



Maharashtra Assembly Passes Bill For Reservation For Marathas

The Maharashtra Assembly has unanimously passed a Bill proposing 16% reservation for Maratha community.

- The bill provides for reservation of seats for admission in educational institutions and posts in public services under **Article 15(4), 16 (4) of the Constitution of India**.
- Maratha community has been granted reservation under an independent category Socially and Educationally Backward Class (SEBC).
- The approval of the Bill has increased the reservation in Maharashtra from the current 52% to 68%, thus **crossing the 50% ceiling set by Supreme Court in Indra Sawhney Case (1992)**.

Article 15(4) in The Constitution Of India

- Nothing in this article or in clause shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes.

Article 16(4) in The Constitution Of India

- Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favor of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State.

Maratha Community

- Marathas are the Marathi-speaking, politically dominant community in Maharashtra. They make up about one-third of the population of the state.
- Historically, they have been identified as a warrior class with large land-holdings.

Reasons For Demanding Reservations

- **Division of land and agrarian problems** over the years have led to a decline of prosperity among middle-class and lower-middle-class within Maratha Community.
- Maratha community is a predominantly agrarian community which have been hit by the **rural distress**, especially the crisis in agriculture, and their efforts to seek **education and alternative employment has been hampered** by locational disadvantages.
- **Inability of the state governments to provide enough jobs** is another factor for dissatisfaction.

Basis for Reservation

- The **Maharashtra State Backward Class Commission (MSBCC)** submitted a report after

studying 45,000 families from two villages from each of the 355 talukas that have more than a 50% Maratha population.

- According to the panel report, Marathas have been declared as socially and educationally backward class of citizens and have inadequate representation in the services under state.

Issues Around Reservation

▪ Judicial Scrutiny

- Reservation in Maharashtra is already beyond the Supreme Court imposed limit of 50%. After 16% is reservation is given to Marathas, the total would become 68%. Hence, whether this proposal can withstand judicial scrutiny and become policy remains to be seen.
- However, there is no provision in the Constitution imposing ceiling on reservation. But it has provision that reservation should be given under exceptional and extraordinary cases.

▪ Not a “Backward Community”

- Marathas don't face any social stigma which hinders their economic development. Hence, there is no reason that calls for giving them affirmative action.
- The demand for reservations for Marathas, traditionally seen as “upper castes”, goes against the spirit of affirmative action. They also play a central role in states electoral politics.

Way Forward

- Government should look at the **bigger solution to the problem** as quotas offer only a limited, short-term solution to these problems.
- Reservation is an instrument to rectify social and educational backwardness, but it is not a solution for every social and economic ailment. The **government should focus on increasing economic growth which might lead to new employment opportunities.**

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