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## RESERVATION POLICY IN INDIAN EDUCATIONAL SECTOR

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### Abstract

*The reservation policy in educational sector is a major and intricate component of today's global educational system. This policy requires a specified percentage of seats to be allocated to historically marginalized and disadvantaged groups in society, such as Scheduled Castes (SC), Scheduled Tribes (ST), Other Backward Classes (OBC), economically weaker sections (EWS), and individuals with disabilities (PWD). The main purpose of such reservations is to promote social justice, correct past inequalities, and provide educational alternatives to people who have previously faced prejudice and exclusion.*

*This research study aims to investigate the various aspects of reservation policies at academic institutions, such as their historical roots, societal implications, challenges, and overall efficacy. However, reservation policies raise several issues and disputes. Critics contend that such regulations may perpetuate discrimination by limiting possibilities for deserving individuals from other backgrounds. There are risks that merit-based admissions may be jeopardized, lowering educational quality overall. Balancing inclusion goals with academic requirements is a challenging task. Academic institutions provide reserved seats to individuals who would otherwise be denied chances due to social or economic circumstances. This enables for a more diversified student body, which fosters a richer learning environment that benefits from a variety of perspectives and experiences.*

*In conclusion, reservation policies in academic institutions play a critical role in shaping the accessibility and inclusivity of education. This research paper intends to shed light on the multifaceted dimensions of this policy, examining its historical evolution, societal implications, challenges, and effectiveness.*

**Keywords:** Reservation Policy, Social Justice, Inequality.

### Introduction

The reservation system in the Indian educational sector, which is predominantly based on caste, has long been a source of contention. It is a policy with good intentions: to right past wrongs, create social equality, and empower neglected populations. However, it has sparked a slew of worries and debates, including the possibility of discrimination, the persistence of social inequities, and difficulties for outstanding pupils. This research issue digs

into the complexities of India's reservation system, with the goal of providing a full knowledge of its influence on the educational environment and society as a whole.

Reservations may be traced back to India's colonial history, where caste-based prejudice and marginalization were profoundly established. The framers of the Indian Constitution recognized the need to address this historical injustice after independence and laid the groundwork for a policy that would

provide reserved seats in educational institutions and government jobs for Scheduled Castes (SC), Scheduled Tribes (ST), and Other Backward Classes (OBCs). The ultimate purpose was to help these people. Reservations are frequently praised for their contribution to social fairness. It has certainly offered chances for people who have endured prejudice and marginalization in the past. The system has attempted to bridge the divide between the rich and impoverished portions of society by assuring participation from marginalized groups in educational institutions. Individuals from SC, ST, and OBC backgrounds can now access education and career opportunities that were previously unavailable to them.

However, India's reservation system is not without its difficulties and controversy. One of the most prominent accusations levelled against it is that it may perpetuate caste-based divides and prejudice. Some claim that because the selection process is not purely based on academic achievement, objections have generated a feeling of entitlement among recipients and hampered the development of meritocracy. Furthermore, there are worries that the reservation policy has not met its intended aims in many situations, with a sizable percentage of beneficiaries still enduring socioeconomic issues. Another key feature of this study challenge is the influence of the reservation system on educational quality and talent development. Critics worry that it would deter some of the country's greatest brains from seeking higher education because they will regard the system as a barrier to their dreams. This presents a tremendous challenge in terms of keeping and cultivating the nation's intellectual wealth.

To address these issues and problems, a balance of equity and meritocracy is required. To guarantee that it continues to empower underprivileged areas while simultaneously promoting an atmosphere that rewards merit and aptitude, the reservation system should change and adapt. Reform initiatives such as upgrading elementary and secondary education for underserved populations and expanding skill development programs can supplement reservation policy and assist bridge the gap between the rich and the downtrodden. The reservation system in the Indian educational sector is a complicated topic that touches on equality, social justice,

discrimination, and talent development. While it has definitely made tremendous progress in rectifying historical injustices, it is not without criticism and concerns. This research challenge is a call to action, asking policymakers and researchers to explore the complexities of the system and discover methods to make it more effective and fair. Finally, the goal should be to establish an educational environment that not only corrects historical wrongs but also allows the nation's greatest brains to flourish, regardless of caste.

