



Mandal Commission

For Prelims: [Article 15](#), [Article 16](#), [Reservation](#), Indira Sawney Case, OBC Reservation, Mandal Commission, Rohini G Commission

For Mains: [Mandal Commission](#), Reservation: Benefits and Challenges.

Why in News?

The second phase of the [caste survey](#) beginning in Bihar and several other political debates have brought Mandal Politics once again in news.

What is Mandal Politics and Mandal Commission?

▪ About:

- Mandal politics refers to a **political movement that emerged in the 1980s**, advocating for the inclusion of socially and economically disadvantaged communities, particularly the Other Backward Classes (OBCs), in government jobs and educational institutions.
- The movement was **named after the Mandal Commission**.

▪ Mandal Commission:

- The Mandal Commission or **the [second Socially and Educationally Backward Classes Commission](#)**, was established in India in 1979 with a mandate to "identify the socially or educationally backward classes" of India.
 - It was **headed by B. P. Mandal** and submitted its report in 1980 and was **implemented in 1990**.
- The Commission reported that 52% of the country's population was comprised of OBCs. Initially, the commission argued that the percentage of reservations in government service should match this percentage.
 - However, this would have gone against the Supreme Court ruling in **M.R. Balaji vs State of Mysore case (1963) which had laid down a limit of 50% on**. There was already a 22.5% reservation for SCs and STs.
- Therefore, the figure of reservation for OBCs was capped at 27% which when added to keep the reservation below the 50% mark.
 - The Commission also identified backward classes among non-Hindus.

▪ Recommendations of Mandal Commission:

- OBCs must be **provided a reservation of 27% in public sector** and government jobs.
- They should be **provided with the same 27% [reservation in promotions](#)** at all levels of public services.
- The reserved quota, if unfilled, should **be carried forward for a period of 3 years**.
- OBCs should be provided age relaxation similar to SCs and STs.
- Reservations to be made in PSUs, banks, private sector undertakings receiving government grants, colleges, and universities.
- The government to make the necessary legal provisions to implement these recommendations.

▪ Impact of Mandal Commission:

- Implementation of Mandal Commission by the government resulted in a widespread protest where students committed self-immolation in protest when the government showed its intent to implement it.
- The implementation was finally challenged in [Indra Sawhney vs Union of India case](#).

What did the SC Rule in Indira Sawhney Case?

- In this case the Supreme Court held the **27% reservations for OBCs as constitutionally valid** but with certain conditions:
 - The court held that the **reservation must be in the four walls of 50% cap** and should not be extended in promotions.
 - The concept of [creamy layer](#) was also introduced by the court to exclude well-off people from the community.
 - The **carry forward rule** (by which unfulfilled vacancies are filled in the upcoming year) **should not breach 50% ceiling**.

// Landmark Cases and Judgements regarding Reservation

Cases	Judgement	Fallout
State of Madras v. Chakraborty, 1950	Court ruled that caste-based reservations violate Article 15(1) of the Constitution. It said reservation was an exception to equality and hence violated the right to equality.	Led to the introduction of the First Amendment of the Constitution, which invalidated the judgment.
M. R. Balaji v. State of Mysore, 1963	The Mysore government's 68% reservation in college admissions was ruled as excessive and unreasonable, and was capped at 50%.	The Supreme Court in the Indra Sawhney case imposed the 50 % limit on reservations in 1992.
Devadasan v Union of India, 1964	The court ruled that if reservations go beyond 50% they would be invalid.	Reservation was rationalised and was termed a facet of equality.
State of Kerala v NM Thomas	Reaffirmed the idea that reservation is not an exception but is necessary to establish equality. It ruled that Article 16(1)'s conception of equality itself includes remedial action to ensure due representation for hitherto excluded classes.	The ruling is considered to be the first definite judicial endorsement of the philosophy of reservation
Indra Sawhney & Others v. Union of India, 1992	The court upheld separate reservation for OBCs but excluded the "creamy layer". It rejected economic reservation and set a ceiling of 50 % for all reservations.	The case was pressed again in 1999 and the Supreme Court reaffirmed the creamy layer exclusion and extended it to SCs and STs.
M. Nagaraj & Others v. Union of India and Others, 2007	Upheld 77th Amendment which extended reservations for promotion in employment for SCs and STs.	The court ruled that promotions should satisfy the triple test of backwardness, representation and the need for efficiency. Backlog vacancies were excluded from the 50% limit.
I. R. Coelho (deceased) by LRS. v. State of Tamil Nadu, 2007	Tamil Nadu advised by Supreme Court to follow 50% reservation limit	Tamil Nadu reservations were put under the 9th Schedule of the constitution, which had already been upheld by the court.
P. A. Inamdar v. State of Maharashtra, 2005	Reservations cannot be enforced on private educational institutions which do not receive government funding.	Led to 93rd Constitution Amendment introduced Art 15(5).
Ashoka Kumar Thakur v. Union of India, 2007	Upheld the 93rd Amendment on reservation for admission to unaided educational institutions	Recommended reviews of backwardness every 10 years.
Ram Singh & Ors v Union of India, 2014	Struck down the inclusion of Jats in the Central list of OBCs	Proposed new ways to determine backwardness
Jaishri Laxmanrao Patil v Union of India, 2021	Maratha reservation struck down as unconstitutional	The 50 % ceiling on reservations was reaffirmed
Janhit Abhiyan vs Union Of India, 2022	Upheld 103rd Amendment which introduced 10% reservation for Economically Weaker Sections in education and public employment	A new reservation regime created

What are the Merits of Mandal Commission?

- **Increased Representation:** The Mandal Commission helped in increasing the representation of SEBCs in government jobs and educational institutions.
 - According to Ministry of Social Justice and Empowerment, OBC representation against total appointment through direct recruitment was consistently above 27% during 2014-2021.

- **Access to Education:** The reservation policy enabled many OBC students to gain access to higher education. This resulted in a significant increase in the number of OBC students in universities and colleges.
 - According to the Ministry of Social Justice during the period of 2014-2021, the enrolment of OBCs in Higher Educational Institutions has been consistently increasing since 2014-15.
- **Social Justice:** The Mandal Commission's recommendations were based on the principles of social justice and aimed at providing equal opportunities to all sections of society, especially those who have been historically disadvantaged.

What are the Demerits of Mandal Commission?

- **Limited Impact on Upliftment:** The impact has been limited to a very few communities. According to the **Justice Rohini G. Commission**, out of almost 6,000 castes and communities in the OBCs, only 40 such communities had gotten 50% of reservation benefits for admission in central educational institutions and recruitment to the civil services.
- **Politicisation:** The politicians have often used the **Reservation as their vote bank politics**. During 1980s, the Mandal Commission was highly politicized giving a new form of Politics- Mandal politics.
 - Even today, it is used as a political tool. Recently, a politician while campaigning in Karnataka has demanded to lift 50% limit on SC/ST/OBC reservation.
- **Negative Impact on Merit:** The reservation policy led to a negative impact on merit as **many deserving candidates were left out**, and the **seats were filled by candidates with lesser merit**.

Way Forward

- **Periodic Review of Reservation Policy:** The policy must be reviewed periodically to assess its impact as directed by the Supreme Court in *Indira Sawhney vs Union of India* case (1992).
- **Improve Early Level of Education:** The government must improve education at earlier levels so that the reservations at higher levels could easily be phased out.
- **Increase Job Opportunities in Private Sector:** The government should thrive to increase job opportunities in private sector to reduce dependence on public sector and reservation for employment.

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