STs, the system has become all the more complicated. The judgment of the Supreme Court on the issue has only added to this complexity by suggesting a more detailed approach to reservations, one that goes beyond mere categorization and targets the identification of more deserving and marginalized sections in these communities.

This judgment is regarded as a step towards perfecting the reservation system by eliminating intra-community disparities while ensuring that the benefits of affirmative action are channelled to those most in need. This paper aims to explore the background and evolution of the reservation system in India, analyze the issue of sub-classification, discuss the legal implications of the recent Supreme Court judgment, and examine relevant case laws that have shaped the reservation landscape. In doing so, it aims to provide a comprehensive understanding of the challenges and opportunities associated with sub-classification in India's affirmative action framework.

2. Evolution of the Reservation System in India

The reservation system in India originated from the hierarchical caste-based system that has existed for centuries. This hierarchical order systematically marginalized particular groups, mostly SCs, STs, and OBCs, and allowed them to stay away from the social, economic, and political opportunities. The Indian Constitution aimed at establishing a just and egalitarian society and was aware of the need to undertake affirmative action against these historical wrongs. So, in the reservation system, these downtrodden sections of society are being provided with educational, employment, and social participation opportunities that help in uplifting and integrating them into the mainstream.

Definition of Reservation:

In the Indian context, a reservation is merely a system that grants a specific group of people, primarily the historically underprivileged, special treatment or a quota. Since these groups were previously excluded due to long-standing socioeconomic disparities, the reserve ensures their access to political representation, government jobs, and education. Affirmative action through reservations aims to level the playing field so that members of underrepresented groups have an equal opportunity to compete and thrive in previously unrepresented fields.

1. Constitutional Framework

The constitutional framework for reservations is embedded in Articles 15 and 16 of the Indian Constitution that was designed to serve and protect the rights of marginalized groups while fettering social justice.

- Article 15(4) This permits the state to provide special provision for the advancement of any socially and educationally backward classes of citizens or Scheduled Castes or Scheduled Tribes. The State is thus vested with powers for making policy directives that enhance education and social mobility of such classes.

- Article 16(4): This article permits the reservation of appointments or posts in favor of any backward class of citizens, in government services. It aims to rectify historical disadvantages by providing representation to backward classes in government jobs, ensuring their participation in the civil administration and public life.

Both of the articles are a part of the reservation policy of India and form the legal structure to its implementation. Through these provisions, backward classes, especially SCs and STs, must be given a fair opportunity in educational institutions, employment, and public life.

2. Emergence of Reservation Policy

This actually started off as a reservation system in India as an interim measure to redress significant social, educational, and economic disadvantages faced by SCs, STs, and OBCs. They were purposefully shut out from mainstream education and job opportunities and, therefore, continued to be kept out of the mainstream of society. The need was therefore felt to bring about improvements for these communities and give them equal opportunities for advancement.

Over time, however, the system of reservations has become a permanent feature of Indian society. The reason for this change was the long-term backwardness of these communities and the need for continuous state intervention to correct historical injustices. Consequently, the reservation policy extended to other communities and was revised periodically to keep pace with the changing socio-economic conditions.

The system, originally intended as a temporary remedy, is now a well-established mechanism to promote social justice, though its scope and application continue to be subjects of debate and reform.

3. Introduction of OBC Quotas

A major turning point in the evolution of the reservation system came in 1990 with the implementation of the Mandal Commission Report. The Mandal Commission, appointed in 1979, recommended reservations for Other Backward Classes (OBCs) in government jobs and educational institutions. The Commission's recommendations were based on socio-economic data that identified a large number of OBCs as being educationally and socially backward, and thus deserving of affirmative action.

In the wake of the Mandal Commission report, the government mandated 27% reservation for OBCs in government jobs

and educational institutions. This expanded the scope of the reservation system to embrace a large section of OBCs under affirmative action, besides SCs and STs. Although the decision was greeted with mixed reactions, it marked a major stride towards a more inclusive approach to social justice that widens the scope of reservation to include an additional layer of disadvantaged communities.

Ever since, the policy of reservations continued to undergo modifications in its adequacy, effectiveness, and implications for social harmony. The system today is categorized as SCs, STs, OBCs, and Economically Weaker Sections, thereby giving evidence to continuous efforts made in order to bring an end to the disparity of Indian society.

