Inequality within Intermediate Castes - Maratha Quota Verdict

What is the issue?

- The Supreme Court recently struck down the Maharashtra law granting reservation to the Maratha community in admissions and government jobs.
- It is essential, in this context, to also acknowledge the growing socio-economic differentiation within the dominant castes.

What did court say?

- The court held that the classification of Marathas as a socially and educationally backward class was unreasonable.
- The Marathas belonged to a politically dominant caste with significant economic resources.
- The majority opinion in the Indra Sawhney case was correct.
- The limit of 50% for caste-based reservation did not need consideration by a larger bench.
- The court said the fixed quantitative limit on caste-based reservation was intrinsic to the fundamental principle of equality.
- It rejected the state's argument that the breach of the limit was necessitated as the population of backward classes was over 80%.
- The Court also stressed the need to safeguard the interests of the unreserved sections.

What, however, is the socio-economic differentiation present?

- There is a growing socio-economic differentiation within the dominant castes, which the state and the court have to acknowledge.
- **Income** - In 2011-12, the average per capita income of the Marathas was second only to the Brahmins.
- Among this, the highest quintile (20% of the caste group) got 48% of the total income of the Marathas.
- The mean incomes of the highest Dalit quintile and that of the second-highest were above those of the three lowest quintiles of the Marathas.
- So, the lowest quintile and the 40% poorest of the Marathas were lagging behind the Scheduled Castes elite.
- **Education** - The above condition is partly due to changes on the education

front.

- The percentage of Brahmins who were graduates and above was about 26% in 2011-12.
- It was only 8.1% among the Marathas.
- During 2004-05 to 2011-12, Dalits and OBCs have gained at a faster rate in education.
- The percentage of graduates among Dalits in 2004-05 was 1.9%.
- It has more than doubled to 5.1% in 2011-12.
- The corresponding figure for the OBCs was 3.5% and has doubled to 7.6%.
- For the Marathas it was 4.6% in 2004-05 and has come up to 8% in 2011-12.
- Correlatively, the percentage of salaried people among the Dalits was about 28% in Maharashtra in 2011-12, as against 30% among the Marathas.

Why does the verdict need reconsideration?

- The court ignored the cautionary note struck in Indra Sawhney case.
- It had expressed doubts about judicial supremacy in the broad area of social policy, which could lead to undesirable exclusion of beneficiaries.
- In the same line, the Court now fails to admit the complexity that the role of class has introduced in post-liberalisation India.
- The dated approach to social realities and a purely arithmetic limit finds no expression in the Constitution.
- Clearly, a section of the Maratha community had faced backwardness and exclusion akin to SC/STs.
- There is a strong need for positive discrimination of the lower classes of the dominant castes.
- The Court may recognise the growing social differentiation of dominant castes if a proper caste census was organised and made public.
- The Union government must look into this.

Source: The Indian Express

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