



EFFECT OF INDIAN RESERVATION POLICY ON EDUCATION SYSTEM OF THE NATION

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Abstract

Education is the solution, through which, injustice, illiteracy, and unawareness can be overcome. Education can also alter one's ability for thinking, ideas, judgments, and emotional attitudes. The current Indian educational system is constantly evolving and impacting multitude of students. Nevertheless, the reservation policy plays a major role in the quality of education, selection of student, in the education system, across India

The aim of this research paper is to thoroughly explore the facets of the Indian Reservation Policy. It also aims at examining the effect of the reservation policy on the education system of India. The researcher¹ has opted for a doctrinal study strategy¹ and has consulted a range of statutes, reports, books, and other written materials. As per the results of the findings in the study, the reservation policy has its pros and cons and although it has helped the minorities, it is strong need for reform.

Key words: *reservation, education, equality, equity, impact of reservation policy, reservation policy*

Introduction

In India, a practice of positive discrimination called "reservation" gives traditionally underrepresented throughout history, communities participation in government programmes, banking, health, insurance, further education abroad, scholarships, and politics. According to the Constitutional legislation, it permits St1ats along with to lessen the criteria for "socially and educationally disadvantaged individuals" in tests, open



positions, college admissions, grants, loan clearance, promotions, etc., regions of India should establish reserved quotas or seats. Reservations are made regardless of the beneficiary's financial situation, which means that the government will treat both rich and poor members of a certain class equally. (Ahmad, 2020)

SCs, Scheduled Tribes, and OBCs, along with financially poor Section are the categories that receive reservation in the majority. Originally, reservations were only available to SC and ST communities. Subsequently the Mandal Commission report's adoption in 1981, it was extended to take account of OBCs. The Economically Weaker Section's quota was extended for the General Category in 2019; however all the groups listed receive varying financial values for their reservations: typically, SC and ST draw bigger quotas or advantages, followed by OBC, then EWS. (Pandey & Pandey, 2020)

Kumar (2020) has opined that reservation has its roots outlined to the primeval past when the caste system, the Varna system, & practise of "untouchability" were widespread in the culture. The Brahmins, the Kshatriyas, Vaisyas, and Shudras remained the 4 community clusters that constituted ancient Hindu civilization. As per Singh & Singh (2020), these divisions were made on the basis of Varna, Jatis, or classes. Therefore, under the caste system, Brahmins held the highest positions while erstwhile untouchables held the lowest positions.

Kale & Acharya (2020) has pointed out that the scheduled castes, often known as the untouchables, are at the bottom of the social, economic, educational, and other ladders. In addition to the scheduled castes, the scheduled tribes are another segment of Indian society that is seen as being the most underprivileged in terms of economics, education, etc. Debnath, K., & Chatterjee, S. (2020) has concluded that in addition to these communities, other backward castes or classes also hold a poor standing in society. Right now, India has one of the best democratic systems in the world. According to the democratic ideal, everyone should be equally represented across the board. Reservation

policy is a set of affirmative action measures carried out via reserving access to seats for equal representation in the government employment, and it is based on the democratic ideal. Haokip, S. (2020), expressed that the reservation policy is a set of affirmative action measures based on the democratic ideal that gives socially and educationally disadvantaged Indians access to seats reserved for them in government positions, higher education institutions, and politics.

As per Pant, N., & Chaudhuri, C. (2020), states that because it has not been supported by a more comprehensive programme that genuinely confronts historical injustice and inequality, reservation policy has not produced the desired benefits. Constitutional legislation as well as regional laws and ordinances control reservations. A study conducted by Turner, Gundemeda, & Sultana (2020) has concluded that the Indian constitution's provisions are infused with the ideal of equitable representation. The founders of the Indian constitution set out to establish an equitable society where social, economic, and political fairness reigned and everyone had an equal chance at success.

The aim of the current study is:

- To explore the many facets of the Indian Reservation Policy *vis-à-vis* the education system in India.
- To examine the effect of the reservation policy on the education system of India.

In view of the above submissions, these hypotheses are suggested:

H1: The reservation policy in India is an all-inclusive legislation which does not hinder anybody's rights.

H2: Due to the reservation policy the minority students have undue advantage in the education system.

Methods

The researcher used a doctrinal analysis technique for this paper. A detailed examination of statutory law and the underlying legal concepts has been conducted. The emphasis has been on substantive legal theories, concepts, principles, and judicial pronouncements. Several primary data sources were examined in addition to data from secondary research. Research methods from the past are also employed to understand how the amended regulations of reservation affect education.

Result & discussion

As per the first objective of the study,

The principal recipients of reservation policies mandated by the constitution are the 4 accepted classes that are suggested by the Indian cultures as well strengthened by the Constitution.

- SCs- These groups have variably been viewed as being at the lowest level of the caste structure. They had inherited occupations like manual daily wagers in agriculture, scavengers, tanners, laundry workers, daily wage employees, fishermen, and more. They also subdued to practise of apartheid ,that involves a broad range of social constraints such as not being permitted to contact individuals of many other classes, being not permitted to utilize the same source of water, as well as not being authorized to inhabit within the same location. The majority of tthese casltes are now laborers who do not possess any land.
- STs-The qualifications as per the Scheldued Trlibe include “hints of primeval features, distinguishing cultured, geographic segregation, coyness of engagement of population at great, &backlwardness,” according to several definitions of this group. While some of these communities are nomadlic tribes that are labelled as “crimi1nal tribes” during Britis1h control, the majority of such communities are regarded Adivasis and the area’s native occupants. They live in a variety of ways, from hunter-gatherer



tribes still living in the rainforests to subsistence farmers who have interacted with the outside world.