The history of the Indian reservation system gives proof of India's commitment towards social justice and uplifting the deprived. From a temporary measure to a permanent part of the socio-political structure of India, it has emerged as a regular feature of India's political structure. The widening of the reservation system, particularly through the addition of OBCs, has played a very significant role in increasing the representation and participation of the historically disadvantaged groups in education, employment, and politics. Nevertheless, challenges exist in the further development and adjustment of the system to ensure its equitable benefits, such that it serves its original intention: that of equality and social cohesion within a complex, heterogeneous society.

3. Recent ruling on Sub-classification

Ever since India created its own set of legal systems, there have been issues associated with its social and political perspectives. Over the years, an important component has been added in the shape of sub-classification within SCs and STs, which, with time, came to define India's framework regarding reservations. In recent years, the Supreme Court has dealt with the contentious issue of whether sub-classification within SCs and STs is required to be done to bring more equitable distribution of the benefits of reservation. Two judgments that have decided this matter are *Jarnail Singh v. Lachhmi Narain Gupta* (2018) and *State of Maharashtra v. Manohar Kachrapal* (2024).

Key Findings in the Judgment:

1. Sub-Classification Required

In *Jarnail Singh v. Lachhmi Narain Gupta* (2018), the Supreme Court noted that not all members of SCs and STs are equally deprived. Although these communities, as a whole, have suffered from historical disadvantages, the fact remains that some members within these groups are more socio-economically advanced than others. The Court acknowledged that there is considerable inequality in these groups. Some are able to garner the fruits of education, employment and social uplift, while the others are catapulted into extreme deprivation.

This led the Court to demand the introduction of sub-classification, whereby benefits of reservation are more appropriately and productively distributed. It further argues that reservation can be made more equitable by identifying and addressing the more disadvantaged sections within SCs and STs. It was also the judgment of this court that sub-classification is permissible under the Constitution, as long as it serves the purpose of ensuring that the most deprived members of these communities benefit from affirmative action. It was an important step towards the restructuring of the reservation system to be more inclusive and equitable.

2. Doctrine of 'Creamy Layer':

The judgment was centered on the principle that the Court upheld the doctrine of the "creamy layer" among SCs and STs. This concept, applied to the Other Backward Classes (OBCs) since the *Indra Sawhney v. Union of India* judgment in 1992, suggests that the more affluent or advanced members of a community should be excluded from the benefits of reservation. The "creamy layer" refers to the relatively better-off members of the backward classes who, due to their economic status, should not continue to benefit from reservation.

The Court recognized that there was a need to apply an exclusion principle in the case of SCs and STs as well. It found that those members of these communities who have reached a certain level of socio-economic progress or have gained significant educational and professional advantages should not continue to receive the same benefits as those who are still deeply disadvantaged. This concept of excluding the "creamy layer" within SCs and STs aims to ensure that the

benefits of reservation are reserved for those who are truly in need, thereby enhancing the effectiveness of the policy.

3. State's Discretion in Sub-Classifying:

The Supreme Court also gave the state governments considerable latitude in deciding the sub-classification within SCs and STs. The judgment held that it is the states that are best suited to decide the sub-categories within these communities based on empirical data and socio-economic conditions prevailing in each state. This was an important decision because it enabled a more localized and subtle approach to the reservation system, taking into account regional disparities and varying levels of backwardness.

The Court held that sub-classification should be fact and data-based, and states are authorized to classify within SCs and STs, thus ensuring a more focused approach to social justice. This would identify those who are most in need of affirmative action, thereby ensuring resources and opportunities are more equitably distributed within these communities. The judgments in *Jarnail Singh v. Lachhmi Narain Gupta* (2018) and *State of Maharashtra v. Manohar Kachrapal* (2024) have greatly impacted the sub-classification debate within SCs and STs. The Court's judgments, which focus on the identification and prioritization of the most disadvantaged members within these communities, aim to make the reservation system more efficient and just. The endorsement of the "creamy layer" concept, together with the discretion so generously accorded to states, ensures that the benefits of affirmative action are finely targeted toward the really marginalized sections within SCs and STs. These judgments open a path to devise ways and means for fine-tuning India's reservation policy so that it might do its rightful job of social justice while attending to disparities within the communities.

4. Legal Framework and Constitutional Provisions

1. Article 15 and 16 of the Constitution: These articles form the basis of the legal structure that governs reservations. They empower the state to make special provisions for the advancement of certain groups, including SCs and STs. 2. The Mandal Commission Report (1980): The Commission recommended 27% reservation for OBCs, which was later implemented, leading to further debates on the adequacy of reservations for backward classes. 3. The 77th, 81st, and 93rd Constitutional Amendments:

o These amendments addressed the expansion and articulation of reservation policies, specifically with regard to OBCs and educational institutions.

