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ANALYSIS**

TOPIC

**Sub-caste Reservations in
India**

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SUB-CASTE RESERVATIONS IN INDIA

Context

- Recently, the Supreme Court has reserved the decision on sub-caste reservation for SC/STs, —a topic that stirs debates and raises important questions about social justice and equity.

Historical Context and Rationale

- **Dr. B. R. Ambedkar**, a key architect of **India's Constitution**, advocated for policies to address historical injustices faced by marginalized communities. The **Constitution of India**, under Articles 15(4) and 16(4), allows for reservations in education and public employment to uplift these historically disadvantaged groups. The goal is to provide them with equal opportunities and representation.

Main Components

- **Legal Safeguards Against Caste Discrimination:** Ambedkar proposed legal measures to combat caste-based discrimination. However, he recognized that laws alone wouldn't guarantee a fair share for untouchables in various spheres.
 - ♦ Hence, reservation was introduced as a supplementary measure. Together, these two pillars aimed to address discrimination in the 'present'
- **Reservation in Education and Public Employment:** While legal safeguards and reservations ensured representation in the current context, they had limitations in rectifying historical injustices related to property, employment, and education. Hence, the third pillar emerged—the focus on improving ownership of capital assets (such as land and businesses) and education.
 - ♦ This economic empowerment was designed to equip untouchable youth to pursue education and secure jobs under reservation.
- **Economic and Education Empowerment:** Reservations in legislatures, public jobs, and educational institutions were meant for untouchables as a whole, with a '**social group focus**'. Simultaneously, economic empowerment targeted individuals lacking income-earning assets and education.
- **Dr. B. R. Ambedkar justified these policy measures** due to the denial of equal civic and property rights, employment, and education faced by untouchables as a whole.
 - ♦ However, these measures were intended to complement each other, not act as standalone solutions.
- **Legal safeguards and reservations** aimed to ensure a **fair share in the present**, while **economic empowerment** measures sought to address past denials of **property rights, employment, and education**.

Complex Landscape of Sub-Caste Reservations

- **Weak Academic Basis:** The academic rationale for sub-caste reservations has been questioned. Reservation system allocates quotas for SCs and STs, and there is growing awareness that some sub-castes within these groups have benefited more than others.
 - ♦ The under-representation of certain sub-castes seeking reservation is primarily due to their lack of income-earning assets and education, rather than discrimination by other SC sub-castes.
- **Lack of Income-Earning Assets:** Many individuals lack capital assets, hindering their access to education and economic opportunities.
- **Educational Disparities and Discrimination:** Unequal educational opportunities persist, affecting representation.
 - ♦ While untouchables collectively suffered from untouchability, specific sub-castes may have faced varying degrees of discrimination.

Dilemma of Unequal Benefits

- Supporters of sub-caste reservations argue that some sub-castes have benefited more than others. Consequently, those lagging behind should have separate quotas. However, this approach raises questions: Does sub-categorization truly address the root cause of the problem? And how do we balance historical injustices with present-day realities?

Proposed Reforms

- Redesigning the System: As legal challenges to the 50% reservation ceiling and specific caste listings continue, there's an opportunity to rethink the system.
 - ◆ One potential reform is to reduce the number of relatively wealthy beneficiaries.
- **Balancing Equitable Distribution:** Ensuring that benefits reach all sub-castes fairly remains a challenge.
 - ◆ Some sub-castes have indeed benefited more than others, leading to calls for separate quotas for those lagging behind.
- **Education and Economic Empowerment:** Addressing educational disparities and economic empowerment remains crucial.
 - ◆ Policies should focus on both group-level representation and individual-level upliftment.

Supreme Court's Role

- **In 2020, a five-member bench** ruled that state governments had the right to sub-classify SC categories to achieve equitable distribution of benefits under reservation.
- The Supreme Court has **upheld the right of state governments** to create sub-categories within the SC category. For instance, Tamil Nadu has Arunthathiyars, Punjab has Valmikis and Mazhabi Sikhs, etc.

Related State-Level Initiatives

- Several Indian states (such as Punjab, Bihar, and Tamil Nadu) have attempted to **sub-categorize SCs within the broader umbrella of Scheduled Castes**. These efforts aim to determine separate quotas for different subcategories within SCs.
- The purpose is to ensure equitable distribution of socio-economic benefits under reservation.
 - ◆ Some sub-castes may have lagged behind due to a lack of income-earning assets and education, rather than discrimination by other SC sub-castes.

Way Forward

- **Clarification:** Any decision on sub-caste reservation must consider the **interconnectedness of these three policy pillars**. We need clarity on how legal safeguards, reservations, and economic empowerment work together.
- **Balancing Equity:** While addressing the specific needs of sub-castes is essential, we must ensure that overall equity isn't compromised. Striking this balance is delicate but crucial.
- **Data-Driven Solutions:** Perhaps a caste census could provide more accurate data on sub-castes, enabling informed policy-making.
 - ◆ Additionally, sub-categorization within castes could be explored further, but it's not a panacea.

Conclusion

- Sub-caste reservations are a multifaceted issue that requires a nuanced approach. Balancing historical justice, social equity, and economic empowerment remains a challenge.
- As we continue this dialogue, it's essential to consider both legal and academic perspectives to arrive at fair and effective policies. It requires thoughtful consideration, empathy, and a commitment to justice.

Source: TH



Mains Practice Question

[Q] To what extent do sub-caste reservations address historical injustices, and what challenges do they pose in achieving social equity?