

## An Analysis of Scheduled Castes and Scheduled Tribes Reservation in India


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This comprehensive study examines India's reservation policies, designed explicitly for SC (Scheduled Tribes) and SC (Scheduled Castes). The research explores the intricacies of reservation mechanisms across various sectors, including government services, educational institutions, and legislative representation. The study examines the reservation percentages allocated to ST and SC communities in government services and educational institutions at the state level. It also investigates the recruitment and promotion policies implemented to ensure equitable representation. Furthermore, the research explores the admission policies in higher education institutions, highlighting the reservation percentages and the merit-based admission processes. The study also focuses on the central Government's reservation policies, including the classification of services, representation of ST and SC communities, and recruitment and promotion procedures. Additionally, it examines the reservation percentage in Central Government Services and Higher Education, reserved seats in state legislative assemblies, Union Territories, and reserved seats in the Lok Sabha (Lower House of Parliament of India), highlighting differences in reservation policy provisions across various categories. The study also examines the reservation policies in central government-funded educational institutions, emphasizing the role of the Union Grants Commission in implementing these policies. Moreover, the research provides an exhaustive analysis of the reservation of seats in India's legislative bodies, including State Legislative Assemblies, Union Territories, and the Lok Sabha. The study focuses explicitly on reserving seats for ST and SC communities from 2008 to 2030.

**Keywords:** reservation policies, scheduled tribes, scheduled castes, government services, educational institutions, legislative representations

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## 1. Introduction

Social inequality has long plagued India's diverse and complex society, and discrimination against marginalized groups, notably Scheduled Tribes (ST) and Scheduled Castes (SC). Centuries of oppression, exclusion, and marginalization have led to significant disparities in education, employment, healthcare, and political representation. To rectify these historical injustices and promote social equity, the Indian Government has established various reservation policies in education, employment, and politics. The Indian Constitution's Articles 15(4), 16(4), and 335 establish programs to advance economically and socially disadvantaged groups like the ST and SC. These programs provide political representation, work opportunities, and education to address historical prejudices and promote social and economic development.

Despite these regulations, access to political representation, work, and education remains a significant obstacle for ST and SC groups. Research and reports indicate that these communities lag behind others regarding education, health, and economic outcomes. For example, the 2011 Census of India reported a literacy rate of 59% for ST communities, compared to 74% for the general population. Similarly, unemployment rates for ST and SC communities are higher than those of other communities. There is a pressing need to examine the effectiveness of these reservation policies, identify challenges and limitations, and provide recommendations for improvement. This study seeks to investigate reservation policies for ST and SC in India, encompassing State and central government services, educational institutions, recruitment processes, and legislative representation. The study aims to provide insights into existing reservation policies, their implementation, and their impact on promoting social equity and inclusion for marginalized communities in India.

It also investigates the impact of reservation policies on these communities' social and economic development. It will examine how these populations struggle to get political representation, employment, and education and find policy gaps. The study will also provide recommendations for improving reservation policies and promoting social equity and inclusion for marginalized communities in India.

Ultimately, this study aims to contribute to the existing literature on reservation policies in India and provide insights into the complexities of promoting social equity and inclusion for marginalized communities. Policymakers can expect to benefit from the study's findings helpful as academics and social activists working on social justice and equality issues.

## 2. The Study of the Objective

The objective of the study is to examine and analyze the reservation policies for ST (Scheduled Tribes) and SC (Scheduled Castes) in India, covering various aspects such as: (i) State Reservation Policies: Analyzing the reservation percentages for ST and SC in state government services, educational institutions, and recruitment processes. (ii) Central Government Reservation Policies: Examining the reservation percentages for ST and SC in central government services, educational institutions, and recruitment processes. (iii) Legislative Representation: Studying the reserved seats for ST and SC in India's State Legislative Assemblies, Union Territories, and Parliament (Lok Sabha).

(iv) Impact and Effectiveness: Evaluating the impact and effectiveness of reservation policies on the social and economic development of ST and SC communities. The study aims to provide insights into the existing reservation policies, their implementation, and their effects on promoting social equity and inclusion for marginalized communities in India.