4. Recent Judgments on Reservation and Sub-Classification:

o The Supreme Court has made several judgments on the question of reservation, including *Indra Sawhney v. Union of India* (1992), in which the Court capped total reservation in government jobs and educational institutions at 50%.

5. The Socio-Economic Effect of Sub-Classification

1. Better Targeting of Benefits:

o Sub-classification within SCs and STs enables better resource and opportunity allocation, making sure that the most backward and marginalized within the groups are taken care of under affirmative action.

2. Implementation Issues:

o There are issues related to the implementation of sub-classification, including the definition of socio-economic criteria, avoiding the exclusion of any group, and dealing with the intricacies of data for classification.

3. Equity vs. Inclusion:

o The judgment aims at the balanced progression on the lines of social justice and merit-based progression in dealing with the concept of a "creamy layer" of the historically oppressed class.

6. Relevant Case Laws For Sub-Classification

Reservation is one such issue that has been extensively scrutinized by courts in India, especially concerning identification of backward classes and modalities for providing reservations. These are landmark judgments that have moulded the framework of reservation over time: *Indra Sawhney v. Union of India*, 1992; *Chinnaiah v. State of Andhra Pradesh*, 2004; and *Davinder Singh v. Union of India*, 2019. These cases had significant implications for constitutional interpretation of the concept of reservation and inclusion of the 'creamy layer' within backward classes, powers of the

state to sub-classify communities, and the distinction between different categories of backward classes.

1. Indra Sawhney v. Union of India (1992) Indra Sawhney v. Union of India is a landmark judgment dealing with reservation issues in India. In this case, the crux of the litigation was to debate the legitimacy of the Mandal Commission Report recommending 27% Other Backward Class reservations in Government jobs and higher education institutes. The central question before the Supreme Court was whether the government could introduce such reservations and if they would violate the principles of equality and justice in the Constitution.

Key Findings:

- **Constitutional Validity of Reservation for OBCs:** The Supreme Court held the decision to grant reservations for OBCs to be constitutional, stating that the Scheduled Castes and Scheduled Tribes suffered at the hands of social backwardness in history, but OBCs did too, though they didn't receive this type of victimization due to social conditions.

Introduction of the Creamy Layer:

The most important result of this judgment was the introduction of the concept of the "creamy layer" within the OBC category. The Court held that not all individuals within the OBC category were equally deprived, and thus, the more affluent members (i.e., those with higher socio-economic status) should be excluded from the benefits of reservation. The creamy layer was defined as those individuals from OBCs who had access to better economic resources and education and thus should not continue to avail of the reservation benefits.

- **Reservation Ceiling:** The Court further stipulated a 50% limit on total reservation in any government job or educational institution and ruled that the reservation should not go beyond that extent to achieve social justice in conjunction with meritocracy. It was based on the principle that while affirmative action is necessary, it should not compromise the very right of equality guaranteed under Article 14.

- **Social and Educational Backwardness as a Criterion:** The judgment underlined that the identification of backward classes must be made based on social and educational backwardness, and the state must take steps to identify such groups based on empirical data and field studies.

Impact:

This judgment brought the "creamy layer" within the fold of the reservation system formally and greatly impacted the reservation process of OBCs. It further marked the tone for future judgments related to defining backwardness and balancing affirmative action with merit criteria.

2. Chinnaiah v. State of Andhra Pradesh (2004)

The Chinnaiah v. State of Andhra Pradesh case focused on the problem of sub-classification under SCs and reservation benefits to sub-categories under these SCs. It was a petition against the order of the state of Andhra Pradesh to allow separate reservation benefits to certain sub-castes of SCs as it violated the principle of equality and caused inequality in the benefit distribution.

Important Findings

- **Sub-classification within SCs:** The Court ruled that while the state is empowered to identify and make provisions for specific backward classes within the SCs, any such sub-classification must be done in a manner that is consistent with the constitutional framework of equality and justice. The judgment stated that sub-classification within SCs or STs must be based on empirical data, taking into account the socio-economic status and the level of backwardness of various sub-castes.

- **Equitable Distribution Principle:** The Court observed that the sub-classification process should not violate the principle of equitable distribution of the benefits of reservation. The main purpose of reservation is to elevate the most deprived sections of these communities, and sub-classification should not defeat that very purpose. The Court also observed that the creation of sub-categories should not water down the constitutional objective of social justice for the historically marginalized groups.

- **Reservation Uniformity:** The Court further added that any effort to create separate reservations within SCs or STs

should not lead to the fragmentation of the benefits of reservation and must be in line with the larger objectives of affirmative action.

