

Supreme Court Rejects AP's 34% BC Quota

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Why in News?

The Supreme Court rejected the Andhra Pradesh government's appeal to reinstate a 34% reservation for Backward Classes (BCs) in local bodies.

- The Court affirmed the Andhra Pradesh High Court's decision to invalidate the increased quota, as it exceeded the 50% limit on total vertical reservation for SCs, STs, and BCs.
- The **State's unified family survey** was deemed **inadequate** in the absence of a rigorous and specific empirical evaluation of backwardness and representation within local bodies.

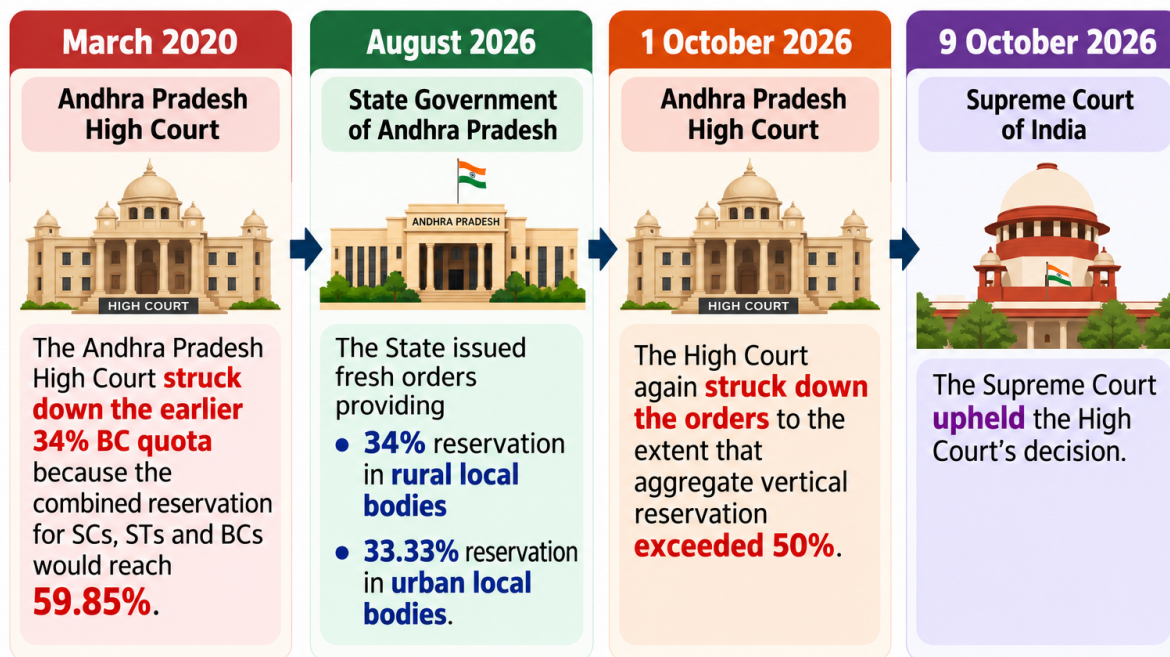
Constitutional Provisions: Reservation in Local Bodies

- **Part IX - Article 243D (Panchayats)**
 - Reserves seats for SCs and STs in proportion to their population.
 - Reserves at least one-third of seats and chairperson positions for women, as per constitutional provisions.
 - Allows the State Legislature to reserve seats for backward classes in Panchayats.
- **Part IX-A - Article 243T (Municipalities)**
 - Reserves municipal seats for SCs and STs.
 - Reserves at least one-third of municipal seats for women, as per constitutional provisions.
 - Allows the State Legislature to reserve seats for backward classes in municipalities.

50% Reservation Ceiling

- The Supreme Court generally considers 50% as the maximum limit for total vertical reservation, except where the constitutional framework or exceptional circumstances in its jurisprudence allow otherwise.
- Vertical reservation covers categories such as:
 - Scheduled Castes (SCs)
 - Scheduled Tribes (STs)
 - Other backward classes, including those classified as BCs under State law.

Andhra Pradesh Case on Reservation



Triple Test for OBC Reservation in Local Bodies

The landmark judgment in **Vikas Kishanrao Gawali v. State of Maharashtra (2021)** reaffirmed the criteria for granting reservations to backward classes in local governing bodies.

- **Dedicated Commission** - A commission must be established to conduct a rigorous and contemporaneous inquiry into the nature and extent of backwardness among the relevant classes with respect to local bodies.
- **Local-body-specific data** - The proportion of reservation required for backward classes in each local body should be determined using empirical evidence, rather than relying solely on population figures.
- **Observe the 50% ceiling** - It must be ensured that reservations for Scheduled Castes, Scheduled Tribes, and backward classes collectively do not exceed the prescribed 50% ceiling, in accordance with the relevant constitutional and judicial framework.

Reference

[The Hindu | 34% Quota for BC in Local Bodies](#)

