

# UPSC

(Specimen Answer Booklet - For Practice Purpose Only)

Pot. Day. 10

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Ravi

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Q.1. The Supreme Court's ruling on Sub-Categorization of SCs and STs ensure fair distribution of reservation benefits but raises concerns over fragmentation within these communities. Critically examined its Constitutional, Social and political implications. (8M)

The recent Supreme Court's ruling on Sub-Categorization of SCs and STs regarding fair distribution of reservation benefits has conform<sup>to</sup> the very notion of equality of opportunity as enshrined in the preamble, ~~red~~ defining its objectivity.

Ruling of Supreme Court: -

1. The State shall make provisions for Sub-Categorisation of SCs & STs based on proper assessment and Quantifiable data.
2. Creamy-layer status may be provided to affluent class within SCs & STs.
3. SCs are not a homologous group and equitable affirmative action is needed.

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In recent survey it is being seen that some caste/class within SCs are getting benefits again and again even after becoming affluent.

And rest marginalized groups failed to reap the benefits of reservation at higher level.

~~As~~ ~~these~~ This is failing the notion of reservation as a means not ends.

## Constitutional implication:-

↳ Article-14 permits sub-classification as it recognizes SC, ST & OBC as a Backward class.

↳ As SCs are not a homogenous group hence fragmentation not a reasonable concern.

## Social implication:-

↳ It will ensure social justice upto the mostly marginalized groups.

↳ A sense of intra-community fragmentation will ~~may~~ rise which may disturb the civic cohesion at some extent.

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Political Implications:-

- ↳ It may lead to Identity based politics upto lower strata.
- ↳ Vote-bank politics may of pole fragmentation through fake narrations.

Recognizing the persistent inequality within SCs & STs, Sub-Categorisation will ensure the notion of reservation as a means not end to achieve equality and development of Social Capital.



d. 2.

Should a Caste-based Census be mandatory to ensure reservation policies are evidence-based and equitable? Critically analyze its necessity and role in policy formulation. (8M)

Article 15 and 16 is the bedrock of positive affirmation in India. It gives the policy of reservation to the groups that are lagged behind the socio-economic development indicator.

### Objectives of reservation policies:-

1. Promoting social justice in the wake of historical injustice being done.
2. Ensure "Equality of opportunity".
3. Promote Upward mobility for lower States.
4. Eradicate discrimination.
5. Promote inclusive development of Nation.

## Necessity and Role of Caste based Census

As reservation is being given on Caste basis so its proper survey & assessment should be done to ensure <sup>its</sup> rationality. It will lead to evidence based equitable distribution of opportunities and resources.

↳ It will provide a ~~data~~ Quantifiable <sup>rational</sup> data to ensure policy formulation.

↳ ~~It~~ It will identify the most segregated group which needed most attention and care.

↳ It will necessitates the notion of reservation as means and not ends.

↳ It will guide the state machinery for efficient imple-  
-mentation <sup>of policy</sup> in Constrained resources.

↳ It will prioritise the Strengthening of Critical Link of chain of a society.

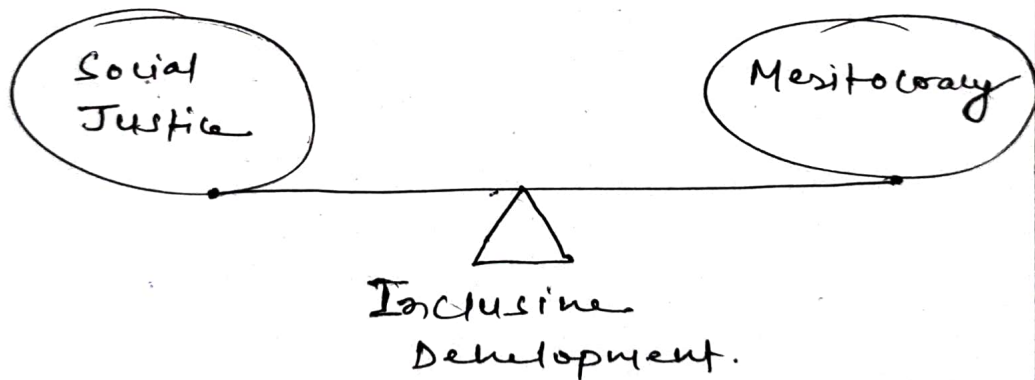
↳ It will necessitates in the implementation of Inclusive development and Social Capital development of State.

Q.4.  
      

Extending reservation to the private sector is being considered to ensure social justice but it raises concerns about economic growth and meritocracy.

Critically evaluate the feasibility of implementing reservations in private sector employment in India. (17M)

The rationale of reservation is to give affirmative action to the sections which have been lagged at various socio-economic development indicators.



Reservation policy has implemented as a temporary means to achieve equality of opportunity. And not to as a end which will led to creation of persistent inequality.

But to reap the benefits of this policy a domino effect has been evolved.



This domino effect has been resulted in the debate of extending reservation system to the private sector.

Feasibility of implementation of reservation in private sector :-

- ↳ Implementation of reservation in Pvt sector is unconstitutional.
- ↳ It is a showing a wrong manifestation of twin phenomena i.e. Growthless Job and Jobless Growth.



- ↳ Pvt. Sector on the principle of profit led by meritocracy. The policy of reservation may crumble the sustainability of Pvt Sector.
- ↳ As Pvt. Sector is the growth engine of our Country at a global stage its retardation will push back the very source of Welfare State.
- ↳ It will also a infeasible task <sup>for</sup> ~~fails~~ <sup>for</sup> effective implementation by State machinery recognising its vast nature or dimensions.

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Hence, instead of extending reservation a standard educational reforms as per modern technological skills will have to promote along with formal jobs to cater the social justice and ~~the~~ inclusive growth.



Q. 5.

The introduction of EWS reservation has sparked a debate over the future of Caste-based affirmative action in India. Discuss whether economic criteria should replace Caste-based reservations or if a hybrid model is necessary to ensure inclusive development.

(7M)

Article -15 and 16 is the bedrock of positive affirmation in India. In this regard 103rd Constitutional Amendment Act has added EWS to the existing reservation policy in India.

At the time of rolling out of OBC reservation of 27.5% in 1992 there is also a 10% reservation for economically weaker forward class.

But in Indira Sawney Case 1992 the same 10% EWS quota has been repealed due to validity on the basis of quantifiable data.

Now in 2019 103rd Constitutional Amendment Act paved the way for 10% EWS quota on economical basis.

Rationale of reservation:

↳ The very rationale of reservation is to provide support to the group which are lagging on the social economical development factor.

↳ Its objective is to promote relatively equal society which in turn is good for social capital.

↳ To promote redistribution of wealth as enshrined in Art-39 of constitution.

↳ To promote improvement in historical injustice to weaker sections.

As policy of reservation started from the fact of historical injustice to marginalised sections of society. But after 75 years in this era of globalization this Hybrid model will best suited as a means to achieve socio-economic equality. Because B.R. Ambedkar says: -

“formal equality is meaningless unless there is socio-economic inequality”.