## 3. Significance of the Study

This study on India's reservation policies for SC (Scheduled Tribes) and SC (Scheduled Castes) has significant implications for various stakeholders, including policymakers, academics, and social activists. The study has significant social implications as it highlights the importance of reservation policies in promoting social equity and inclusion for marginalized communities and contributes to the ongoing discourse on addressing historical injustices and promoting social justice. Additionally, the study has policy significance as its findings can inform policy decisions related to reservation policies, helping policymakers to refine and improve existing policies and evaluate policy effectiveness.

The research also has academic significance as it contributes to the existing body of literature on reservation policies, providing new insights and perspectives on this critical topic, and advances our understanding of the complex relationships between social policies, inequality, and social justice, contributing to the broader field of social sciences.

## 4. Statements of the Problems

Despite the implementation of reservation policies, Scheduled Tribes (ST) and Scheduled Castes (SC) communities continue to face significant barriers in accessing education and employment opportunities, leading to persistent social and economic disparities. Authorities are not effectively implementing the existing reservation policy, resulting in inadequate representation and participation of these communities in education, employment, and politics. Furthermore, the reservation policies have not been able to provide sufficient opportunities for social and economic mobility for ST and SC communities, leading to continued marginalization and exclusion. Additionally, ST and SC communities continue to experience disparities in access to healthcare and other social services, exacerbating their social and economic vulnerabilities. In order to address the ongoing issues that the SC and ST populations experience and to advance more social fairness and inclusion, it is imperative that the current reservation policies be strengthened and reformed.

## 5. Research Methodology and Data Sources

(i) Descriptive Analysis: Examine secondary data sources to understand the implementation and impact of reservation policies. (ii) Mixed Approach: Combine qualitative and quantitative methods to analyze the effects of reservation policies on different groups.

Data Sources - Secondary Sources: (i) Websites: Newspapers (e.g., Hindustan Times), government websites, and other relevant websites. (ii) Textbooks: Indian Polity, Constitution of India, and books on reservation policy. (iii) Academic Journals: Articles on India's reservation policy and reservation in higher education. (iv) News Articles: Hindustan Times and other reputable news sources. (v) UGC Orders and Notifications: University Grants Commission guidelines and notifications.

Specific Data Sources: (i) Reservation Policy in Indian Constitution: Articles 15(4), 16(4), 46, etc. (ii) Tribal Development: Government reports, schemes, and initiatives. (iii) Reservation in Union and State Services: Government orders, notifications, and guidelines. (iv) Reservation in Higher Education: UGC guidelines, academic articles, and research papers. (v) State-wise Reserved Seats: Legislative Assembly reserved seats for ST (Scheduled Tribes) and SC (Scheduled Castes), reserved seats in the Lok Sabha and Rajya Sabha for ST, SC, and others.

### 1. India's State Reservations for SC (Scheduled Castes) and ST (Scheduled Tribes)

India's reservation system is a policy designed to promote social justice and equality by providing opportunities to historically excluded groups, including SCs and STs. The system is grounded in the Indian Constitution, which guarantees equal opportunities in public employment. Article 16(1) of the Indian Constitution guarantees equal opportunities in public employment. In contrast, Article 16(4) allows the State to enact legislation to set aside positions in Government agencies or employment for underrepresented citizens or persons from backward groups. The primary objective of the system is to help people regain their rights. The Indian Constitution emphasizes representation for backward classes and economically disadvantaged sectors through Articles 15(4) and 15(6). Articles 16(4) and 16(6) also aim to provide equal opportunities for everyone, regardless of caste. Articles 15(4) and 16(4) of the Constitution provide reservations in government employment and educational institutions for the socially and educationally backward classes of citizens, especially the ST and SC. [1] The State Legislatures and Parliament can enact legislation to help disadvantaged groups develop their education. The States and the Union Government can set aside specific percentages for people who are socially and educationally disadvantaged in various areas, including political bodies, the workforce, promotions, and education.

Article 46, part of the Directive Principles of State Policy, also mandates the State to safeguard the weaker sections of society, particularly SCs and STs, from social injustice. Access to education is crucial for the progress of people from SCs, STs, and other socially and educationally disadvantaged groups.

