



Research Article

Caste Reservation in India and Its Impact on Society with Special Reference to the Constitution of India

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Abstract

This research critically examines the caste-based reservation system in India, focusing on its constitutional foundations, historical evolution, and socio-political implications. The study explores how reservation policies have influenced access to education, employment, and political representation among historically marginalized communities, such as Scheduled Castes (SC), Scheduled Tribes (ST), and Other Backward Classes (OBC). Drawing from constitutional provisions, judicial pronouncements, and empirical data collected through a survey, the paper highlights both the empowering role of reservations in promoting social justice and their limitations, including the perceived erosion of meritocracy and growing inter-group tensions. The paper also addresses the ongoing demand for inclusion of economically weaker sections (EWS) from the general category. Through a comprehensive legal and sociological analysis, the study proposes reforms aimed at ensuring more equitable and effective implementation of reservation policies while promoting national integration and social harmony.

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1. INTRODUCTION

Caste Reservation has always been a subject of discussion, which has been going on for centuries. In India, the arrangement of reservation system was established to elevate the people and give them their rights. Still, those from

depressed communities face barriers to social mobility. The scholarly community has not yet shown interest in studies on sub-quota within the share. Reservations give fair opportunities to everyone to be represented in politics or the educational system. It was created as a result of the enduring social

structure with the aim of guarding and enhancing the rights of the crowd. Reservation is a part of the fundamental rights guaranteed to the socially, economically deprived and historically depressed people of India. Reservation of seats in the council including union congress, there is nearly no disagreement. Other backward classes (OBC) do not enjoy any reservation of seats in the council. But in matter of education and employment OBC get reservation. In some States like Tamil Nadu, Kerala, Karnataka and Bihar, OBCs came in dominant force in the bureaucracy. Thus, the transience of backwardness has given rise to clashes of interests both at the political and legal position. Reservation, in India, is a type of arrangement where fixed number of seats in educational and social institutions allotted to backward class communities. This arrangement made by our constitution maker they thought that this arrangement can help this kind of community who was discriminated early in India. Therefore, when India attained independence, the constitution gave special provision for certain communities to have a minimal representation in colourful fields. Over the times, two groups have radiated in the environment of estate – grounded reservation. Those people are benefited from reservation they said in favour of the policy that this arrangement can help the state in formulate and elongate programs to insure the development of the deprived sections. On the other side, those arguing against the system believe that the system fails to cover poor, rather presto divisive tendencies within society; the issue remains inconclusive in the country. The birth of estate- predicated reservation policy is concerned, it's basically began from the practice of estate system or the varna, a convention which held its origins in the Rigveda, also, the complex issue of reservation system is a new phenomenon, born towards the end of 19th century in the course of and because of the tale operations of social India. Since also, with the indefatigable sweats of selfish estate leaders and politicians have converted the truly system (state) into a new platform of reservation class position and division within the communities, primarily to garner their particular gain and vote bank. In the movement, the demand for extension of reservation has reached indeed to private sectors, which is beyond the horizon of the recovery system. Unfortunately, this affirmative service is a mask worn by politicians to feed to their specific constituencies and for winning an election. Either, they have created a situation where reservation amongst the reservation requires to be made in the country in this manner. India is presently passing through multitudinous tone created hurdles and challenges, especially the estate – predicated reservation system is one of them.

Origin of caste system

The birth of the estate system is the subject of various suppositions. One belief set up in the Rigveda holds that our civilization was formed when Brahma, the first human in our creation, killed himself. People of different castes (varna) formed by their different body corridor. Brahmins were formed from the head of brahma, Kshatriyas were formed from the arms, Vaishyas were formed from the cutters, and Shudras were

formed from the bases of brahma. In this estate division proposition Dalits were not distributed in this type, that is why they are also called. Another proposition state that the estate of the person is depends on the deeds (air) of the formerly life. still, they were born as Brahmins, If an individual performed excellent deeds in a former life. According to this proposition if any person wants to be revived in the upper class in the coming life also they should work dutifully within their own estate. Some people say that it is not the estate that decides our occupation, rather it's the other way round, since Brahmins were more knowledgeable so they come the instructors of the society, but it is not only the Brahmins that can come instructors, other people can also seek knowledge and come brahmans. The brahman women could also marry a Kshatriya or a Vaishya man but marrying a shudra man is confined. According to these propositions the estate system was a little fluid and anyone could come upper class by gaining knowledge, but as the time passed the estate system came more rigid. Pre-Independence In the 19th and the 20th century there were some people who took concrete measures against the estate reservation system. Shahuji Maharaj was the first person in India to apply reservation in Kolhapur, On 26 July 1902, Shahu Chhatrapati, only 28 also, issued a major document in the review of the Karveer (Kolhapur) state. It was a announcement in English that reserved 50 of government posts for backward class campaigners. Two days latterly, the England- returned Chhatrapati issued the same announcement in Marathi, as it was their executive style. History had been made, as developments that followed verified. The biggest donation in 20th century against estate reservation system has arguably been that B.R Ambedkar. In addition to calling the lower estate the "tyrannized" or "depressed" class, he was demanding separate representation for them against the British and Brahmins. He organised a depressed class congress in 1930 in Nagpur and declared that for the safety of the depressed classes they demanded independence from both the British and the Congress. August of 1932 saw British Prime Minister Ramsay Macdonald entitlement Dr. Ambedkar and decided to separate electorates for the depressed classes. When Gandhiji got to know that the British had granted a separate electorate to the depressed class, he blazoned a presto into death because he believed that this policy would produce a ocean between Harijans and the rest of the Hindu. But Dr. Ambedkar remained on his demand; he believed that a separate representation was the way to hoist the depressed classes. But when Gandhiji' health began to deteriorate Ambedkar negotiated, this concession was known as 'Poona Pact'. As a result, the lower classes were given participated electorates, adding the number of reserved seats from 78 to 148. Post-Independence After the independence the depressed classes were given reservation and political representation in both education and public employment, for political representation the common electorates system was continued. 84 of the 543 Lok Sabha seats are set away for the SC, and 47 are set away for the ST. When the constitution was being drafted in 1950, Composition 15 and 16 were added which allows special provision for socially and