#### **Research Problem**

The reservation system in the Indian educational sector, which is primarily based on caste, has been a subject of considerable debate and discussion. While the reservation policy was originally designed to address historical injustices and promote social equity, it has indeed sparked various concerns, including the potential for discrimination, social inequalities, and challenges for talented students.

#### **Literature Review**

Research Paper: "Caste-Based Reservations and Human Development in India" by Abusaleh Shariff and S. K. Sasikumar (2006): The study looks at how these reservations impact a number of human development metrics, such as economic well-being, health, and education. The authors examine data to determine if reservation regulations are beneficial in raising historically underprivileged communities' general standard of living. The study sheds light on the social and economic ramifications of these affirmative action programs and offers insights into the intricate relationship between reservation policies and human development.

Research Paper: "Caste-Based Reservations and Educational Attainment in India" by Santanu Mitra and Nidhi S. Sabharwal (2019): This paper investigates the effect of reservations based on caste on educational attainment in India and looks into how these reservations affect students' academic performance, especially in elementary and secondary school. It examines the differences in accomplishment and access and evaluates how well reservation rules work to increase educational opportunities for historically marginalized populations. The research sheds light on the difficulties and achievements in redressing historical injustices and offers insightful information about the

intricate relationship between caste-based reservations and educational advancement.

Article: "Affirmative Action and the Quality-Equity Trade-off in Indian Higher Education" by Shyamal Chowdhury (2014): This study examines how affirmative action rules in Indian higher education strike a balance between equity and quality. It explores the difficulties of accomplishing both goals at the same time, emphasizing that affirmative action may lower educational standards or vice versa. The study looks at how difficult it is to put these ideas into practice and how they affect social justice, academic standards, and access. In the context of Indian higher education, Chowdhury's work provides insightful analysis of the trade-off between guaranteeing equal educational opportunities and upholding high standards of instruction.

Article: "Caste-Based Reservations and Human Capital Investment in India" by Tarun Jain (2016): This study examines the effects of reservations based on caste on India's decisions regarding the deployment of human resources. It investigates the connection between educational options and affirmative action laws, particularly for historically underprivileged populations. According to Jain's research, reservations have an impact on decisions about schooling and have the potential to improve social fairness by giving excluded groups opportunity. The study adds significantly to the current discourse on affirmative action in India's educational system by providing insightful information about the intricate interactions between caste-based reservations and human capital development.

"Reservation Policy in Indian Higher Education: Social Justice versus Meritocracy" by Anand Kumar (2017): This study critically investigates the conflict that exists between meritocracy and social justice in relation to reservation laws. The study explores how merit-based admissions are affected by affirmative action, shedding light on the arguments and difficulties related to this topic. In addition to presenting insights into the complexity of reservation rules and its repercussions on social fairness and meritocratic principles in India, Kumar's work offers a thorough analysis of the contradiction between ensuring quality and expanding access in higher education.

"Equality and Justice in the Indian Constitution" by Madhav Khosla (2018): This book discusses how reservation policies fit within the context of equity and justice as stipulated in the Indian Constitution.

### Scope and Objective

The study paper's scope includes a detailed analysis of the Indian educational system's reservation policy, with a particular emphasis on the policy's relationship to caste. The historical context, legal and constitutional issues, and the effects of reservations on social fairness, educational experiences for different groups, and access to education will all be covered in this essay. The study will also look at problems, disputes, and possible changes to policy.

### Objectives

1. **Historical Analysis:** To present a thorough historical account of the Indian educational system's reservation policy, with a focus on the system's inception, development, and the social and political circumstances that gave rise to it.
2. **Legal and Constitutional Analysis:** To examine the legal framework and constitutional clauses supporting caste-based reservations in Indian educational institutions. An evaluation of pertinent articles and significant court rulings will be part of this.
3. **Effect on Educational Access:** To evaluate how reservations affect historically underprivileged groups' educational possibilities, enrollment rates, and accesses in particular the Scheduled Tribes and Scheduled Castes.
4. **Social Equity and Inequality:** To investigate the ways in which reservations have either mitigated or intensified social disparities within the Indian education system. Examining differences both within and across caste groups will be part of this.
5. **Educational Quality:** To look into how reservation rules might affect education quality while taking diversity in the classroom, standards of instruction, and the whole educational experience into account.
6. **Talented Students and Merit-Based Admissions:** To investigate the difficulties gifted children encounter in getting into esteemed schools while keeping in mind reservation procedures.