The Department of Personnel and Training (DPT) specified the proportion of ST reservations in each State and Union Territory in its OM No.36017.2.2004-Estt. (Res.) dated 05-07-2005. Each State has the authority to reserve specific seats for those in need, and the reserve distribution varies by State. Each State's reserve distribution is as follows:

**Table 1:** Percentage of Reservation for SCs and STs in State Government Services and Educational Institutions

	SCs Reservation	SCs Reservation	STs Reservation
	Name of the State	Percentage	Percentage
1	Andhra Pradesh	15%	6%
2	Arunachal Pradesh	0%	80%
3	Assam	7%	15%
4	Bihar	15%	1%
5	Chhattisgarh	16%	20%
6	Goa	2%	12%
7	Gujarat	7%	14%
8	Haryana	20%	0%
9	Himachal Pradesh	25%	4%
10	Jharkhand	10%	26%
11	Karnataka	15%	3%
12	Kerala	8%	2%
13	Madhya Pradesh	16%	20%
14	Maharashtra	13%	7%
15	Manipur	3%	34%
16	Meghalaya	0%	80%
17	Mizoram	0%	80%
18	Nagaland	0%	80%
19	Odisha	16%	22%
20	Punjab	29%	0%
21	Rajasthan	16%	12%
22	Sikkim	7%	18%
23	Tamil Nadu	18%	1%
24	Tripura	17%	31%
25	Uttaranchal	19%	4%
26	Uttar Pradesh	21%	2%
27	West Bengal	22%	6%
28	Telangana	15%	6%

[2]

SN	Name of Union Territories	SCs%	ST s%
1	Andaman, & Nicobar Island	0%	12%
2	Chandigarh	0%	0%
3	Dadra & Nagar Haveli, Daman & Diu	3%	9%
4	Delhi	15%	7%
5	Lakshadweep	0%	99%
6	Pondicherry	16%	0%
7	Jammu & Kashmir	8%	10%
8	Ladakh	1%	45%

[3]

**1.1 Recruitment for State Government Services:** ST applicants not residing in the relevant locality, State, zone, region, or circle may also be eligible for reservation in state services; they would recruit locally, regionally, zonally, or circularly. Article 16(4), which gives the State the authority to reserve appointments or positions for disadvantaged individuals considered underrepresented in State services, is consistent with this clause.

As stated in Article 335, the principle of administrative efficiency necessitates considering the claims of SCs and ST members when appointing services and posts related to Union or State affairs. A comprehensive understanding of Article 335 requires studying it with Articles 16(1) and 16(2), which collectively provide a framework for ensuring equal opportunities in State services.

Article 16(1) explicitly prohibits discrimination against citizens in any State position or office based on religion, race, caste, sex, descent, place of birth, residency, or any combination thereof.[4] This provision emphasizes the commitment to equality and non-discrimination enshrined in the Constitution. The Government's authority to appoint or post certain classes of people is subject to the well-established judicial review standard and constitutional restraints. A significant court ruling, *Mr. Marri Chandra Shekhar Rao vs Dean*, has established that SCs/STs individuals are only eligible for reservation benefits in their home State, not other UTs or States. Article 342 unequivocally states that ST status is state-specific, meaning that a person with STs in one State is not eligible for reservation benefits in another. Consequently, if an SCs/STs member relocates to another State for work or study, they cannot be considered an ST member of that other State.

The Court's interpretation emphasizes that the Constitution's enabling Article, Article 16(4), must yield to Articles 341 and 342. Each State/UT must implement a reservation system that provides socio-economic empowerment to the SCs/STs population within their respective States. Expanding the quota to cover all SCs/STs categories in India or to migrants could potentially undermine the reservation system. It could waste reserves for underprivileged SCs/STs in other developed States/UTs, compromising the fundamental goal of reserving disadvantaged SCs/STs in specific States or UTs.[5] The percentage of reservations given to SCs and STs varies significantly depending on the population of each State. While some States have a reservation percentage of 80%, others have none. For instance, according to the Table, the States of Haryana, Punjab, Chandigarh, and Pondicherry have 0% reservation for STs in Government employment and educational institutions.

