# OBC Quota in Local Body Polls

## Why in news?

The Supreme Court judgement allowing Madhya Pradesh to implement 14% reservation for OBCs has led to similar demands from Maharashtra.

## What is the Supreme Court's order about?

- Earlier, the Supreme Court directed that the elections should be notified without a quota for OBCs because the state had not completed the "triple test" for providing such reservation.
- Madhya Pradesh had moved an application seeking modification of the court's order, saying the backward classes commission had prepared a second report which satisfies the triple-test requirement.
- The Bench focused on the local body-wise reservation for OBCs keeping in mind the maximum reservation limit of 50% as laid down by the Supreme Court.
- It also permitted the Madhya Pradesh State Election Commission to notify the election programme for the respective local bodies for the time being.
- The Court has held that the criteria for reservation in job and education, which is social and educational backwardness, need not be applied for reservation in local bodies.
- After the order was passed, leaders of Maharashtra demanded that the same should be allowed in Maharashtra as well.

## What was the Supreme Court's ruling in the case of Maharashtra?

- Earlier, the SC had directed the Maharashtra government to submit data on OBCs to the Maharashtra State Commission for Backward Classes (MSCBC).
- After analysing the data, the MSCBC, in its interim report recommended providing up to 27% reservation to OBCs.
- However, the Supreme Court rejected it, stating that it had been prepared in the absence of empirical data.
- The Supreme Court asked the Maharashtra State Election Commission to notify the election schedule for local bodies on the basis of the previous delimitation exercise.

## What was the "triple test" prescribed by the Supreme Court?

- The triple conditions were established in 2010 for OBC reservation in local bodies. It includes
    1. A state commission must conduct rigorous empirical inquiry into the nature and implications of the backwardness in the capacity of local bodies within the state
    2. Specify the proportion of reservation required to be provisioned local body wise in light of recommendations of the commission
    3. Total reservation must not exceed the aggregate of 50% of the seats

## What is the problem with collecting the OBC data?

- For gathering the empirical data for providing OBC quota, the door-to-door survey does not seem feasible as it may disturb the social fabric of the state.
    - When the Karnataka government's data of caste census was leaked, the dominant communities questioned the findings and opposed the state government move of making it public.
- Even the union government which has the authority to conduct a caste census has refused to do so.
- While quotas have proven to be an effective instrument of empowerment and justice, competitive politics often leads to a paralysis of politics and governance.
- Political parties and governments must act in tandem with the judiciary so that reservation programmes do not turn divisive but serve a development purpose.

**References**


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