### Research Questions

1. What role did social inequities and historical injustices have in India's creation of caste-based reservations in the school system and What are the most important legal and constitutional rules governing caste-based reservations in Indian educational institutions, and how have they evolved over time?
2. What effect do caste-based reservations in educational institutions have on social fairness and the decrease of inequities between caste groups?
3. What are the ramifications for talented students from non-reserved categories as they compete for limited open category seats, and what are the implications for their educational and career opportunities?
4. How may reservation practices be altered or enhanced to better fit with the Indian Constitution's concepts of equality and social justice?

### Hypothesis

- Reservation Policy in Educational Sector did not abolish caste system in India and also act as a platform to maintain inequality in the society.
- Reservation Policy in Indian Educational Institution stands as a hurdle for talented students in getting seats in well standard educational institution.

### Methodology

The main methodology for this study will be doctrinal research, with an emphasis on a thorough analysis of current regulations, guidelines, and scholarly works pertaining to the reservation system in the Indian school system. It will entail a thorough analysis of pertinent government publications, research articles, judicial rulings, and legal legislation. The research will attempt to offer a comprehensive knowledge of the historical background, legal framework, and the development of the reserve policy via this doctrinal analysis. It will also explore the different issues and arguments surrounding it. The study will provide insights into the intricate difficulties underlying this policy by critically analyzing scholarly debate and currently available legal papers.

### Reservation Policy in Education Institutions History of Reservation

In India, the caste system has a long and complicated history of examination and

criticism. Its roots can be traced back to the Vedic period, but it grew into a rigid social structure based on birth throughout time. In ancient India, philosophers such as Buddha and Mahavira condemned the system for its inherent injustices. Such division shaped the social structure people performing certain works are considered to be one caste like priest are considered to be brahmins, warriors are known as kshatriyas, farmers, merchants and craftspeople are known as vaisyas and farm workers, labours, servants are known as sudras.

Even when the caste exist in the society it was not certified in olden period before British rule, during British rule only castes are given certificate and they formulated it so that it was followed more strictly as compared to post. When britishers first came to India there motive was not to bring any social changes instead to make money so they formulated the existing caste system and followed the same. At that time there was two kinds of people in India the one Hindus and others are Muslims, so in order to rule them they brought personal loss into existence for Hindus in the year 1772 they translated a Sanskrit book into English that is known as Manusmriti which include Hindu culture and other religious rules which are followed by them which British later changed into Hindu law

They left the existing caste system as the belief of Hindu religion and in the year of 1834 the responsibility of taking census is given to Mr Prinsep at that time he told that at the place of Benares there are more than 107 sub caste exist in that locality. In 1872 WR Cornish was responsible to collect census in Madras Presidency in order to find how many variety of caste or existing in India and give certificate according to that, later he accepted that he was unable to find the existing variety of caste in India and they used the existing non cash system for ruling India which was favour for British. So when we look into the history deeply we can conclude that britishers has formulated the castes which are followed now in India.

We can also compare our caste system to the western caste system because the similar kind of caste system was followed even there. The people belonging to lower caste or not give one any other work opportunities other than the work done by their caste groups or

any proper education to uplift their standard of living, when britishers imposed English Education they first targeted the upper caste people and thought that they would teach for other lower caste people. In 1910 they brought a competitive exam to filter the people for government posting and the eligibility is that they must have good knowledge in English. So people belong to upper caste or only eligible for the government posting and other administrative works. For example in Madras Presidency there are only 3% of people belonging to one class of upper caste and they hold more than 80% of government jobs and we can see an inequality in employment.

Even in British India there is high percentage of people belonging to uppercase in the parliament. In order to abolish the caste system leaders like Dr. B.R. Ambedkar and Raja Ram Mohan Roy asked for the reservation in all political meetings for the lower caste peoples like Dalits and even the same was pounced by the congress party. In 1947 when India got independence an independent constitution was written during that time many social leaders kept a request that a separate provision should be given for the upliftment for the people who are discriminated by the caste, race, gender etc. At that time, they decided to give reservation in two ways one is on politics, and another is for employment, and they believed that it would abolish the discrimination based on caste, gender etc. and continuing till date. later on, only reservation for education has been brought into existence there were no separate provision at the time of enactment.