In contrast, Arunachal Pradesh, Meghalaya, Nagaland, and Mizoram have an 80% reservation, while Lakshadweep has a 99% reservation.

Furthermore, a revised roster has increased the reservation quota in Ladakh from 10% to 45%. However, due to the population demographics of particular States, such as Meghalaya, Arunachal Pradesh, Mizoram, Nagaland, Lakshadweep, and Chandigarh, there is currently no quota for SCs in State/UT Government employment recruitment or educational institutions. The Jammu and Kashmir Reservation (Amendment) Bill, 2023, was introduced in the Lok Sabha on July 26, 2023, and was subsequently approved in December 2023, amending the Reservation Act 2004. This Act guarantees SCs and ST members' preference in employment and admittance to professional education. Before the Amendment, Jammu and Kashmir's reservation percentages were 4% for SCs and 5% for STs. Following the Amendment in 2023, the percentages are now 10% for STs and 8% for SCs.

**1.2 Student Admission in State Educational Institutions:** The Constitution (93rd Amendment) Act, 2005, was a significant milestone, introducing clause (5) to Article 15. This Amendment allowed admission to all educational institutions, including private ones, whether aided or unaided by the State. The primary objective was to support the academic progress of persons with low social and educational status. Article 29(1) of the Constitution stipulates that no citizen shall be denied admission to educational institutions acquired by the State or receiving aid from State funds solely based on religion, race, caste, language, or any combination. In matters of recruitment or admission, whether in education, employment, or other fields, the State Government has been granted the right to verify the percentage of reservations for SCs and STs. However, this reserve cap is subject to a certain proportion based on State population sizes. The authority granted to the State under Article 16(4) is unconditional, and it is the State's responsibility to exercise this authority to benefit the eligible class. Furthermore, Article 16(4) prohibits the imposition of a maximum ceiling on reservations under the States for the admission of members of any backward class, including members of the SCs and STs.

The Indian Constitution empowers States and UTs to establish reserved seats or quotas for socially and educationally disadvantaged individuals. The authority has designed this provision to promote equality and opportunities for underrepresented groups.

While the Central Government has established a reserved share of 15% for SCs and 7.5% for STs in educational admissions, States can determine their reservation percentages based on population demographics. Consequently, reservation percentages vary significantly across States. For instance, States such as Arunachal Pradesh, Meghalaya, Nagaland, Mizoram, Andaman and Nicobar Island, Chandigarh, and Lakshadweep do not have reservations for SCs in student admissions.

In contrast, States like Meghalaya, Mizoram, Nagaland, and Arunachal have an 80% reservation for STs, while Lakshadweep has a 99% reservation. In addition to reservation percentage rules, the merit list for unreserved category seats includes all candidates in order of merit, according to the reservation policy for admission 2023-2024. It means that SCs, STs, OBCs, and EWS applicants who meet the merit criterion for the UR category will be included in the merit list, regardless of their category. Ultimately, the State can develop policies that ensure appropriate representation of underprivileged groups like SCs, STs, and OBCs in academic institutions.

## **2. Reservations in India's Central Government Services for SCs and STs**

India has a ranking system governed by the Rules of the Civil Services 1930, which have undergone periodic revisions. The Central Government exercises sole authority over Central services, with reservations for Scheduled Castes (SCs) and Scheduled Tribes (STs) applicable only to occasional vacancies, not the overall strength of any cadre or service. The Central Government has the authority to prioritize SC and ST community members for government positions under Article 16(4) of the Constitution. Historically, authorities hired relatively few SC and ST candidates before implementing reservation orders, necessitating the filling of reservations for SCs and STs in direct hiring across India. The reservation percentage applies to all direct recruitment for Indian services through open competition. However, state-level services have varying reservation percentages for SCs, STs, and other categories. A table illustrating these categories and reservation proportions for SCs and STs in Indian government services and educational institutions follows.

