

Reservation policy in India and development of its implement

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Abstract

The aim of the article is to create sense of awareness of implemented and none implemented Percentage of reservation policies in the all section. Because of Even after 69 years of Independent still Ruling Governments are not implementing fully reservation facilities provided in the Indian constitution. Now deprived communities are raising voice for equal representations in the all section of the nation. So there is need for implementation fully percentage of reservation provided by the Indian constitution for deprived communities by the politicians and ruling governments.

Keywords: India, democracy, caste, reservation, ruling government

1. Introduction

The Indian society is characterized by a high degree of inequality based on the tenets of the caste system and this caste system is highly exclusionary in nature. Exclusion is integral to the system and thus a consequence of its basic features. Social exclusion between caste groups is ensured through the practices of endogamy and social separation. In retrospect every caste except those at the top of the caste hierarchy has suffered from unequal and hierarchal assignment of rights. The erstwhile oppression people having been located at the bottom of the caste hierarchy are the ones who suffered the most. For instance apart from manual labor and some occupations that were considered impure and polluting the erstwhile deprived communities were denied the right to do business or own property. They were even denied the right to education and civil cultural and religious rights. Besides they have been made to suffer from residential segregation and social isolation because they are considered impure and polluting and not fit for social association by the high castes. After independent the father of Indian constitution Dr. B.R. Ambedkar has adopted democracy system in the constitution.

Now we are living in the greatest democratic system of India. The principle of democracy people should have equal representation in the all sections of the nation. Based on the principle of democracy, reservation policy is a series of affirmative action's undertaken through reserving access to seats for equal representation in the government jobs, higher educational institutions and politics to providing reservation for socially and educationally backwards in India. Reservation policy not had the results aspired to, as it has not been backed by a more holistic programme that truly addresses historic oppression and inequality. Reservation is governed by constitutional laws, and local rules and regulations. Scheduled castes, Scheduled Tribes and other Backward Classes and in some states Backward Classes among Muslims under a category called BCM are the primary beneficiaries of the reservation policies under the constitution. The spirit of equal representation pervades the provisions in the Indian constitution. The main aim of the founder of Indian constitution was to create an egalitarian society wherein social,

economic and political justice prevailed and equality of status and opportunity are made available to all.

2. Concept of Reservation

According to justice chinappa reddy: "Reservation is not a charity it is representation." Reservation in common terms refers to an act of reserving keeping back or withholding reservation in India law is a form of affirmative action Whereby a percentage of seats are reserved in the public sector union and state civil services union and state government departments and in all public and private educational institutions except in the religious or linguistic minority educational institutions for the socially and educationally backward communities and the represented in these services and institutions. The reservation policy is also extended for the scheduled castes, scheduled tribes and other backward classes for representation in the parliament of India. And this representation is giving to the unrepresented community.

3. Reservation in Ancient pried

In the ancient pried the Hindu society is divided into four varna, or classes, a convention which had its origins in the Rig Veda, the first and most important set of hymns in Hindu scripture which dates back to 1500-1000 B.C.3 At the top of the hierarchy are the Brahmins, or priests, followed by the Kshatriyas, or warriors. The Vaisyas, the farmers and artisans, constitute the third class. At the bottom are the Shudras, the class responsible for serving the three higher groups. Finally, the Untouchables fall completely outside of this system. So Under the caste system the Brahmin occupied top of the hierarchy whereas the former untouchable occupied the lowest position in the society. The untouchables known as scheduled castes are the lowest ranked not only in term of social position but also in term of economy, education and so on. Apart from the scheduled castes and another community of Indian society which is considered as most deprived economically, educationally etc. Are the Scheduled tribes. Apart from these communities the other backward castes or other backward classes also occupy the low position in the society.

