



Mains Practice Question

Q. The efficacy of the reservation policy depends on its capacity to authentically elevate the most disadvantaged segments of society. Evaluate this statement in light of the Maharashtra State Reservation for Socially and Educationally Backward Classes Bill, 2024. (250 words)

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Approach

- Start the answer with a discussion that sets a context for the question.
- Discuss the efficacy of the reservation policy in light of the Maharashtra State Reservation for Socially and Educationally Backward Classes Bill, 2024.
- Propose strategies for developing a reservation policy that genuinely uplifts the most marginalized segments of society.
- Conclude suitably.

Introduction

Recently, the Maharashtra State Assembly unanimously passed a bill that allocates 10% reservation in education and government jobs to the Maratha community. The Bill specifies the Maratha community as a Socially and Educationally Backward Class under Article 342A (3) of the Indian Constitution.

Body

Some Key Arguments in Favour of Maratha Reservation:

- **Recommended by Maharashtra State Backward Class Commission:** The Maharashtra State Reservation for Socially and Educationally Backward Classes Bill 2024, was drafted based on a Maharashtra State Backward Class Commission (Shukre Commission) report.
 - This report identified the Marathas as socially and educationally backward, justifying the need for a reservation.
 - The commission's report highlighted "exceptional circumstances and extraordinary situations" justifying reservations to the Maratha community above the 50% ceiling set by the Supreme Court
- **Historical Marginalization:** Despite being a historically dominant and influential community in Maharashtra, Marathas argue that they have faced marginalization in education, employment, and other spheres. They believe that reservation status will help address historical injustices and uplift the community.
 - The **Gaikwad Commission** found that 76.86 % of Maratha families were engaged in agriculture and farm labor, around 50% lived in mud houses, only 35.39% had personal tap water connections, 13.42% of Marathas were not literate with only 35.31% having primary education, 43.79 % having cleared HSC and SSC.
- **Economic Disparities:** Many Marathas, particularly those in rural areas, face economic challenges and lack access to opportunities for socio-economic advancement. Reservation is seen as a means to provide them with better access to education and employment opportunities.
 - The Shukre Commission describes extreme poverty, the decline in agricultural income, and partitions in land holdings as reasons for the poor status of the Marathas. It also notes that

94% of farmers who have died by suicide in the state belonged to the Maratha community.

- **Inadequate Representation in Public Services:** The demand for the Maratha reservation has been fueled by concerns over access to education and employment, particularly in competitive exams where limited seats are available.
 - The Shukre Commission finds inadequate representation of the community in all sectors of public services and says the Marathas have remained “completely out of the mainstream” due to their backwardness.
- **Social Mobility:** Reservation for Marathas is seen as a means to facilitate upward social mobility within the community, enabling individuals from marginalized backgrounds to access overall social advancement.
 - The Shukre commission notes that the population of Marathas in the state is 28%, while 84 % of them are not advanced, adding that such a large backward community cannot be added to the OBC bracket.

Some Key Arguments Against the Maratha Reservation:

- **Lack of Social and Economic Backwardness:** Marathas historically held significant land ownership and political power. Critics argue they may not meet the criteria for reservation as socially and economically backward.
 - Marathas own over 75% of the land in the State as well as 86 of the 105 sugar factories besides controlling about 55% of educational institutions and over 70% of cooperative bodies.
- **Domination in Political Landscape:** Marathas have dominated the political landscape with 11 of the 20 Chief Ministers coming from the community, and over 60% of all the members of the Legislative Assemblies of Maharashtra have been Marathas since 1962.
- **Need for a Detailed Inquiry:** The Commission concluded its survey within a span of 9 days (from January 23 to January 31, 2024). However, as the report has not been made public, there is little information available regarding the sample design, the questionnaire used, or the methodology employed for data analysis.
 - The bill declares Marathas to be socially and educationally backward, but the details available from the Shukre Commission’s report, seem to primarily emphasize the community's economic backwardness. Almost nothing concrete is available about their social and educational backwardness.
- **Legal Concerns:** Maharashtra currently has a reservation of 52%, including various categories such as SC, ST, OBC, Vimukt Jati, Nomadic Tribes, and others. With the addition of 10% reservation for the Marathas, the total reservation in the state will now reach 62%.
 - Extending reservations beyond the 50% cap set by the Supreme Court may also raise legal concerns.
- **Political Motivations:** Some critics question the timing and political motivations behind the push for the Maratha reservation.
 - They argue the decision may be driven by electoral considerations rather than genuine concerns for social justice.

Some Strategies to Formulate Effective Reservation Policy :

- **Need for a Comprehensive Socio-economic Census:** Addressing demands of politically dominant groups such as the Marathas, which have stratifications due to significant intra-community variations in terms of income and educational outcomes, suggests a case for a comprehensive socio-economic census.
 - Such a census will establish the true nature of backwardness and discrimination across States and could even clarify a new means of providing affirmative action based on the data while staying true to principles of social justice.
- **Evidence-Based Legislation:** Ensure that the Maratha Reservation Bill is legally sound and withstands judicial scrutiny by providing robust empirical data to justify the reservation beyond the 50% quota ceiling set by the Supreme Court.
- **Need for Comprehensive Approach:** Increasing more employment opportunities is often considered more essential than expanding reservation policies.
 - The government should adopt integrated policies that combine reservation with targeted welfare programs, skill development initiatives, and infrastructure projects to ensure

holistic development for Marathas.

- **Ensure Fair Competition without Discrimination:** Ensuring that all individuals are treated fairly and without discrimination is a fundamental aspect of promoting equality. This means that people should not face disadvantages or privileges based on their background, such as their parents' status.
 - Encouraging competition on a level playing field, where individuals have equal opportunities to succeed based on their skills, abilities, and efforts, is crucial. This promotes excellence by motivating individuals to strive for their best.
- **Balancing the Reservation and Merit:** While giving reservations to the communities, the efficiency of the administration has to be looked upon too. Reservation beyond the limit will lead to ignorance of the merit, which will disturb the entire administration.
 - The main purpose of reservation is to address the issue of historical wrongs done to the less advantaged communities but the merit beyond a certain point must not be neglected too.

Conclusion

The reservation policy serves as a crucial tool for fostering a strong and inclusive society in India, but its effectiveness hinges on its ability to genuinely uplift the most marginalized sections of society. However, when reservation benefits are misused or manipulated for personal gain, it can undermine the integrity of the policy and perpetuate inequalities.

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