**Table 2:** Reservation percentage in Central Government Services for SCs, STs, and others, (2023)[6]

SN	Category	% (1950-1970)	% (1970-2023)
1	General		40%
2	OBC (Other Backward Classes)	-	27%
3	SC (Scheduled Castes)	12.5	15%
4	ST (Scheduled Tribes)	5%	7.50%
5	EWS (Economically Weaker Section)	-	10%
6	PWD (Person With Disability)	-	0.40%

**Table 3:** Classification of Central Government Services: Representation of SCs and STs

SN	Name of Service	Class	Group
i	The All-India Service	-	-
ii	Indian Central Services	Class -I	Group-A
iii	Indian Central Services	Class-II	Group-B
iv	Indian Central Services	Class-III	Group-C
v	Indian Central Services	Class-IV	Group-D
vi	Indian Central Secretariat Services	Class-I - IV	Group-A,
vii	Special Services	-	-

[7]

## 2.1 Recruitment for Central Government

**Services:** The ratification of the SCs in 1943 led to the introduction of an 8.33% reservation. After India's independence, directives issued on September 21, 1947, increased the quota proportion to 12.5% for all-India direct recruitment through open competition, while Scheduled Tribes (STs) received a 5% reservation in 1950. Interestingly, authorities hired 16-2/3%, or 16.66%, of SCs using tactics other than open competition. The MHA (Ministry of Home Affairs) Resolution of September 13, 1950, marked a significant milestone, as it granted a 5% reservation for SCs in direct recruitment for the first time. The 1961 census revealed that the SC and ST populations accounted for 14.64% and 6.80% of the total population, respectively. Consequently, the MHA Resolution of March 25, 1970, raised the reservation proportion for STs and SCs from 12.5% and 5% to 15% and 7.5%, respectively.[8]

It is worth noting that the 7.5% reserve for ST members, introduced in 1970, was based on the ST population reported in the 1961 Census. The ST population, comprising 229 tribal settlements, accounted for 8.2% of the nation's total population in 2001 and 8.1% in 1991. In light of the growing national population of the ST community, the Commission suggests increasing the 7.5% reserve quota in services and positions for STs to 8.2%. As of 2023, the ratio remains unchanged for SCs and STs.

The Indian Government currently reserves 15.34% of the workforce for SC employees and 6.34% for ST employees across 19 ministries under the Central Government. The SC and ST apply these reservation percentages in the hiring process based on the number of open positions in Central Services and All India Services, ranging from Class I to IV, Special Services, and Group A-D.

For centralized Union recruitments, applications are invited from candidates nationwide, such as A Group and B Group (Gazetted) categories for services in UTs/States. SCs/STs, citizens of all UTs/States, are qualified to apply for reserved jobs. The All India Services work for both the states and the union, and while the center hires these service members, other state cadres can access their services. Interestingly, different methods are employed to fill additional responsibilities in the services of union territories. For instance, applications for reserved jobs are accepted from candidates across India in Chandigarh, whereas in Pondicherry, only local reserved individuals are eligible to apply. The Apex Court mandated the Pan-India Reservation Rule for Delhi's National Capital Territory's subordinate services in *Mr. Bir Singh vs Delhi Jal Board*, 2018. This reserve applies regardless of the location of the establishment, which could be in Delhi's National Capital Territory, a state, or any other part of the Union Territory.

**2.2 Promotion:** Beginning in January 1957, a steady expansion of the reserve for SCs (Scheduled Castes) and STs (Scheduled Tribes) in promotions commenced. Initially, the Departmental Competitive Examinations allocated reservations for SCs and STs for Class I, II, III, and IV jobs. In 1963, the Government discontinued reservations for Class I posts. However, reservations for promotion by selection, the Government introduced Groups C' and 'D' (now Groups 'B,' 'C,' and 'D' for Class II, III, and IV positions. The Government imposed a restriction, stating that for the Limited Departmental Examinations (LDE) in 1968 for II, III, and IV Class occupations and promotions granted by selection to these posts, the percentage of direct recruitment cannot exceed 50%. The Department of Personnel (DOP) and Office Memorandum (OM) No. 27.02.71.Estt.(SCT) dated November 27, 1972, clarified that seniority-cum-fitness reservation for promotion in Groups 'A,' 'B,' 'C,' and 'D' can only be utilized if direct recruitment exceeds 50%.