educationally backward classes in terms of education and public employment. In proportion to population 15 of seats are reserved for SC and 7.5 seats for ST. In 1993 the Government went one further step forward and extended the reservation for OBCs, as per Mandal Commission Report 27 reservations were granted to OBCs in government jobs and educational institutions. This will bring the chance of reserved seats to 49.5. The Mandal Commission, established in 1979 by the Central Government, was to identify and cover the socially or educationally backward people. In order to address estate prejudice, it was also established to take into account the issue of seat reservations and proportions using social, profitable, and educational pointers to assess backwardness. originally, specific measures and allowances were made to help members of depressed social classes continue their education. subsequently, these measures evolved into estate reservations in workplaces and educational institutions. The State Governments were granted the authority to extend reservations to the remaining communities, which is why the governments of Maharashtra, Rajasthan, and Haryana bandy reserving space for the Marathas, Gujjars, and Jatt people, independently. The 93rd indigenous Correction (2005) basically changes the entire terrain of education. As before this correction, the reservation was n't applied on the private educational institutes, but when Article 15 was amended and clause 5 was added, which says that the Government can make special provision for the development of any socially and educationally backward classes of citizens or for slated castes (SC) or the slated lines (ST) in educational institutions including private educational institutes. This provision does n't apply to the non-educational institutions appertained to in clause (1) of the Art. 30. This correction ca n't be challenged under Art. 15 or sub clause (g) of clause (1) of Art. 19. In 2019 Modi Government broke the 50 rule of reservation and granted 10 reservation to Economically Weaker Sections (EWS) belonging to the general order in advanced educational institutes, which brought the total chance of reservation at nearly 60.

Significance of Reservation System

We can continue to make reservations for a multitudinous hundred times without fear if we can continue to distinguish for thousands of times. nonetheless, the elites hold the key to working this. The reservations are not applicable and can be barred if there's no demarcation; in fact, if there's no demarcation, barring the restrictions will not make a big enough difference for anyone to get worried about it. The verity of the matter is that the people who always oppose estate reservations have also been intertwined in estate crimes. The jilting of reservations is just another front of attack to strangle the rise of gentries they wish to pacify in an ongoing estate war. Still, you would discover that the pledges of equivalency are gibberish, If you looked indeed slightly beneath the face. OBC and upper estate demurrers to seek reservations for themselves or have them removed were n't forcing the government to do anything it did not want to.

Political significance-

1. They're a truly good tool for winning choices.
2. By promising to increase reservation for a particular community, you can turn them on your side.
3. You can simply give further reservation rather than making good programs for development and people will still bounce for you. (Who cares about development as long as your estate gets further reservation.)
4. By giving reservation to a specific part of the community, you can gain their support. No bone excludes lower gentries presently- Well, they do, but they ca not do it on a massive scale because. reservations.

Which is exactly why they want the reservations removed – to be suitable to distinguish and use the reserved seats for elites as well. Indeed with reservations in place, there are multitudinous stories of sodalities refusing to admit dalit scholars despite having reserved seats available, of sodalities having separate canteens rested solely on estate, of sodalities keeping reticent seats empty rather than admitting dalit scholars, and of seminaries serving noon reflections that either serve inferior food to dalit scholars or seat them piecemeal from other scholars. still, make no mistake they would do it in a flash, If they were allowed to deny education to lower gentries. still, you do not need estate reservations If you ban discrimination. discrimination is formerly illegal in India. In fact, so is murder. Yet court after court is acquitting tone confessed brutal mass manslaughter of dalits. There's no outrage, no pressure on the government to bring them to justice, no questioning of those exposed for furnishing material support to the manslaughterers as they continue to hold positions of power. Do you really suppose anyone is going to give them justice for being refused a seat? State reservations keep state discrimination alive- This is bullshit. There are no seat reservations in council canteens that serve people independently by estate anyway. What I can assume is that the council wants the dalits to dematerialize and give up all the occasion to the rich classes if they can have separate canteens for them and yet cry out in kick that they've a different admission share. Caste demarcation occurs when a news agency works to expose the immunity with which mass manslaughterers get down with it after being set up not shamefaced by consecutive courts, but none of the individualities who are supposed to favor equivalency find this to be obnoxious enough to speak out against it. There's no estate share for mass murder, in case you were curious.

What about lower estate people who are formerly privileged?

Why should they get donations?

Feel free to designate seats intended to guard the depressed and rather make a regulation that states, " People richer than XYZ must seek admissions through the general share." That would be the logical move, yes? But that won't be, because the last thing the elites want is for farther competition in their "merit". rather of denying everything, they would rather illuminate the fortunate numerous. I'll wake up when this bunch of idiots uncovers the richest Indians, multitudinous of whom are croakers who run businesses with marketable attained illegally.

that denies the nation its just partake and contend that, rather than the substantial public backing of medical education for everybody, children of croakers or other fat people should bear the true cost of a croaker education. Yes? No? Why not? We're talking about people who can go it still using government handed benefits, right? As it happens, multitudinous medical scholars from "croaker families" will struggle to pay for their education, attend council using large government grants designed to make training accessible to important poorer people, and also go abroad to practice medicine for lower capitalist than croakers who had to make significant financial investments in their training. Wake me up when someone has a problem with that and goes, children of the rich must pay the real cost of education Hence, these are the significance of the reservation system in India.

Impact of Caste Reservation on Society

The research problem at the heart of this study revolves around the efficacy and implications of caste-based reservations on social equality in contemporary India. Unquestionably, the reservation system has been crucial in uplifting historically excluded populations, but it has also sparked discussions and controversy. The goal of the study is to critically analyze how caste-based reservations affect social equality more broadly by looking into how they affect societal dynamics, career prospects, and educational access. The goal of this study is to illuminate the complex aspects of the reservation system by examining both its advantages for societal advancement and its drawbacks. The research aims to critically analyze the impact of reservation on social equality, with a specific focus on educational access and employment opportunities.