4. Reservation in Modern Period

During modern era in 1932 the depressed class led by Dr. B.R Ambedkar demanded for separate electorate like that of Muslim and other minorities. The Prime Minister of Britain Ramsay MacDonald also conceded the award to the depressed classes. But to save the life of M.K Gandhi who had begun a fast unto death at the Yeravada prison of Poona, against the communal award to depressed classes Dr. B.R Ambedkar and other depressed class leaders agreed to modify the award. As a result Poona pact was signed. Under this agreement instead of separate electorates reservation of 78 seats was provided.

Before independence the reservation systems favoring certain castes and other communities existed before independence in several areas of British India. Demands for various forms of positive discrimination had been made for example in 1882 and 1891. Chhatrapati Shahu the king of princely state of Kolhapur introduced reservation in favor of non Brahmin and backward classes much of which came into force in 1902. He provided free education to everyone and opened several Hostels to make it easier for them to receive it. He also tried to ensure that people thus educated were suitably employed and he appealed both for a class free India and the abolition of untouchability. His 1902 measures created 50 % of reservation for backward communities.

The British government introduced elements of reservation in the Government of India Act of 1909 and there were many other measures put in place prior to independence. A significant one emerged from the Round Table Conference of June 1932. According to the Communal Award separate representation was to be provided for Muslims, Sikhs, Indian Christians, Anglo Indians and Europeans. The depressed classes were assigned a number of seats to be filled by election from constituencies in which only they could vote although they could also vote in other seats. The proposal was controversial. M.K Gandhi fasted in protest against it but many among the depressed classes including their leader Dr. B.R Ambedkar favored it. After negotiations Gandhi reached an agreement with Dr. B.R Ambedkar to have a single Hindu electorate with Dalits having seats reserved within it. Electorates for other religions such as Islam and Sikhism remained separate. This becomes known as the Poona Pact.

After the independence of India in 1947 there were some major changes in favor of the Scheduled Castes, Scheduled Tribes and Other Backward Classes. A common form of caste discrimination in India has been the practice of untouchability. SCs were the primary targets of the practice which was outlawed by the new Constitution of India. In 1954 the Ministry of Education suggested that 20 percent of places should be reserved for the SC and STs in educational institutions with a provision to relax minimum qualifying marks for admission by 5 percent wherever required. In 1982 it was specified that 15 percent and 7.5 percent of vacancies in public sector and government aided educational institutes should be reserved for the SC and ST candidates respectively. A significant change began in 1978 when the Mandal Commission was established to assess the situation of the socially and educationally backward classes. The commission did not have exact population figures for the OBCs and so used data from the 1931 census thus estimating the group's population at 52 percent. In 1980 the commission's report recommended that a reserved quota for OBCs of 27 percent should apply in respect of services and public sector bodies

operated by the Union Government. It called for a similar change to admission to institutes of higher education except where states already had more generous requirements. It was not until the 1990 that the recommendations were implemented in Union Government jobs.

5. Committees and Commission on the Issue of Reservation

Some of the committees and commissions are made for the implementation of reservation in constitution of India.

- Hunter Commission was appointed in 1882. Mahatma Jyotirao Phule made a demand of free and compulsory education for all caste along with proportionate reservation or representation in government jobs.
- Kaka Kalelkar Commission was established in 1953 to assess the situation of the socially and educationally backward class. The report was accepted as far as Scheduled Castes and Scheduled Tribes were concerned. The recommendations for OBCs were rejected.
- Mandal Commission was established in 1979 to assess the situation of the socially and educationally backward. The commission didn't have exact figures for a sub caste known as the Other Backward class and used the 1930 census data further classifying 1257 communities as backward to estimate the OBC population at 52%. In 1980 the commission submitted a report and recommended changes to the existing quotas increasing them from 22% to 49.5%. In 1990 the Mandal Commission recommendations were implemented in government jobs by Vishwanath Pratap Singh. Student Organizations launched nationwide agitations. Rajiv Goswami a Delhi University student attempted self immolation. Many students followed suit.
- Sachar Committee headed by Justice Rajinder Sachar and including Sayyid Hamid Dr.T.K Ooman M.A Basith Dr. Abu Saleh Shariff and Dr.Rakesh Basant was appointed in 2003 for preparation of a report on the social economic and educational status of the Muslim community of India. Dr. Syed Zafar Mahmood was the civil servant appointed by the PM as Officer on Special on Special Duty to the committee. The committee submitted its report in the year 2006.