Additionally, on July 20, 1974, Department of Personnel and Administrative Reforms (DP and AR) OM No.10/41.73.Estt.(SCT) established promotion by selection reservations for Group 'C' to Group 'B,' within Group 'B,' and from Group 'B' to the lowest rank of Group 'A' in 1974, provided direct recruitment did not surpass 50%.

The Government subsequently increased the 50% direct recruiting restriction to 66-2/3% on February 25, 1976 [DP and AR's OM No.36021/7/75-Estt] and April 25, 1989 (DOPT) OM No.36012/17/88-Estt. (SCT) dated 25-04-1989. The 77th Amendment Act of 1995 added Section 4-A of Article 16 to the Constitution, empowering Parliament to establish regulations for reserving seats for SCs and STs in promotion posts. As of 2023, the Indian Government provides promotion reservations to SCs and ST employees in the 19 Central Government ministries, with 15.34% reserved for SC employees and 6.34% reserved for ST employees. Article 16 (4A) of the Constitution enables the State to assign reserves and seniority to underrepresented SCs and STs in State services. Article 16 (4A) also requires the Government to increase these reserves for advancement by selection within 'A' Group employment. In compliance with Article 16 (4A), the Commission suggests prolonging the promotion by selection rule for officers who are SCs and ST members until 2023 in Group "A" postings. Moreover, promotion to Group B, C, or D through competitive exams is subject to reservation for OBCs, SCs, and ST candidates. It is worth noting that when there is only one promotion, general category employees will receive the reservation; SCs, STs, and OBCs are not eligible.

### 3. Reservation for SCs and STs in Educational Institutions under the Central Government

The Indian Constitution requires the reservation of seats for SC and ST communities in educational institutions. This provision is a longstanding feature of Indian higher education, aimed at promoting social justice and equality. The Constitution obliges the State to protect the interests of SCs and STs through affirmative action. To this end, the Government serves seats for SC and ST students in some public and private educational institutions. This measure addresses the historical injustices and disparities these communities face in Indian society.

Considering their historical abuse and lack of equitable chances, the writers of the Constitution understood the necessity for more representation of SCs and STs in nation-building projects.[9] Consequently, the government reserves for backward classes recognized by India's Constitution in all government-funded higher education institutions.

The Indian higher education system uses reservation quotas to hold spaces for students from cognitively and socially disadvantaged backgrounds, such as SCs and STs. SC and ST students currently occupy 22.5% of available spaces in publicly funded higher education institutions. In addition to SCs and STs, the Government reserves seats for Other Backward Classes (OBCs), Persons with Disabilities (PWD), and Economically Weaker Sections (EWS) candidates. The reservation percentages for these categories are 27%, 5%, and 10%, respectively. As a result, 60% of seats remain open for students from backward and other categories in India's colleges and universities since 2019. According to reservation policy regulations, the following Table outlines the reserve percentages for SCs, STs, and other categories in Central Government employment and higher education institutions.

**Table 4:** Reservation Percentage in Central Government Services and Higher Education, (2023)

SN	Category	Percentage
1	General	40 Percent
2	OBC (Other Backward Classes)	27 Percent
3	SCs (Scheduled Castes)	15 Percent
4	STs (Scheduled Tribes)	7.5 Percent
5	EWS (Economically Weaker Section)	10 Percent
6	PWD (Person With Disability)	0.5 Percent

[10]

**3.1 Recruitment of Non-Teaching and Teaching Personnel:** The Government of India and the UGC (University Grants Commission) have established guidelines for educational institutions receiving funding from the Central Government. These guidelines mandate a quota share for teaching and non-teaching jobs, specifically for OBC (Other Backward Classes), SCs (Scheduled Castes), and ST (Scheduled Tribes). In positions where the Central Government or UGC provides all the money, Central Universities must follow the Government of India's quota policy for SCs, STs, and OBCs. The policy stipulates that fifteen percent, seven percent, and twenty-seven percent of teaching and non-teaching employment opportunities be reserved for SCs, STs, and OBCs, respectively.