Positive impact of caste reservation

Equal Openings Reservation's main thing is to guarantee equal occasion for all residents, anyhow of estate, gender, color, religion, or other characteristics, in government employment and education. Accumulative communities will be suitable to ameliorate their status in society when everyone has equal access to resources. This in turn fulfils the veritably purpose of the constitution as given under Articles 15 and 16 of the constitution. Level playing field The true eventuality of any existent can be judged only when he she competes with coordinates. Reservation brings the SCs and STs to an equal position to the others in society. As a result, all of them run the race from the same starting point. This makes sure that everyone is treated inversely and without prejudice, anyhow of their identity or community. Compensating for past injustices Certain communities from a very long time have been subjected to extreme discrimination and isolation from society. They were also prohibited from engaging with society at large. Reservation is also an effort to make up for all the wrongs that these communities have endured in the past and to make sure that they are freed from these restrictions so that they can embark on a new path in which they are valued and treated fairly.

Integration into mainstream society

The reservation has helped marginalized groups of people integrate into society at large. They now enjoy adequate

representation in Government posts and educational institutions thereby increasing their participation in the general functioning of society. They are now seen as valued members of society and are no longer viewed as outsiders.

Equal opportunities

The reservation has helped marginalized groups of people integrate into society at large. They now enjoy respectable representation in Government posts and educational institutions thereby adding their participation in the general functioning of society. They are now seen as valued members of society and are no longer viewed as outlanders. The performance of reservations has principally guaranteed that everyone, anyhow of estate, gets equal opportunity. As a result, persons belonging to SCs and STs who were bound to perform certain specific jobs could now easily perform any work which they wished. As a result, people are no longer constrained and are free to choose the jobs they wish to do independently of the conventional jobs that were forced upon them. This has helped ensure the mobility of labour which has had a positive impact on the Indian economy.

Improvement in quality of administration

Improvement in quality of administration when all citizens will get equal education openings, they will form an extremely educated workforce. They would be suitable to guarantee far advanced service quality for the guests if they went into superintendent services latterly. An illustration of the same is roads which have a large number of workers who belong to STs and STs. As a result of roads' capability to adjust to the numerous technical advancements that have passed over time, its operation has significantly bettered. The reservation system that has been in place in India offers these main advantages. But there is still important work The exploration problem at the heart of this study revolves around the efficacy and counteraccusations of estate- grounded reservations on social equivalency in contemporary India. plainly, the reservation system has been pivotal in upping historically barred populations, but it has also sparked conversations and contestation. The thing of the study is to critically dissect how estate- grounded reservations affect social equivalency more astronomically by looking into how they affect societal dynamics, career prospects, and educational access. The thing of this study is to illuminate the complex aspects of the reservation system by examining both its advantages for societal advancement and its downsides. The exploration aims to critically dissect the impact of reservation on social equivalency, with a specific focus on educational access and employment openings. Positive Impact of Caste Reservation Equal Openings Reservation's main thing is to guarantee equal occasion for all dwellers, anyhow of estate, gender, colour, religion, or other characteristics, in government employment and education. Cumulative communities will be suitable to meliorate their status in society when everyone has equal access to resources. This in turn fulfils the truly purpose of the constitution as given under Articles 15 and 16 of the

constitution. Level playing field the true eventuality of any existent can be judged only when he/she competes with equals. Reservation brings the SCs and STs to an equal position to the others in society. As a result, all of them run the race from the same starting point. This makes sure that everyone is treated equally and without prejudice, anyhow of their identity or community. Compensating for once shafts Certain communities from a veritably long time have been subordinated to extreme demarcation and insulation from society. They were also banned from engaging with society at large. Reservation is also an trouble to make up for all the wrongs that these communities have endured in the history and to make sure that they're freed from these restrictions so that they can embark on a new path in which they're valued and treated fairly. Integration into mainstream society the reservation has helped marginalized groups of people integrate into society at large. They now enjoy acceptable representation in Government posts and educational institutions thereby adding their participation in the general functioning of society. They're now seen as valued members of society and are no longer viewed as outlanders. Equal openings the reservation has helped marginalized groups of people integrate into society at large. They now enjoy respectable representation in Government posts and educational institutions thereby adding their participation in the general functioning of society. They're now seen as valued members of society and are no longer viewed as outlanders. The performance of reservations has basically guaranteed that everyone, anyhow of estate, gets equal occasion. As a result, persons belonging to SCs and STs who were bound to perform certain specific jobs could now fluently perform any work which they wished. As a result, people are no longer constrained and are free to choose the jobs they wish to do singly of the conventional jobs that were forced upon them. This has helped insure the mobility of labour which has had a positive impact on the Indian frugality. Enhancement in quality of administration enhancement in quality of administration When all citizens will get equal education openings, they will form an extremely educated workforce. They would be suitable to guarantee far advanced service quality for the guests if they went into supervisor services subsequently. An illustration of the same is roads which have a large number of workers who belong to STs and STs. As a result of roads' capability to acclimate to the multitudinous specialized advancements that have passed over time, its operation has significantly bettered. The reservation system that has been in place in India offers these main advantages. But there's still important work to be done.

