Karnataka's Reservation Policy

Why in news?

Recently the Karnataka government announced internal reservation in the 17% Scheduled Castes quota for around 101 castes scrapping the 4% reservation for Muslims.

What is reservation?

- Reservation is all about reserving access to seats in the government jobs, educational institutions and legislatures to certain sections (SC, ST, BC, etc) of the population.
- According to constitution the reservation is provided for:
    - **SC/ST/OBC –** Advancement of Scheduled Castes (SC) and the Scheduled Tribes (ST) or any socially and educationally backward classes of citizens (E.g. OBC) or economically weaker sections (EWS) by *article 15 (4), article 15 (5) and article 15 (6)*.
    - **EWS –** Adequate representation of any backward class of citizens or economically weaker sections (EWS) in the services under the State by *article 16 (4) and article 16 (6)*
    - **Article 46** - The State shall promote with special care the educational and economic interests of the weaker sections of the people, in particular, of the Scheduled Castes and the Scheduled Tribes.

What are the changes made in the reservation policy of Karnataka?

- **OBC –** The Karnataka government scrapped the 4% quota for Muslims within the Other Backward Classes (OBC) category and distributed 2% reservation each to the Vokkaliga and Veerashaiva-Lingayat communities.
- Muslims have been placed under the Economically Weaker Sections (EWS) reservation category, where they would compete for a 10% quota.
- The government has also created four sub-categories to introduce internal reservation for different Dalit communities under the Scheduled Caste (SC) category.

Communities	Provisions
SC Left group	• 6% has been awarded to the 'SC Left' group which consists of the most backward of communities including Madigas.
SC Right	• The less backward 'SC Right' category, which has around 25 communities such as Holeyas, got 5.5% of the quota.
Touchable communities	• Touchable communities such as Banjaras and Bhovis got 4.5%.
Other SC communities	• Other SC communities got the remaining 1 %.

- There was no consultations from different communities.
- The reservation on the basis of religion alone is untenable, it appears that there has been no recommendation from the Karnataka State Backward Classes Commission.
- The Constitution does *not allow reservation on the basis of religion* alone.
- There have been judicial verdicts striking down quotas for Muslims for not being backed by a proper study is in appropriable.
- The large sections of Muslims have not reached a level of social and educational advancement so exclusion of Muslims from the BC category is non-advisable.

What is status of reservation?

- The Supreme Court of India ruled in 1992 that reservations could not exceed 50%.
- The recent amendment of the constitution exceeds 50% and also there are state laws that exceed this 50% limit.
- On November 2022 Supreme Court of India in **Janhit Abhiyan vs Union Of India** upheld the validity of the 103rd constitutional amendment carried out to provide legal sanction carve out 10% reservation for the economically weaker sections.

References

1. The Indian Express | Reservation In Karnataka

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