- OBCs-Originally excluded from the quota programme, the Mandal Commission analysed every community in India under Morarji Desai's premiership to conclude which of these classes are considered "behind" in contrast to the overall population. The commission believed 512% of India's population, based on statistics from the 1931 census, belonging to classes that were "backward" because of different socioeconomic variables, such as wealth or traditional profession. The idea of giving these individuals a reserve was made possible by Articles 15(4) and 16(4), which stipulate that the government may give reservations to "backward classes."

Reservation in the education systems

Universities distribute seats found on the percentile of reservations from 2 separate groups, precedence is prearranged to the reserve categories during allotment, including the 33% reservation for women. The reservation % will also be taken into account for entrance exam costs, cutoff marks, and seat allocation.

Students from SC, ST, BC, OBC, women, Muslims, and other minorities are eligible for financial help in India. Given the extremely insufficient representation of the aforementioned groupings in job and schooling owing their historical, sociological, and racial factors, just around 0.77% student subsidies are founded on distinction.

Reservation in different states for education

In higher education institutions supported by the federal government, 22.550 percentage is set aside for students from lower castes groups (7.51 percentage for STs, furthermore, 15 percent for SCs). These reserve proportion increased by the inclusion of an extra 27% quota for OBCs, bringing it to 49.55 percentile. In Parliament Election too, and all elections, some of the seats are designated for individuals belonging to

particular societies, these proportions are observed. Women in different state enjoy reservation that could range from five percentile to thirty three percentile.

The precise proportions differ for states:

- In Tamil Nadu, the OBC reservation is broken down into ten and half percentile sub-quotaas for vannliyaarss (presented via AIADMKA 1 in 20210), 26.5% backward caste (B), three and half percentile to the backward caste (M), along with twentypercent to the OBC. The Madras High Court nullified and declared invalid the 7.5% for Vanniyars. The 3% Arunthaiyar sub-quota was added to the SC quota by the DMKA1.
- As per the Maharashtra norms, additional to the SC:ST:OBCs reservations, they are also two % SBC reservations, three percentile Normalic Tribes), two and half percentile NIT-B, three and half percentile NIT-C along with two percentage of NIT-D1 reservations .
- The Northeast , such as Arunachal Pradesh, Meghalaya, Nagaland, and Mizoram, there is an 80% ST reservation in State Government employment, leaving only 20% open. 60% of seats have been aside for ST students at the Central Universities of Rajiv Gandhi University and NEHU (Shillong).
- The OBC community in West Bengal is split into OBC A & B. There are no religiously based reservations in West Bengal, however some Muslim castes that are economically and educationally disadvantaged have been listed with their Hindu counterparts on the OBC list, where castes from both faiths are present. Rather, there is now no OBC community reservation in higher education institutions; however, there is a reserve for entrance to elementary, intermediate, and further secondary courses.

As per the second objective of the study:

Impact of reservation policy on education:

The deplorable condition of the Indian Education System today is mostly due to the 50% reservations for applicants from the SC/ST/OBC community in educational facilities. The prosperity and growth of the country have been jeopardized since the educational system

is the cornerstone of any country. Quota in academics is a violation of one's fundamental rights, and it appears that the Indian educational system is degrading as a result of the quota system. An Indian law known as "reservation of seats" enables a certain group of students to get preferential treatment.

Uplifting minorities: Minorities have endured great suffering for a very long period. When caste-based discrimination was at its worst, the government made the decision to implement the Reservation Policy.

Bridging gaps: This has unquestionably closed the gap between the forward and backward castes. The development of forwards increasing wealthy and richer and backwards getting poorer has slowed down. It somewhat aided in keeping the country in balance.

Reserved are deserved: As per the nationwide survey, just 0.17 percent of populace as a whole obtains allowances founded on excellence; the remains are reserved. Even though they have financially precarious home, students who are hard-working and in the General category have little chance of seizing the opportunity. The time has arrived to make positive changes to laws and regulations.

Conflicting Secularism: India is a multireligious, multicaste nation where it is illegal to discriminate on the basis of caste, creed, colour, etc. The principle of Secularism is essentially at odds with the aim of Reservation. The majority of those who fall within the reserve quota despise those who profit even though they are not in need of a reservation. Actually disadvantaged individuals do not receive their entitlements. This results in an unpeaceful world. If a country itself allows reservations based on caste, you can't expect it to be free of caste prejudice.

Conclusion

Since it is not supported by a more comprehensive programme that genuinely confronts historical injustice and inequality, reservation policy has not produced the desired



benefits. Constitutional legislation as well as regional laws and ordinances control reservations. The principal recipients of reservation policies mandated by the constitution are the four accepted classes in India, among Muslims, which are grouped under the designation BCM in some states. The Indian constitution's provisions are infused with the ideal of equitable representation. The founders of the Indian constitution set out to establish an equitable society where social, economic, and political fairness reigned and everyone had an equal chance at success.

People who are socioeconomically much protected than the general category but nevertheless carry the identity of being from a lower class should not utilise this reservation system as a launching pad. Religion and ethnicity may become secondary role. The basis for reservations should be the family and student's financial situation. There should be stricter regulations about "creamy and non-creamy layer." Additionally, it is important to thoroughly examine the paperwork to ensure that there has been no fraud and that no financially advantaged students have taken advantage of the reservation quota.

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