Negative Impacts

Mischievous to meritocracy Reservation to a large extent goes against the principle of furnishing openings on a merit base. It provides an edge to certain individualities over others analogous that indeed when people retain the demanded capabilities, they are not suitable to get the occasion to reach a advanced position or gain a government job. On the other hand, those who did n't have the needful capabilities might gain a government post through reservation. Increases order

Reservation rather than reducing order increases it. This is because people are distributed as belonging to separate SC or ST groups, which further solidifies the estate system in our society. By classifying people on the base of their estate, the government has retained the estate system rather of removing it which further has the tendency to strengthen social immoralities. Social uneasiness Reservation has led to wide demurrers from certain sections of the society over the times. These have substantially been people from the general order who are advanced in population but get lower representation performing from the 103rd Correction. One of the major demurrers took place during the time the Mandal Commission Report was enforced by the VP Singh government for going against the Fundamental Right to equivalency. Used for particular benefits Used for particular benefits certain communities, despite being rich and dominant in a region, demand reservation for them. Consequently, those populations who have actually endured injustice and atrocities are marginalized. In other words, demands for reservation have been rising from certain sections of society that have n't suffered as much as the other communities. This has made it easier for certain populations to gain reservations, banning other groups that have historically faced prejudice. Discourages other communities Reservation may give other communities the print that their merit or donation to the country is not being fite, and that the government is favouring them. Because of this, people may grow to hate the other community without any fault of their own. They would eventually come pessimistic and discouraged to work hard because of this feeling of trouble being wasted. Short- term result Reservation is only a short-term result to address the issue of backwardness. In the long run, this could do further bad than good as certain communities might start feeling largely discerned against and would protest which might turn violent. Further, there are a multitude of factors that contribute towards estate- predicated discrimination and reservation is not a panacea to cure all of them. To annihilate all types of estate- predicated prejudice, there are still certain unanswered questions. The civil government and state governments must unite cohesively to address these.

Analysis

- The reserved and non-reserved corridor of society have continued to discord over the reservation issue. The poor corridor within the reticent corridor are hardly alive of whether or not there are vitals at each, let alone how to benefit from them, while the unreserved corridor continue to oppose the vitals.
- Still, under the guise of a reservation, the crème sub estate within that group enjoys special benefits, and political sides promote them in order to garner support.
- Reservations are really salutary when used as a legit form of positive discrimination for the benefit of marginalized and economically depressed groups within society, but they should be barred as soon as possible when they hang to undermine society and guarantee boons for some at the expenditure of others for petty political pretensions.

- It's time we took an honest, transparent, indifferent, and creative approach to working the reservation problem. Like an coward, we ca n't just stick our heads in the sand ever.

SC ST Reservation

The ideal of furnishing reservations to the slated castes (SCs), slated lines (STs) in services is not only to give jobs to some persons belonging to these communities. It basically aims at empowering them and icing their participation in the decision-making process of the State. either, the state is also keen to end practices analogous as untouchability. slated castes (SC) are given 15 share in jobs/ advanced educational institutions while Schedule lines (ST) are given 7.5 share in jobs/ advanced educational institutions. Reservation is handed not only with respect to direct recovery but also with respect to elevations for SC ST order (Composition 16 (4A)). There is no generality of 'delicate estate' with respect to SC ST reservation. OBC Reservation for Other Backwards Classes (OBC) was introduced rested on the Mandal Commission Report (1991). The share for OBCs is 27 in government jobs and advanced educational institutions. still, there is a generality of 'delicate estate' with respect to the OBC reservation. Only those from OBC who come under Non-Delicate estate would get OBC reservation. The delicate estate generality brings income and social status as parameters to count some of the privileged members of OBC from the extent of reservation. This generality also keeps a check to ensure that the benefits of reservation do not get extended to posterior generation

Argument Against Reservation

- Government workers came divided and hostile as a result of reservations about state services, which negatively impacted the work terrain.
- The thing of the reservation policy was to annihilate estate, not to maintain it; estate- predicated reservations, on the other hand, served simply to support the generality of estate in society.
- Reservation was created to give historically marginalized groups indifferent access to resources, but indeed with profitable advancement, these communities will always be socially depressed.
- Reservation distorts tone- worth to the point where the least advanced existent prevails rather than the most advanced.
- Reservations are the biggest adversary of meritocracy which is the foundation of multitudinous progressive countries.
- It has come a tool to meet narrow political ends through invoking class commitment and early individualities.
- The most marginalized members of the backward castes have continued to be sidelined while the dominant and elite class within them has commandeered the benefits of reservation.
- Reservation has come the medium of rejection rather than addition as multitudinous upper estate poor are also facing discrimination and injustice which types frustration in the society. Reasons Behind adding Demands of Reservation is

increasingly seen as a remedy for the adverse goods of ill-study out development programs.

- In advanced countries like Haryana, Gujarat and Maharashtra, in malice of their husbandry being fairly more, three goods have been fussing the people Acute agrarian torture, Recession in employment growth and distortions in the development line.
- In this background, for governments, it's easier to talk of reservation than to make a course correction. adding reservation demands among upper castes also arising from the fear of losing honour and the incapacity to manage with change
- Upper castes have begun to feel depressed especially in the terrain of government jobs as they do not get similar advantages like the backward class.

3. LITERATURE REVIEW

Kothari (1970) in his book "Caste in Indian politics" offers a theoretical frame to understand the part of estate in the modern popular political system. He espoused the liberal popular theoretical approach to study the changing nature of the estate in the age of electoral politics. He observes that the popular politics wo n't operate in the vacuum, but bear a social base. In this work there are a number of essays on political marshaling of various castes in various countries in the country, analogous as the Nadars in Tamil Nadu, coalitions between Kammas and Reddys in Andhra Pradesh, the Kshatriya Maha Sabha in Gujarat, and other essays.

Shah (1985) commented that the high class families among the poor are serving the fruits of reservation more than the lower class families of the same estate or community. therefore, he recommended that the persons belonging to reticent order, who controlled the profitable and political resources, and the persons with certain occupations and fairly large landholdings belonging to the traditionally low castes have to be barred from the benefits of reservations. Dunn (1993) in "Gender Inequality in Education and Employment in the slated castes and lines of India" concentrated on the status of women in farther fear than the man. Women are entered with limited educational and employment resources. adversities associated with them are due to low income, social limitation etc. So, special vittles of education, employment, vocational training, loans, credit and child care are demanded to the slated castes women in order to meliorate their social status.

Rao & Babu, (1994) in " Scheduled Caste and Scheduled Tribe, Socio- Economic Upliftment Programs" stressed the schemes of socially and economically deprived classes executed by Karnataka Government. numerous problems were linked and mooted while administering the programs similar as heir at law misusing the backing due to small quantities.

Wankhede (2001) in the Journal entitled " Educational Inequality among slated gentries in Maharashtra" concentrated on the status of slated gentries. The study reveals that truly stingy change has been noticed till moment, after the independence of the country. The slated gentries are backward in education due to poverty and lack of easy access to training.