As per the DOPT Order No.36011/6/2010-Estt dated June 25, 2010, Universities may follow the degree of reservation in the 'C' Group and previous 'D' Group employment. Expressly, 7.5 percent, 15 percent, and the Government set aside 27 percent of slots for STs, SCs, and OBCs in direct recruitment for 'A' and 'B' Group employment. At all three levels - Assistant Professor, Associate Professor, and Professor - reservations are allocated as follows: 15 percent for SCs and 7.5 percent for STs. However, 27 percent of OBC reservations in teaching positions apply only to assistant professor posts.[11] It is worth noting that the 15 percent for SCs and 7.5 percent for STs will remain unchanged until 2023.

### **3.2 Central Government Higher Education**

**Institution Admissions:** Indian higher education institutions admit a sizable percentage of SC (Scheduled Castes) and ST (Scheduled Tribes) students, which is undoubtedly a result of the nation's reservation rules. As evident from the Table, SCs accounted for 15 percent of student admissions to Central Higher Education Institutions, while STs comprised 7.5 percent. In a letter dated March 23, 2016 (No.F.21.2.2015 (CU)), UGC Joint Secretary Mr. K.P. Singh directed all Registrars of Central Universities to implement the policy of 15 percent reservation for SCs and 7.5 percent for STs in admissions and posts.[12] Over the years, numerous students from restricted categories, particularly STs and SCs, have secured admission to prestigious colleges and universities in India based on quotas.[13] To give effect to the Constitution's requirements, legislative measures for admission reservation at central educational institutions, including universities set up, maintained, or assisted by the Central Government, are both practical and necessary. However, considering that economically disadvantaged groups received an additional 10 percent reservation, limiting the reservation limit to a maximum of 50 percent until 2018 and 60 percent from 2019 onwards is essential.

**3.3 Merit-Based List:** The unreserved category (UR) merit list will comprise all candidates in order of merit, regardless of their categorization. The merit list will include SCs, STs, OBCs, and EWS candidates who meet the merit criterion for the UR category. However, candidates from these categories can only be accepted from the UR category merit list based on their merit, not their categorization.

Merit is the sole basis for admission to UR category seats, with no exceptions or reservations for SCs, STs, OBCs, or EWS applicants. Notably, the seats reserved for SCs and STs exceed 50/60 percent. In that case, there will be no reservation for OBCs, except in specified northeast districts such as Arunachal Pradesh, Mizoram, Nagaland, tribal portions of Assam, and other tribal states.[14] Applicants seeking admission under the SCs, STs, and other categories must possess genuine certificates issued by competent authorities in their names. Furthermore, the reservation policy for admission to Central Universities and Colleges aligns with the proportion of all categories in Indian Central Government Services.[15]

### **4. India's State Legislative Assemblies Reserve Seats for SCs and STs.**

In India, the State Assembly elections feature reserved seats allocated based on the Indian Constitution's Part XVI. This provision addresses the legislature reservations for SC (Scheduled Castes) and ST (Scheduled Tribes). As a result, elections often include designated seats for STs and SCs. According to the latest data available until 2023, 1,265 out of 4,120 assembly seats are set aside in various states for members of SCs, STs, or other relevant communities.[16] The Delimitation Commission assigned elected seats in State Legislatures to all states based on the 1961 Census results. The State Legislative Assembly (Vidhan Sabhas) allocated 227 seats to STs based on the 1961 census. Article 332 of the Constitution, the People's Representation Amendment Act of 1980, and the Delimitation Order of 1976 collectively mandate that the Union Territories and states reserved 294 out of 3,977 Vidhan Sabha seats for STs. Furthermore, Article 332 ensures that SCs and STs have designated seats in each State's Legislative Assembly, providing equal representation in UTs and State Legislative Assemblies.[17] The number of members of STs and SCs relative to the State's total population determines their allotment of seats in the Legislative Assembly.[18] The Indian Constitution of 1950 established a reserved seat system for weak, disadvantaged, underrepresented, and exceptional protection groups in politics. This structure ensured that all voters in a constituency elect these seats, which remained in effect for the first ten years. Here are the most recent seat allocations from Vidhan Sabhas (State Assemblies) until 2023.