In order to know about the reservation policy in educational Sector we must know about the Article 15 of Indian constitution 1949

#### **Article 15**

Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth

1. The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them
2. No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to
  - a. access to shops, public restaurants, hotels and palaces of public entertainment; or

- b. the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of the general public
3. Nothing in this article shall prevent the State from making any special provision for women and children
4. Nothing in this article or in clause (2) of Article 29 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

In this article it is said that any of the Indian citizen should not be discriminated based on religion, race, caste, sex or place of birth, should not follow any kind of discrimination in public place or in any private place and also Article 15 paved a way for improving the life standard of both women and Childers. At this same time in Madras Presidency many medical college and engineering college gave educational seats based on reservation policy and in 1951 a case filed in Supreme Court of India "*State of Madras Vs Smt. Champakam Dorirajan*" saying that it was a discrimination based on caste. The major issue in the case was the legality of specific Madras government regulations that reserved seats in educational institutions and public offices for various caste and religious groups. These decrees were challenged as infringing the Indian Constitution's basic right to equality.

The Supreme Court ruled in its decision that government rules requiring separate reserving of seats based on caste and religion were unconstitutional. The court ruled that such reservations breached Article 15(1) of the Indian Constitution, which forbids discrimination on the basis of religion, race, caste, gender, or place of birth. Champakam Dorairajan's case was noteworthy because it demonstrated the need of sustaining the ideal of equality in a varied and multi-religious country such as India. It also played an important influence in determining the later development of reservation policies in India, eventually leading to the establishment of affirmative action measures in the form of reservations for Scheduled Castes (SC), Scheduled Tribes (ST), and Other Backward Classes (OBC). In reaction to this decision, the Indian government revised the Constitution to

provide for reservation of seats in educational institutions and public jobs for SCs, STs, and OBCs while sticking to the concept of equality. As a result, the case had a long-term influence on Indian social and educational policy, paving the path for a more inclusive and egalitarian society.

The First Constitutional Amendment Act of India of 1951 amended Article 15 of the Indian Constitution. Article 15 prohibits discrimination based on religion, race, caste, gender, or place of birth. The First Amendment to the Constitution introduced Clause (4) to Article 15, allowing the government to create specific measures for the progress of socially and educationally disadvantaged sections, notably the Scheduled Castes (SC) and Scheduled Tribes (ST). The following is the exact amendment made to Article 15:

Article 15(4) reads as follows: "Nothing in this article or in clause (2) of Article 29 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."

This amendment to Article 15 was a key step in allowing the Indian government to enact reservation policy and affirmative action measures to alleviate past social and educational imbalances, notably among SCs and STs. It permitted the government to create specific accommodations for certain disadvantaged groups, such as quotas in educational institutions and public jobs, without infringing the constitutional prohibition on discrimination.

**Article 46: Promotion of educational and economic interests of Scheduled Castes, Scheduled Tribes and other weaker sections.**

The State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation.

Article 46 of the Indian Constitution is a directive principle of governmental policy. It underlines the government's obligation to strive for the educational and economic advancement of marginalized and disadvantaged populations, notably SCs, STs, and other vulnerable groups. The essay emphasizes the need of reducing inequities and

promoting social fairness by providing these communities with access to education and economic possibilities. Article 46 acts as a guiding concept for the government in developing and implementing policies and programs that elevate historically excluded and impoverished communities in the framework of educational reservation regulations. It urges the state to provide specific arrangements, such as reservations in educational institutions, to help SCs, STs, and other disadvantaged groups progress and be empowered.

Article 46 of the Indian Constitution is a policy direction concept. It emphasizes the government's responsibility to work for the educational and economic progress of marginalized and disadvantaged people, particularly SCs, STs, and other vulnerable groups. The article underlines the need of decreasing injustices and fostering social fairness in these areas by providing them with access to education and economic opportunities. In the scope of educational reserve rules, Article 46 serves as a guiding idea for the government in designing and executing policies and programs that elevate traditionally excluded and underprivileged areas. It calls on the state to provide particular provisions, such as reservations in educational institutions, to assist SCs, STs, and other disadvantaged groups in progressing and becoming empowered.

**Some Other Legislations Governing Reservation Policy in India are:**

1. Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989: While this law primarily targets crimes against SCs and STs, it also has educational ramifications for them. It guarantees the preservation of SCs and STs' rights, particularly their rights in educational institutions.
2. The Central Educational Institutions (Reservation in Admission) Act, 2006: This law requires reservations for SCs, STs, and OBCs in central educational institutions like as IITs, IIMs, and central universities.
3. State Legislation: In India, each state has its own legislation and regulations regarding reservations in educational institutions. These statutes might stipulate the percentage of reserved seats in the state for certain groups.