So, in this terrain the Government has to put in its maximum sweats.

Naidu (2004) in "commission of slated gentries" tried to examine the intergenerational difference in education, occupation, political and social status of slated gentries in Gooty megacity. The creation of the study consists of 320 SC "s homes. The study reveals that the status of slated gentries people has changed in the terrain of education, occupation, and social, profitable and so on.

Jaganath (2005) in "Associations of slated gentries and Social Change" stressed the part of Scheduled Caste Associations and slated gentries elites. It's observed that they brought a substantial directorial and structural change in Indian society. They had played a truly important part in social metamorphosis. Sahoo (2005) in "Rural Development Scheduled gentries and slated lines" stressed that both the SC "s and ST "s have suffered from social, provident, political and so on from decades to decades. The Government of India has taken bold way for their developments, but the real fact is that only bitsy nonages have got benefit. The ground reality is that a large clump of SC "s and ST "s are still suffering from several socio- political problems.

Kumar (2006) in "perpetration of slated Castes Development Programs, Impact and Status" stressed the attempts made by the Government to ameliorate the socio- profitable status of the slated gentries population by setting up different panels, commissions, working groups, premonitory boards, five time plans etc. But similar way fail to ameliorate employment openings and are unfit to break their problems.

Rao and Satyapal (2011) in "Socio- Economic Status, Scheduled Caste and Creativity" anatomized the socio- profitable status of slated gentries and their creativity. They stressed the inflexibility of language creativity among the slated gentries scholars. He analyzes that socio- profitable factor

Arora (2012) in "Dalit and Economic Reforms" studied the economicon profitable, social, culture and movements of Dalit. Government should redistribute land to landless peasants. Back-log posts should be filled up among the slated gentries, slated lines and OBCs, special element plans should be duly enforced, structure should be developed, and irrigation for non-irrigable lands, untouchability to be embedded out and forestallment of atrocities act should be strengthened. Chouhan (2012) in "A Study on knowledge and Educational Attainment of Scheduled Castes Population in Malda District of West Bengal, India" studied knowledge and educational attainment in Malda quarter of West Bengal. He stressed that education has played a veritably important part in the metamorphosis among the slated gentries population. The Government's policy and plan have proved fruitful to them. It has been set up that the parents are more conscious about the education and job of their children. Goswami (2014) in "Occupational Structure of slated gentries population in the Brahmaputra Valley, Assam A Geographical Analysis" set up that work participation among them is discouraging. These people live beside the swash, beels and other water bodies. Both in pastoral and civic areas occupational divergence is developing due to increase of

education. Status has converted but progress is veritably low. Behera (2015) in "A Status Report of Scheduled gentries in Higher Education" studied the status of slated gentries in advanced education of India. The study refocused out that there are endless problems in Advanced Education. There's exclusive growth of the nation due to unstable representation of slated gentries. In order to have inclusive growth of the nation, the government should apply colorful schemes to pierce indifferent and qualitative Advanced Education.

Statement of Problem

India's reservation strategy dates back numerous times. The origins can be set up in neolithic India. Society was divided by the estate system, which comprised the untouchable Brahmin, Kshatriya, Vaishya, and Shudra groups. The Shudras belonged to the smallest estate, while the Brahmins stuck to the loftiest. They were handled horribly and were viewed as weakened and sick. They were forced to live outside the community because they were rejected by society. They held no boons, as well. They were supposed impure indeed in their own shade. Ancient Indians were living in this circumstance. To grant these people rights, the Reservation policy was therefore established. The Indian Constitution's Preamble makes equivalency for all extremely clear. The thing of India's reservation policy was to better the lot of the Shudras and grant them equality with other people in terms of rights, openings, and treatment. The current reservation system in India will be covered in this composition. The long- standing socioeconomic structure of our nation is what gave rise to the reservation system. The people's rights and advancement are the system's main objects. In addition to furnishing reservations for any socially or educationally underprivileged sections or Economically Weaker Sections (EWS) of our country, this system aims to support the development of slated gentries (SC) and slated lines (ST). Although some fat groups use the reservation strategy for SCs STs, it has been successful. Although the Indian Constitution guarantees all citizens equal rights and chances, there are still obstacles to social mobility for those from underprivileged groups. The perpetration of government programs and programs is intended to ameliorate the upward mobility of depressed populations. The current experimenter learned from the examination of the literature that studies on sub-quota within share have not yet attracted the interest of the academic community. Considering the foregoing, the primary ideal of this work is to give a theoretical evaluation of the process of estate reservation system in India and with reference to population growth, severance, resource failure, inequality, and poverty in order to promote mortal growth in the globalized world with the help of secondary sources of information and statistical data. The study paper raises a significant, critical, and timely issue that's applicable from a social, political and provident standpoint. The title alone makes the content of the study composition incontinently apparent, and it's considered seriously

4. OBJECTIVES OF THE STUDY

1. To understand the problems of reservation in India.
2. To identify the common problems of representing members of the backward class.
3. To study the benefits of the reservation system in India.
4. To find disadvantages of the reservation system in India.

Hypothesis of the study

This is ascertained to as the presumptions made by an individual to study the disquisition design. These presumptions are made in a way to satisfy the objects framed for the design. Architecture of suppositions is an important part of the disquisition as in this step the disquisition problem or the problem statement is designed on which the entire disquisition is rested. The thesis or the disquisition problem of the study is designed in such a manner to find out the relationship between the variables, We can also say that the antedating thesis will let us know how nearly they are linked with each other.

Hypothesis-

H₁: There is no problem in the reservation system in India.

H₂: There is a problem with the reservation system in India.

Data collection & data analysis & data donation In this composition

Amounts and Qualitative' mix methodology approach was espoused. An online check was designed to collect feedback from various people regarding estate reservation and its impact on society. The structured questionnaire was formulated and circulated among the 300 people. The data collected using Google form through online transferred on various WhatsApp and telegram groups. 286 people responded, in which 213 are scholars, 55 are service persons, and 17 are others. 170 womanish and 115 joker (95.3 are 35 times), in which 130 are post graduate or advanced, 131 are graduates, and 24 are under graduate or below. The figures were taken directly from the logical of Google croakers and was analyzed.

