
EVOLVING RESERVATION POLICY: CONSTITUTIONAL LAW AND POLITICAL MOVEMENTS ON CASTE IN CONTEMPORARY INDIA

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Introduction

This reservation policy which is better known as the affirmative action in India is an integral component of the jurisdiction of India therefore making the political roots much deeper. The provision is inspired by the Constitution of India, and it makes its efforts to remove the historical disadvantages suffered by the weaker sections of the society, particularly SC, ST and OBC. It achieves this through allotments for such groups in education, government job, and hormone political offices. All this makes for a complex history that has influenced the developments of this policy within the US: the overlap of constitutional mandates, judicial means of interpreting them, political movements and social discourse. By tracking the trajectory of India's reservation policy and major legal milestones that have governed it over time, this paper documents the interplay of constitutional law and caste politics.

The Constitutional Framework

Reservation in India is based on the Constitution of India which came into effect on 26 January 1950. They knew that many castes were discriminated against in the past — including one of them, regarded as the untouchable, who also made up a large part of their plight. Founders made an explicit provision for these groups and put safeguards in place that were intended to ensure equal justice and opportunities for them.

- The state may also make special provisions for the advancement of any socially and educationally backward classes of citizens article 15(4)
- Under Article 16(4), the state can provide for reservation of appointments or posts in favor of backward classes).
- The education and the economic interest of the SCs, STs and other weaker sections

Article 46.

- One such provision is Article 340, which allows for the appointment of a commission to investigate the conditions of backward classes, and which later led to the setting up of the Mandal Commission.

Such provisions are indicative of a growing commitment to counter caste-based discrimination and to ensuring a more equal society. However, the execution of the reservation policy has been controversial, with arguments regarding its extent, limits, and effect on meritocracy and social peace.

OBC Reservations and the Mandal Commission

Saulat Meeraab in the history of reservation in India developed with the establishment, led by B.P. Mandal, of the Mandal Commission, in 1979. The Commission was assigned the work of finding out classes among the general class who are socially and educationally backward specialty OBCs who are kept outside reservations up for taking inspiration from the Constitution of India.

The Mandal Commission, in its 1980 report, had suggested that OBCs be given 27% of jobs and that jobs be reserved for SCs and STs in addition to their share of 15% and 7.5%. They were controversial, but were adopted by a government, headed by Prime Minister V.P. Singh in 1990, in what was a watershed in India's reservation policy. This decision sparked protests primarily from upper-caste students, who viewed this move as a blow to merit-based admission activities.

The recommendations made by the Mandal Commission were in reply to the mounting requests from the OBC society for more representation. Political movements emerging around this time among the backward castes, especially the All-India Backward Classes Federation, had become more overtly caste-conscious and less ambiguous in their demands that continued to reflect the broader politicization of caste issues. OBC reservations had its strange legacy but in its process caste became the fulcrum of Indian politics with parties and leaders desperately courting them, lining up based on caste to woo these votes.

Legal Disputes and Judicial Definitions

The Reservation Policy has come under the strongest judicial scrutiny ever and numerous landmarks will guide the development of affirmative action in India over time with its pronouncements— views of the supreme court.

Case: *Indra Sawhney v. Union of India* (1992) Summary: Also known as the Mandal Commission case, this judgement of the Supreme Court upheld the implementation of the OBC reservation but limited the total reservations in government jobs to 50%. This ruling was critical in striking the balance between affirmative action and the need to ensure that merit-based selection was not completely undermined. It also argued that economic backwardness alone cannot justify the provision of reservation, reiterating the caste-based character of reservation.

Political movements and recent developments

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The political mobilization of the 1980s and 1990s: The political awakening of OBCs in the 1980s and 1990s led to significant political mobilization. However, it was with the emergence of regional parties like the Samajwadi Party in UP, the Rashtriya Janata Dal (RJD) in Bihar, and the Indian National Congress in several others that the reservation as a tool for the upliftment of backward classes gained momentum.

Influence of the Dalit Movements: Dalit leaders like B.R. Ambedkar, the chief architect of the Indian Constitution, had advocated for the upliftment of Dalits, and their fight for equal rights and opportunities influenced the reservation policies. Dalit and tribal movements appropriate this aims, by default of the caste note in India, for caste based politics, the acknowledgement of Scheduled Castes and Tribes as beneficiaries of affirmative action has been a major demand.

Political Moves of Late: It is in recent years that attempts at reservations have been made for new constituencies, such as EWS for the general caste. One important recent development is

the 103rd Constitutional Amendment (2019), under which 10% reservation for EWS in education and government jobs has been implemented, although the amendment is controversial. It has led to a debate on the backdoor dilution of caste-based reservations and a possible assault on the interest of the backward classes.

Conclusion

Id This system has evolved substantially over time in India, influenced by the Constitution, court interpretations, and formal and informal political forces. Originally an instrument for providing social justice and equality of opportunity, it has morphed into an extremely politicized segment of public life, driven by competing interests and ideologies.

The legal framework regarding reservations has continuously developed as social and political realities have changed too. Although the courts have been instrumental in delimiting the contours of the policy, political movements have kept it alive as a popular issue in India's democratic discourse. The reservation policy will continue to be a crucial vehicle for combating social injustice and promoting social mobility in India as long as caste-based politics remain relevant in shaping the contours of Indian democracy, though through the decades the outlines of its framework may continue to change as a response to the contemporary context of society.

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