4. Economically Weaker Sections (EWS) Reservation: In addition to the current reserves for SCs, STs, and OBCs in educational institutions, the Indian government implemented a 10% quota for economically weaker sections (EWS) in 2019. This was based on the 103rd Constitutional Amendment Act of 2019, which amended the Indian Constitution by adding Articles 15(6) and 16(6) to provide for EWS reserves.

#### **Current Exception in Applicability of Reservation Policy**

- The general category is made up of people who do not fit under any of the reserved categories, which include Other Backward Classes (OBCs), Scheduled Castes (SCs), Scheduled Tribes (STs), or Economically Weaker Sections (EWS). Policy on reservations does not apply to them.
- Creamy Layer: When it comes to OBC reservations, those who are in the "creamy layer" are not eligible to get their advantages. The OBC people or families who fall into the "creamy layer" are those who meet specific economic and social standing requirements. Reservations for OBC are not available to these people.
- Forward Communities: If the number of a certain community is extremely small, several Indian states do not have reserves for SCs or STs. Educational reservation regulations do not apply to SCs in these states.
- Economically Advanced Individuals: For EWS reservations, people who make reservations below a certain income criterion are the only ones who qualify. EWS reservations do not assist those with higher incomes.

#### **Social Challenges faced due to Caste based Reservation**

The purpose of reservations in educational institutions is to advance social justice by correcting historical wrongs and encouraging equal opportunity for all citizens, regardless of social status. Till 2003 there was reservation in private institutions but in 2003 the honourable supreme court in *T.M. Pai Foundation v. Union of India* held that the state cannot make the reservation of seats in admissions in privately run educational institutions. The court reaffirmed this stance in *P.A. Inamdar v. State of Maharashtra* in 2005. In an attempt to overturn these court decisions,

the Parliament amended Article 15 by adding clause (5) in the 93rd amendment in 2005. Insofar as such special provisions relate to their admittance to educational institutions, including private educational institutions, this clause empowers the states to enact any special legislation for the advancement of any socially and educationally backward classes of citizens or the Scheduled Castes or Scheduled Tribes.

Article 15(5) is a clause under the Indian Constitution that permits the government to make special provisions for socially and educationally backward classes and Scheduled Castes and Scheduled Tribes with regard to their admission to educational institutions, including private educational institutions, aided or unaided by the State

**Equal Access:** Reservation laws guarantee equal access to educational institutions for members of underprivileged and marginalised populations. This contributes to ending the generation-long cycle of poverty and social marginalisation.

**Social Inclusion:** These policies foster social inclusion by allocating seats to historically marginalised communities. As a result of their combined education, students from various caste origins are more socially integrated and less divided.

**Diversity:** A varied student body improves the educational experience for all students, which is advantageous to educational institutions. Being exposed to other backgrounds, viewpoints, and experiences fosters tolerance and a deeper understanding of the dynamics of society.

**Economic Opportunities:** Having access to education improves one's chances of finding employment and earning a living. People from marginalised groups are better equipped to escape the cycle of poverty and support the economic development of their communities and the country when they acquire high-quality education. Even though it is bringing social equality there are some discrimination

**Reverse Discrimination:** According to some, non-reserved individuals may unintentionally face discrimination as a result of reservation policies. They argue that in order to solve the issue of equity, these policies should be based on economic or other criteria instead of caste.