Legal regulation of constitution

- Composition 15 (4) and 16 (4) of the Constitution enabled the State and Central Governments to reserve seats in government services for the members of the SC and ST.
- The Constitution was amended by the Constitution (77th Correction) Act, 1995 and a new clause (4A) was fitted in Composition 16 to enable the government to give reservation in creation.
- Subsequently, clause (4A) was modified by the Constitution (85th Correction) Act, 2001 to give consequential caducity to SC and ST contenders promoted by giving reservation.
- Indigenous 81st Amendment Act, 2000 fitted Composition 16 (4 B) which enables the state to fill the unfilled vacancies of a time which are reserved for SCs STs in the "succeeding time, thereby nullifying the ceiling of fifty percent reservation on total number of vacancies of that time.

- Composition 330 and 332 provides for specific representation through reservation of seats for SCs and STs in the Parliament and in the State Legislative Assemblies singly.
- Composition 243D provides reservation of seats for SCs and STs in every Panchayat.
- Composition 233T provides reservation of seats for SCs and STs in every municipality.
- Composition 335 of the constitution says that the claims of STs and STs shall be taken into consideration constitutively with the conservation of efficacy of the administration.

Detailed discussion on Article 16

Equality of occasion in matters of public employment. –

- 1) There will be analogous occasion for all citizens in matters of employment or appointment to any office under the State. The rule applies only in respect of employment or services which are held under the state. i.e., the person holding office as inferior to the state. The clause accordingly, does not help the state from laying down the needful qualifications for recovery for government services, and it's open to the authority to lay down analogous other conditions of appointment as would be conducive to the conservation of proper discipline among the retainers. The qualification directed may, besides internal excellence, include physical fitness, sense of discipline, moral integrity and dedication to the state. The expression 'Matters relating to employment and appointment' must include all matters in relation to employment both former and posterior to the employment which are incidental to the employment and form corridor of the terms of the conditions of analogous employment. thus the guarantee in clause (1) will cover the (a) original movables, (b) elevations, (c) Termination of employment, (d) Matters relating to the payment, journal supplements, leave, gratuity, pension, Age of superannuation etc. law of equal payment for equal work is also come in section 16 (1).
- 2) No citizen shall, on grounds only of religion, race, estate, commerce, descent, place of birth, roof or any of them, be ineligible for, or discerned against in respect of, any employment or office under the State. The banned grounds of exchanges are religion, race, estate, commerce, descent, place of birth, roof, or any of them. The Words, any employment or office under the State make it clear that Composition 16 (2) also applies only to public employment.
- 3) Nothing in this composition shall help Parliament from making any law defining, in regard to a class or classes of employment or appointment to an office within that State or Union home former to analogous employment or appointment.
- 4) Nothing in this composition shall help the State from making any provision for the reservation of movables or posts in favour of any backward class of citizens which, in the opinion of the State is n't adequately represented in the

services under the State. The compass of Composition 16(4) was considered by the Supreme Court in *Devadasan v. Union of India*, AIR 1964 S.C. 179. In this case carry forward rule” made by the Government to regulate the appointment of persons who belongs from backward class in government services. The Supreme Court lay down the “carry forward rule” as unconstitutional on the ground that the power vested in the government cannot be so exercised so as to deny reasonable equality of occasion in matters of public employment for the members of classes other than backward classes. In this case, the reservation of posts to the members of backward classes had exceeded 50 and had gone up to 68 due to “carry forward rule.” The Supreme Court held that each time of recovery must be considered by itself and the reservation for each time should not be devilish so as to produce a monopoly or intrude exorbitantly with the legit claims of the rest of the society. So the court held that reservation should be lower than 50, but how much lower than 50 should depend upon the prevailing situations. *S. Rly. v. Rangachari* AIR 1962 SC 36, *State of Punjab v. Hiralal* 1970, *Akhil Bharatiya, Soshit Karamchari Sangh*

(*Railway v. UI*(1981) Reservation of movables or posts under Composition 16 4) included elevations. This was overruled in *Indira Sawhney & Ors v. Union of India* AIR 1993 SC 477 1992 SCC 217 and held that Reservations can't be applied in elevations. 4A) Nothing in this composition shall help the State from making Provision for reservation in matters of creation, with consequential caducity, to any class or classes of posts in the services under the State in favour of the slated castes and the slated lines which, in the opinion of the State, are not adequately represented in the services under the State. This clause does not affect the decision as felicitations other backward classes but makes it inapplicable to the listed castes and the listed lines. Justifying reservations for the slated castes and slated lines contenders in the creation, the Court had at one point held that indeed their caducity acquired by the creation of the general class contenders could n't be affected by the posterior creation of the general class contenders. *S. Vinod Kumar vs. Union of India* (xv) 1996 6 SCC 580 Relaxation of qualifying marks and standard of evaluation in matters of reservation in creation was n't permissible.

- 5) Nothing in this composition shall affect the operation of any law which provides that the competitor of an office in connection with the affairs of any religious or denominational institution or any member of the governing body thereof shall be a person professing a particular religion or belonging to a particular denotation. *UOI v/ s. S. Kalugasalamoorthy* held that when a person is named on the base of his own caducity, the compass of considering and counting him against reticent share does not arise.

5. Judicial Pronouncement

In *State of Madras Vs Champakam Dorairajan*, the Court was unintentional to uphold the validity of the Communal Government Orders of Madras Government, for the impugned Order went against the principle of ‘equivalency before law’ elevated in the Constitution. There were two analogous cases of admission to the Medical College and to the Engineering College.

In *Kesava vs. State of Mysore* (Devanesan Nesiah) the issue involved whether the decision of the State to identify backward classes was valid, as the State Government had declared every community except Brahmin as Backward Community. The High Court held that the State was doubtlessly the sole authority to classify the communities as “backward classes”.