Impact:

It further clarified that even though sub-categorization is permissible, it has to be done in such a manner as the reiterative principles of equality and fairness go along with constitutional postulates. This case played a pivotal part in the debate on how sub-classifications under SCs or STs should be dealt with by the state to maintain an element of justness and fairness in the reservation process.

3. Davinder Singh v. Union of India (2019)

The more recent judgment is the Davinder Singh v. Union of India case, which revolved around the issue of the eligibility of economically backward classes (EBCs) for reservation benefits, particularly in government jobs and educational institutions. The petitioner challenged the implementation of reservation for economically weaker sections, asserting that it would violate the equality clause of the Constitution.

Key Findings:

- Economic Reservation for EWS: The Court upheld the 103rd Constitutional Amendment (2019) which introduced reservation for Economically Weaker Sections (EWS) in government jobs and educational institutions. The judgment clarified that the introduction of reservations based on economic criteria is constitutionally valid and does not violate the fundamental right to equality.
- Social and Economic Backwardness: The Court held that the economically backward people are also socially and economically backward even though they may not be covered under the recognized backward classes. The judgment reiterated that the new concept of backwardness can also include economic factors and that the state has the authority to make provisions for the new category.
- No Inclusion in the Available Reservation Quota: The Supreme Court also reasoned that the economic reservation does not infringe the 50 percent cap on reservation as provided under the Indra Sawhney judgment because 10 percent of EWS is an additional measure, which falls outside the scope of the previously existing quotas pertaining to SC, ST, and OBC.

Impact:

The Davinder Singh case marks a significant development in the reservation discourse by legitimizing economic-based affirmative action. It extended the scope of reservation beyond social and educational backwardness to include economic criteria, thus broadening the reservation policy's reach and reflecting the socio-economic disparities that exist in contemporary India.

These three judgments, Indra Sawhney, Chinnaiah, and Davinder Singh, reflect the evolution of the reservation system in India. The Indra Sawhney judgment set the framework for affirmative action for OBCs and brought into the scene the concept of the "creamy layer," so that only the most backward people in those communities benefit from the reservation. The Chinnaiah judgment discussed the issue of sub-classification within SCs and STs, which put limits on how states can create sub-categories within these communities. Lastly, the Davinder Singh case extended the reservation system to economically disadvantaged individuals, further broadening the scope of affirmative action in India.

These judgments collectively illustrate that India's reservation system is a constantly evolving concept to accommodate changing socio-economic conditions, coupled with a necessity to make affirmative action policies just, equitable, and fair.

Case Name	Year	Summary
Indra Sawhney v. Union of India	1992	The Supreme Court ruled on the legality of OBC reservations, establishing the "creamy layer" principle, and set a 50% ceiling on total reservations.

Case Name	Year	Summary
Jarnail Singh v. Lachhmi Narain Gupta	2018	The Court upheld the idea of sub-classification within SCs and STs, allowing the government to identify more marginalized sections within these communities.
State of Maharashtra v. Manohar Kachrapal	2024	The Court expanded on the principles of sub-classification, emphasizing that sub-categories within SCs and STs should be based on socio-economic conditions.
M. Nagaraj v. Union of India	2006	This case reaffirmed the concept of reservation based on the backwardness and inadequacy of representation, with emphasis on socio-economic factors.

7. Obstacles in the Sub-Classification Framework

1.Data Availability and Accuracy:

o Among the major difficulties involved in sub-classification, there is lack of proper up-to-date information related to socio-economic status in diverse sub-groups present under SCs and STs.

2.Legal and Administrative Obstacles:

o Sub-classification would definitely bring about some alterations in the machinery of the administration, that include forming novel systems of collecting data and introducing some criteria to classify.

3.Social Divide:

oSub-classification can result in social division among the already marginalized groups, creating conflict between the sub-groups.

8. Conclusion

The Supreme Court's judgment on sub-classification of SCs and STs is a significant step towards fine-tuning the reservation system in India. It is through the judgment that more marginalized sections can be identified within the community to reach the most deserving beneficiaries. However, those challenges in terms of implementation, as well as social implications and so on cannot be ignored. It also requires a thoughtful, data-informed approach to ensure it remains just, equitable, and effective.

As India continues to strive for social justice, the balance between merit and affirmative action, and the complexities of sub-classification, will remain crucial points of legal and social discourse. Future legislative and judicial actions will need to further address these complexities while ensuring that the objectives of the reservation system—equality, social justice, and inclusion—are not undermined.

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