**State Reservation Policy**

Percentages of reservation for each state

State/UT	SC	ST	OBC	EWS	Other Reservations	Total
Andhra Pradesh <sup>[30]</sup>	15	6	29	10		60
Andaman and Nicobar Islands		12	38			50
Arunachal Pradesh <sup>[31]</sup>		80				80
Assam	7	15	27	10		59
Bihar	15	1	34	10		60
Chandigarh			27			27
Chhattisgarh	13	32	14	10		69
Dadra and Nagar Haveli and Daman and Diu	3	9	27			39
Delhi	15	7	27	10		59
Goa	2	12	27	10		51
Gujarat	7	14	27	10		58
Haryana	20		23	10		53
Himachal Pradesh	25	4	20	10		59
Jharkhand	10	26	14	10		60
Karnataka	17	7	32	10		66
Kerala	8	2	40	10		60
Lakshadweep		100				100
Madhya Pradesh	16	20	14	10		60
Maharashtra	13	7	32	10		62
Manipur	3	34	17			54
Meghalaya		80				80
Mizoram		80				80
Nagaland		80				80
Odisha	16	22	11	10		59
Puducherry	16		34			50
Punjab	29		12	10		51
Rajasthan	16	12	21	10	5 for MBC	64
Sikkim <sup>[32]</sup>	7	18	40		20	85
Tamil Nadu	18	1	50			69
Telangana <sup>[33]</sup>	15	10	29	10		64
Tripura	17	31	2	10		60
Uttar Pradesh	21	2	27	10		60
Uttarakhand <sup>[34]</sup>	19	4	14	10		47
West Bengal	22	6	17	10		55

Efficiency and Quality: The possible effects of reservation policies on the effectiveness and efficiency of educational establishments are another issue brought up by critics. They are concerned that caste-based quotas can occasionally trump merit-based selection.

Hatred towards other society: Some people from forward caste believe that reservations are favouring more towards the backward class and they are discriminating the forward caste as they believe that due to reservation qualified people are not getting

admission into prestigious university

**Challenges faced due to Reservation Policy**

The Indian Constitution guarantees equality and a classless society, but in order to advance the interests of all castes in the educational system, the legislature passed the Central Educational Institution (Reservation in Admission) Act 2006 (also known as the Act 2006). This legislation aims to reserve seats for students from Schedule Castes, Schedule Tribes, and Other Backward Classes of Citizens in certain Central Educational Institutions that are established, maintained,

and supported by the Central Government.

### **Center Reservation Policy**

The reservation for higher secondary education sector stands at 49.5%. The percentage of reservation varies in different set of people. Schedule caste 15%, schedule tribe 7.5%, other backward classes 27%, economically weaker section 10%, person with benchmark disabilities 4%.

### **Competitive Exam**

Competitive exams like NEET and JEE are only kept to make sure that student who are capable are only succeeded. These tests are usually designed to assess students knowledge, problem solving capabilities abilities and skills in fair and standardized manner. These exams are conducted for higher education of the people based on the knowledge which they had during their schooling years.

Fair and equal opportunities competitive exams provide a level playing field for all students, regardless of their socio-economic or regional background. Success depends on a student's individual capabilities and preparation. Competitive exams allow educational institutions to allocate their resources more efficiently, ensuring that the most capable students gain access to limited seats in prestigious institutions

One of the Main reasons for these exams are to select capable students who can help in the future in their respective field for EG NEET this exam is conducted as an entrance exam for medical college and institutions. This exam makes sure that only the capable persons are selected.

### **Is the purpose of competitive exams is negatively impacted by reservation policy?**

Yes, the motive of competitive exams is negatively impacted by reservation policy. due to reservation policy many capable persons failing to get admission in prestigious institutions. Reservation policy may at sometimes compromise the merit-based selection, as candidates from reserved categories with lower scores may secure admissions over more meritorious non reserved candidates. There have been many suicide cases in India. Many people are losing their seats to others due to reservation policy. Reservation policy in educational sector is also a reason for brain drain in India

### **Quality of Education and Employment:**

Reservation policies primarily target access to

education. However, there is a concern that these policies may compromise the quality of education and workforce in the long run, as candidates may be selected based on quotas rather than merit

**Impact of Career Opportunities:** Gaining admission to prominent universities frequently leads to improved networking, visibility, and job prospects. Talented non-reserved students might not be able to obtain these benefits if they are not admitted to their desired universities, which could have an impact on their long-term professional prospects.

**Enhanced Competition:** Naturally, there is more competition for the remaining open category seats when there is a portion of seats set aside for students from reserved categories. Talented students from non-reserved categories could have a harder time being accepted, particularly into universities or fields with intense competition.

**Brain Drain:** Some argue that reservation policies can lead to a "brain drain" where talented individuals from unreserved categories may choose to study or work abroad to escape the reservation system, potentially causing a loss of talent within the country.