In *M.R.Balaji and Others Vs. Mysore* (K.L.Bhatia) the Court was trying to keep a balance between the disagreeing interests of those who would like to have as important reservation as possible and those who might lose their chance indeed if they're the meritorious bones. The issue in this case is about the admission to the Medical Course. According to the pleaders, but for the reservations made by the impugned order, they would have been entitled to the admission in the separate sodalities for which they had applied. The impugned order was issued on 31-07-1962 and it reserved seats for campaigners belonging to the backward classes whose normal of pupil population was the same or just below State normal. This redounded in 68 percent of seats available for admissions to the Engineering and Medical Colleges and to the other Specialized institutions is reserved for backward classes, utmost backward classes, listed gentries and slated lines. The bracket of the socially backward classes of citizens made by the State, proceeds on the consideration only of their gentries without regard to other factors, which are really applicable. It was argued that this might lead to a virtual reservation for nearly 90 of the population, which might come under different orders of backwardness. This would be at the expenditure of those classes of people whose members may perform well but may not get an occasion. After assaying data and probing the legal nuances, the Court came to the conclusion that estate alone could not be the criterion for backwardness. The Court also decided that reservation should not more than 50%.

In *Ritesh R. Shah vs. Dr. Y.L.Yamul* the Court observed that if a seeker belonging to the backward class got admission to a course on merit- in the instant case admission in the Medical College it could not be considered to be admitted against reserved order. The apex Court instructed the Maharashtra Government that the below said directions should be borne in mind and the rules should be made consequently.

In *Dr. Sadhana Devi v. State of U.P.* the Government of U.P. issued an indirect allocating with the demand of minimal mark for the admission to Postgraduate course in Medicine for the slated gentries and slated lines campaigners. The Supreme Court held “The significance of merit being the only criterion for admission to postgraduate medical courses was also emphasized in the case of *Dr. Pradeep Jain v. Union of India*”. This line of inquiry need not detain us then in this case because

the case of the pleaders is not that there should be no reservation for the campaigners belonging to the three special orders mentioned hereinabove at the post- graduate position. Their contention is that campaigners belonging to the three special orders must be suitable to secure the minimal qualifying marks in the admission tests in order to gain admission to postgraduate medical courses. However, also the seats reserved for them should not be allowed to go waste but should be made available to the campaigners belonging to the general order, If they fail to secure indeed the minimal qualifying marks. This contention must be upheld. else, to adopt the language used in Dr. Jagdish Saran Case, this will be a "public loss."

In Dr. Preethi Srivastava v. State of M.P. The Supreme Court considered six desires together. The issue was whether there could be vittles for reservation of seats in specialty and super specialty courses in Medicine. The State of U.P. fixed the cut off chance of 20 marks for reticent campaigners as against 45 for the general campaigners. The State of Madhya Pradesh fixed 20 for slated gentries and 15 for slated lines and 40 for other backward Classes. According to the Court "the difference of qualifying marks being 20 for the reserved order and 45 for general order is too great a difference to sustain public interest at the position of postgraduate.

In case of Haridas Parsedia v. Urmila Shakya the issue was related to the Indian Constitution Art. 16, Art. 16(4), Art. 309 and M.P.Transport Department Subordinate (Class III Executive) Service Recruitment Rules (1971), R.11(A), R.20 Recruitment test. The Rule handed relaxation or passing marks to SC ST campaigners. It was the result of a policy decision of the State Government taken in 1964 and reiterated in 1985 and 1990 to entitlement relaxation in passing marks to SC ST campaigners in direct reclamation and departmental examinations. The Court was of the opinion that it would be incorrect to hold that the decision of the Government for relaxation of passing marks for SC ST department campaigners at the departmental examination can be applied only when in similar examination, the departmental campaigners and not else.

In K. Duraisamy and another v. State of T.N. 11 and others, the Government Order that handed a 50 share for in- service and 50 for non-service campaigners for admission in the specialty and super specialty courses in Medicine was challenged. The Court held the Order valid. According to the Court 'Share' and 'Reservation' are different generalities. thus, the matter does not come under Composition 15 (4).

A case came before the Supreme Court where an analogous announcement of the Punjab Government was challenged. In State of Punjab v. Dayanand Medical College and Hospital, the impugned announcement fixed the share of 60 per cent for in-service campaigners and 40 per cent for non-service. The Court held the announcement valid. But the Court decided that marks in the tests, the State government cannot give any relaxation. But the apex Court would quash any unreasonable fixing of shares. This happened in the case of A.I.I.M.S. Students Union Vs A.I.I.M.S. The rule regarding admission to the Postgraduate Course in AIMS was grounded on the share of institutional

reservation of 33 coupled with 50 reservation discipline-wise. This was held super reservation and hence it infringed the equivalency principle of Composition 14.

In case of Archana Reddy Vs Andra Pradesh, 2005, the main challenge to reservation of seats in educational institutions and of movables or posts in Public Services under the State to Muslim community Ordinance 2005, was that the entire Muslim population in the State cannot be declared as socially and educationally backward. The judgment of the court laid down that "there is no prohibition to declare Muslims, as a community, socially and educationally backward for the purposes of Composition 15(iv) and 16 (iv) of Indian constitution, handed they satisfy the test of social backwardness, as decided in the judgment. Going through what's stated in the judgment, the maturity of judges held that the entire Muslim community in A.P is not a homogenous class and that there are several groups classes among them. The Court admirably quoted the findings of N.K.Muralidhara Rao Commission, Anantaraman Commission and the public Backward Classes Commission and cited the "People of India". In Indra Sawhney Vs UI The case challenged the government's decision to apply the recommendations of the Mandal Commission. It suggest 27 reservation for OBCs in central government jobs. The Supreme Court upholds a law legislated by the Centre in 2006 furnishing a share of 27 per cent for campaigners belonging to the Other Backward Classes in Central advanced educational institutions. But it ordered to the Government for identify the 'Delicate sub caste' among the OBCs when they implement the law. A five- Judge Constitution bench supervised by Chief Justice K.G. Balakrishnan ordered to giving effect to the CEI (Reservation in Admission) Act, 2006. The bench was disposing of a batch of desires questioning the 2006 share law and the 93rd Correction. In March 2007, by an interim order the Court restrained the Centre from enforcing the law for 2007- 2008. The 1931 tale data could not be the base for furnishing reservation. The Chief Justice of India said "93rd Correction Act does not violate the introductory structure of the Constitution so far as it relates to State maintained institutions and backed educational institutions. Composition 15 (5) of the Constitution is naturally valid and Composition 15 (4) and 15 (5) are not mutually antithetical." He agreed with the decision to count the nonage institutions from Composition 15 (5), and said "It does not violate Composition 14 as nonage educational institutions are a separate class. Reservation policy or affirmative action is a way to develop socio, profitable and political life of the underprivileged people. In order to establish equivalency among all citizens, this kind of preferential policy has been followed in numerous of the countries. In India, the same policy has been espoused for the underprivileged people also. The Judiciary in India also interpreted the perpetration of reservation policy in its own way. Their rights are defended by other indigenous vittles."

