SC, ST quota law in Ninth Schedule

Prelims: *Current events of national and international importance | Polity*

Why in news?

Karnataka CM and Dy. CM urged the Prime Minister to include the State's enhanced SC, ST quota law in the Ninth Schedule on the lines of Tamil Nadu.

- **Karnataka's urge** – The Karnataka Government has sought urgent intervention to protect the State's legislation providing for 17% reservation for SCs and 7% for STs in educational institutions and public employment.
- **HC's invalidation** – It follows the Karnataka High Court's judgment striking down the enhanced reservation, which took the total quota to 56%, exceeding the 50% ceiling.
- **Consultation with commission** – The court also examined the requirement of consultation with the National Commissions for Scheduled Castes and Scheduled Tribes under Articles 338(9) and 338A(9) of the Constitution.
- **TN's case as support** – Karnataka cited Tamil Nadu's 69% reservation framework, which was included in the Ninth Schedule through the 76th Constitutional Amendment in 1994.
- The state government filed a Special Leave Petition (SLP) in the Supreme Court against the Karnataka High Court's judgment.

Background

- **Karnataka's 2022 Act** – The Karnataka Scheduled Castes and Scheduled Tribes (Reservation of Seats in Educational Institutions and of Appointments or Posts in the Services under the State) Act, 2022, increased the quota for SC from 15% to 17% and from 3% to 7% for ST.
- The 32% reservation for Other Backwards Classes (OBC) remained unchanged, taking the total to 56%.
- **Lack of mandatory consultation** – The High Court struck down Sections 3 and 4 of the Act, holding that the state had not met mandatory requirements for consultation with the National Commissions for Scheduled Castes and Scheduled Tribes.
- **HC's ruling** – A division bench of the Karnataka High Court struck down key provisions of the 2022 Act, ruling that taking total reservations beyond the 50% ceiling breached constitutional limits under Articles 14 and 15.
- The Karnataka Assembly passed a resolution in 2025, urging the Union government to include the 56% quota in the Ninth Schedule.

Tamil Nadu's reservation Policy

- The 76th Constitutional Amendment Act, 1994 protected Tamil Nadu's 69% reservation policy by placing the state's reservation law into the Ninth Schedule of the Constitution.
- **Enactment & Scope** – Assented to on August 31, 1994, the Act added the Tamil Nadu Act 45 of 1994 to the Ninth Schedule as Entry 257-A.
- **Context & Purpose** – Designed to bypass the Supreme Court's 50% reservation cap from the Indira Sawhney ruling, it used Article 31B to shield Tamil Nadu's 69% quota from challenges based on Fundamental Rights.
- **Judicial Review** – Post-2007 (I.R. Coelho judgment), laws added to the Ninth Schedule after April 24, 1973, remain subject to judicial review regarding the Constitution's basic structure

Reference

The Hindu | Karnataka CM, Dy. CM urge Prime Minister to include State’s enhanced SC, ST quota law in Ninth Schedule on the lines of Tamil Nadu