The phrase "brain drain" is frequently used to characterize the movement of highly educated or skilled people from their native country to other countries in search of better opportunities, higher living standards, better working conditions, and more promising career paths. Though there are many variables at play in the complicated problem of brain drain, Indian reservation rules are one of the cause of it. Brain drain is a complex problem driven by a number of variables. Reservation regulations are one factor among many that influence the emigration of highly skilled professionals, even though they have an impact on how educational and career opportunities are distributed within India. Many factors, including financial opportunity, educational standards, access to cutting-edge research and technology, social and political stability, and individual preferences, play a role in the decision to relocate overseas.

### **Changes that can be brought in reservation policy.**

*Improving India's Reservation Procedures for Social Justice and Equality*

India's affirmative action initiatives have been anchored by its reservation rules, which aim to rectify past injustices and

advance social fairness. These laws, which have their roots in the Indian Constitution, seek to improve the lives of underprivileged and marginalized groups such as Other Backward Classes (OBCs), Scheduled Tribes (STs), and Scheduled Castes (SCs). Though there is continuous discussion on the efficacy and significance of these programs, historically marginalized groups have benefited much from them in terms of representation and opportunity. A number of important factors need to be taken into account in order to properly match reservation policies with the equality and social justice values outlined in the Indian Constitution.

*1. Reservations That Are Need-Based and Specific:*

Increasing the need-based and targeted nature of reservation procedures is one method to improve them. Article 46 of the Indian Constitution highlights the importance of advancing the economic and educational interests of SCs, STs, and other marginalized groups in society. As a result, reservation regulations must be created with the particular difficulties these communities experience in mind. To ascertain eligibility for reserves, a comprehensive evaluation of social and economic data may be necessary.

Additionally, OBC reservations might use a more complex strategy. The "creamy layer" theory aims to deny reservation privileges to OBCs who are more affluent. However, to make sure that reservations really reach the crème layer, it's crucial to regularly review and modify the income and wealth levels.

*2. Including Underrepresented Groups:*

Reservation regulations primarily benefit SCs, STs, and OBCs, but other marginalized groups in India, such as linguistic and religious minorities, also suffer from prejudice and harsh economic times. These groups might be added to the reservation policies in order to conform to the more general social justice standards. This might be useful in tackling India's multifaceted inequality problem.

*3. Women's Reservations:*

Social justice is fundamentally based on gender equality. Reservations for women at educational institutions might be strengthened to support this aim. Though there is space for expansion, certain

governments have currently implemented restricted restrictions for women. A society that is more just and equal would benefit from having more women in educational leadership roles.

*4. Promote Private Sector Involvement:*

Even though government institutions are usually linked with reservations, social fairness may be greatly improved by encouraging the private sector to engage in affirmative action initiatives. This might entail providing incentives for private schools to implement diversity and inclusion programs or reservation procedures.

*5. Frequent Analysis and Investigation:*

It is imperative that reservation policies be founded on research. To evaluate the influence and efficacy of these policies, evaluations and investigations must be carried out on a regular basis. This will support data-driven decision-making and policy adjustment for improved outcomes.

In conclusion, improving India's reservation policies to better align with the principles of social justice and equality found in the Indian Constitution is a difficult and varied task. Targeted policies, social consciousness, legal protections, and a dedication to ongoing progress are all necessary. Even while there are difficulties, it's critical to acknowledge that these policies have made a big difference in India's efforts to advance social justice and correct past wrongs. It is crucial to assess and modify reservation laws as necessary while making sure that their main goals are in line with the ideals of the Indian Constitution in order to create a more just society. By doing this, India can keep moving forward in the direction of greater equality and social justice for all of its people.

**Conclusion**

In conclusion, there has been much discussion and development surrounding India's reservation policy, which has been an essential tool for redressing past wrongs and advancing social justice. It is not without difficulties and controversy, despite the fact that it has made great progress towards advancing diversity, equal access, and opening up economic prospects for underserved groups.

Reservation rules require a nuanced and well-balanced approach, as highlighted by

the concept of the "creamy layer" within the OBC category, the possibility of reverse discrimination, and worries about the quality of education and employment. The policy's effects on employment prospects and the possibility of brain drain also make a thorough reevaluation of its execution necessary.

Recognising the critical role reservation policies have played in righting historical wrongs is essential to the goal of creating a more just and equal society. This acknowledgement shouldn't stop us from keeping these rules updated and modified to better suit the changing needs of Indian society. By doing this, India can fulfil the goals outlined in its Constitution while also advancing social justice and greater equality for all of its residents.

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