6. Findings/Conclusions/Suggestions

6.1 FINDINGS

- The reservation system is a major problem in our country, which has been going on for once or several times. Through this exploration, we learned that due to the

reservation system only slated estate, slated lines and Other Backward Class people are salutary, and there's no place for the General order people in this system.

- In my exploration, I set up out that major population does not agree with the reservation system because reservation has come further of estate grounded rather than being class based. Earlier, the reservation system brought in by Dr. Babasaheb Ambedkar was for the bones who are economically weak which were at that time listed estate, slated lines and Other Backward Class but now indeed this section has come financially stable, they do not need reservation, overdue advantages are being taken and the bones who are able and earning their openings are being taken by them. There should be changes made in the reservation system and the benefit should be given only to the bones who are actually financially unstable.
- It's a high time that government should look in to the matter and take action against it. Almost 49.95 that's nearly further than half or equal to is given to slated estate, slated lines and Other Backward Class due to which the general estate order lacks in openings, wherever you go moment always first preference is given to slated estate, slated lines and Other Backward Class indeed though in Educational or job field they do not perform that well but they take the seats of meritorious bones.
- There are reservations in virtually every assiduity, including government employment, education, the roads, and more. Only the slated estate, slated lines, and Other Backward Class are entitled to this; other gentries are not. It seems that the reservation system was brought in for these particular gentries.
- The reserved and non-reserved parts of society have continued to disaccord over the reservation issue. While the unreserved parts keep on opposing the provision, the poor sections from within the reticent sections are hardly apprehensive about how to profit from the provision or indeed whether there are similar provisions. However, under the guise of a reservation, the crème sub caste within that group enjoys special benefits, and political sides promote them in order to garner support.
- Reservations are really a useful tool for appropriating positive demarcation for the benefit of the depressed and economically underprivileged sections of society, but they should be excluded as soon as possible when they hang to undermine society and guarantee boons for some at the expenditure of others for petty political pretensions. There's no equivalency among the population because of this system.
- As of now, a bill has been passed that 10 reservation will be given to economically weaker section in general order which means 49.9 seats are taken by slated estate, slated lines and Other Backward Class, 10 is taken by Economically Weaker sections, which means only 31 seats are being given to general order. Due to the reservation system the confidence, will power and desire of the general estate people is dwindling day by day. Thus, through my

exploration, I suppose that there should be changes made in the reservation policy.

6.2 CONCLUSION

The reservation system in India has its own set of downsides as well as advantages. Over time, it has sparked numerous protests and guaranteed affirmative action by furnishing sufficient representation of underrepresented communities. In addition to fostering a competitive spirit and meritocracy among citizens, it's important to support individuals who have long been marginalized by society and have endured tragedies. A new order, created by the 103rd Correction, allows people who have endured financial difficulty to apply for reservations. It has brought with it a new bunch of surprises and it remains to be seen how the recent judgment is going to impact the reservation system and overall estate- predicated discrimination in India. Until also, we may all hope that its goods are entirely salutary and directed toward realizing the thing of a welfare state in which the contributions of every single person are appreciated and valued.

7. SUGGESTIONS

Moving forward, several suggestions crop from the comprehensive exploration of estate- predicated reservations in India. These recommendations aim to address the being challenges, promote inclusivity, and upgrade the reservation system to align more effectively with the principles of social justice.

- Refinement of Identification Processes apply more accurate and streamlined styles for relating socially and educationally backward classes. Make sure that the most meritorious people in the allocated orders admit reservation benefits by periodically reviewing and perfecting the criteria.
- Equitable Distribution and translucence- ensure indifferent distribution of reservation benefits across different disciplines and sectors. Transparent mechanisms for allocation and monitoring can help help attention in specific areas and foster a more balanced representation.
- Contextualized performance- Fete and address indigenous variations and socio-profitable difference in the performance of reservations. Needleworker strategies to suit the specific conditions of different countries and regions, admitting the different challenges and openings presented by varying social surrounds.
- Enhanced awareness campaigns Launch targeted awareness campaigns to educate individualities about the benefits of reservations. This entails busting myths, clearing up misinterpretations, and advancing knowledge of the social justice and nonfictional imperatives that guide the reserve system.
- Profitable commission alongside estate- predicated Reservations- Affirmative action programs should incorporate profitable factors in order to address both history and present socioeconomic inequalities. This multifaceted approach can contribute to comprehensive

social justice by diving both estate- predicated and profitable difference.

- Educational Reforms and Support Mechanisms- Implement educational reforms and support mechanisms to ensure that individualities serving from reservations not only gain access to education but also thrive academically. This involves furnishing resources, mentorship programs, and a conducive knowledge terrain.
- Electoral Reforms for Political Representation- Explore electoral reforms to ensure genuine political representation and help the attention of power within specific families or castes. This entails creating a political climate that invites a wide variety of people to take part in governing.
- To fully address the underpinning causes of inequality, integrate affirmative action programs with focused enterprise, educational changes, and awareness campaigns.

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