6. Implementation of Reservation and Development

We can say that, to ensure social and economic justice is the main purpose of the reservation policy; thereby realizing the goal of the empowerment of the backward communities. It can address certain social inequalities that pervade Indian society for so long. For, these social inequalities leave the so-called low castes deprived in everything from education to economy. Thus, the policy of job reservations intends to bring about proportional representation, as it is a mode of distributing benefits based on the proportion of population 15 percent for the Scheduled Castes (SCs), 7.5 percent for Scheduled Tribes (STs) and 27 percent for other backward communities (OBC). Totally 49.5 percent reservation has provided for backward communities. But even after 69 years of Independent India still reservation policy has not implemented fully. Ruler Governments have implemented only 8 per cent reservation for SCs, 2.5 for STs and 5 percent for other backward community. Totally 15.5 percent has implemented. Still 33.5 per cent reservation has remained in government jobs. Ruling

Governments are not implementing reservation facilities provided in the Indian constitution.

- **Reservation in Politics:** The constitution empowers the state to take steps to provide due representation to the scheduled caste and scheduled tribes. Various articles contain provision for the reservation of seats for the scheduled caste and scheduled tribes in the nation's legislative assembly of the states. Article 332 in Municipalities Article 243 T in various panchayat (local self government) level bodies, namely, village, taluk and district Article 243 D.

In the parliament caste and tribe based reservations are provided to make it more representative today out of 543 seats in India's parliament 84 (15.47%) are reserved for SC and 47 (8.66%) for ST. Allocation of seats for scheduled caste and scheduled tribes in the Lok Sabha are made on the basis of proportion of SC and STs in the State concerned to that of the total population. A similar percentage of exclusive seats have been provided for members of designated SC and ST in each state legislature. Local self government has SC, ST and gender based reservation system in place.

- **Reservation in Education:** According to Article 21(A), every child should have free education under the 14 years old. And In the case of education provision relates to non discrimination in educational institutions, equal representations, and measures for educational promotions. Article 15 (4) states that "Nothing in this article shall prevent the state from making any special provision for the advancement of any socially and educationally backward classes for the scheduled caste and the scheduled tribes". Article 29 (2) provides protection for admission and against discrimination in any educational institution maintained by the state or receiving aid out of state funds on grounds only of religion, race, caste, language or any of them.
- **Reservation in Employment:** The constitution provides for both appointment and promotion in the government service. Article 16 (4) empowers the state to make any provision for the reservation in appointments, or posts in favour of any backward class of citizens. Article 16 (4A) enables the state to make provision for reservation in matters of promotion to any group or groups of posts in the services under the state in favour of the Scheduled caste and scheduled tribes. Article 335 states the claims of the members of the Scheduled caste and scheduled tribes shall be taken into consideration consistently with the maintenance of efficiency of administration in the making of appointment of service and posts in connection with the affairs of the union or of a state

7. Conclusion

The aim of the article is to create sense of awareness of implemented and none implemented Percentage of reservation policies in the all section. Because of we are living in the largest democratic system of India. The principle of democracy people should have equal representation in the all sections of the nation. But still we are living in a life of contradictions. In politics, we have equality and inequality in social and economic life. In politics, we must recognize the principle of "One man one vote and one vote one value". In our social and economic life, we have been continuously denied the principle of one man one value. Even after 69 years of Independent still

Ruling Governments are not implementing fully reservation facilities provided in the Indian constitution. Now we need equal representations in the all section. So there is need for implementation fully percentage of reservation provided by the Indian constitution for deprived communities by the politicians and ruling governments.

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