**Table 5:** Reserved seats in States Legislative Assemblies for SCs, STs, and others (2023)

1	Andhra Pradesh	227	48
2	Arunachal Pradesh	1	0
3	Assam	102	8
4	Bihar	203	38
5	Chhattisgarh	51	10
6	Goa	39	1
7	Gujarat	142	13
8	Haryana	73	17
9	Himachal Pradesh	48	17
10	Jharkhand	44	9
11	Karnataka	173	36
12	Kerala	124	14
13	Madhya Pradesh	148	35
14	Maharashtra	234	29
15	Manipur	40	1
16	Meghalaya	5	0
17	Mizoram	1	0
18	Nagaland	1	0
19	Orissa	90	24
20	Punjab	83	34
21	Rajasthan	141	34
22	Sikkim	0	2
23	Tamil Nadu	188	44
24	Tripura	30	10
25	Uttarakhand	55	13
26	Uttar Pradesh	318	85
27	West Bengal	210	68
28	Telangana	92	18

[19]

In India's State Legislatures, Scheduled Castes (SCs) and Scheduled Tribes (STs) citizens have reserved seats. Notably, all voters elect the representatives for these reserved seats in a constituency without a distinct electorate. According to the 2011 Census data, there are 614 MLAs from SCs among the 4,120 seats at the State level. The census reported that SCs comprised 16.7% of the population. States with large populations, such as Orissa, Karnataka, Uttar Pradesh, Telangana, Maharashtra, Bihar, and Andhra Pradesh, have bicameral legislatures. These bicameral Legislative Assemblies consist of both a Legislative Assembly and a Legislative Council. In contrast, Unicameral Legislative Assemblies lack a Legislative Council. The State Legislative Council requires more representation for SCs and STs. Each State's Legislative Assembly must have reserved seats for STs and SCs, depending on the population. Consequently, several States and Union Territories lack reserved seats due to low populations. The Table indicates that Meghalaya, Mizoram, Nagaland, and Arunachal Pradesh do not have any SC seats for Legislative members due to their deficient SC population. Uttar Pradesh has the most reserved SC seats, with 85, followed by West Bengal with 68 and Andhra Pradesh with 48. Among Union Territories, only Delhi and Pondicherry have reserved legislative

seats. Sikkim has the fewest seats, with 32. However, SCs and STs have 2 and 12 legislative members, respectively, including reserved and unreserved categories.

In contrast, Uttar Pradesh has the most total seats, with 403, but SCs and STs have 85 and zero legislative members, respectively, including reserved and unreserved categories. STs have 554 MLAs out of the State's 4,120 MLAs. The 2011 census serves as the basis for this figure, which reported that 8.6% of the population belonged to STs. States with significant ST populations include Odisha, Maharashtra, Madhya Pradesh, Jharkhand, Chhattisgarh, and the northeast. However, States like Haryana, Goa, Punjab, Uttar Pradesh, and Punjab lack seats in the STs State Legislative Assemblies due to their smaller demographics. Arunachal Pradesh and Nagaland have 59 (99%) STs Legislative members out of 60. Mizoram and Meghalaya have 39 (99%) and 55 (95%) STs Legislative members out of 40 and 60 total Legislative members, respectively. Bihar, Kerala, Tamil Nadu, and Uttarakhand have two ST legislative members.[20] The remaining States have between 3 and 47 STs as legislative members.

**Table 6:** Union Territories Reserved Seats in States Legislative Assemblies for SCs, STs, and others (2023)

SN	Name of Union Territory	Gen.	SCs	STs	Others	Total
1	Andaman & Nicobar Islands	0	0	0	0	0
2	Chandigarh	0	0	0	0	0
3	Dadra & Nagar Haveli, Daman & Diu	0	0	0	0	0
4	Ladakh	0	0	0	0	0
5	Delhi	58	12	0	0	70
6	Lakshadweep	0	0	0	0	0
7	Pondicherry	25	5	0	0	30
8	Jammu & Kashmir	0	0	0	87	87

[21]

The Central Government of India's direct control over Union Territories (UTs) means there are no Scheduled Tribes (STs) Legislative Members in these territories. Before November 21, 2018, the Governor of Jammu and Kashmir dissolved the Legislative Assembly. Later, they disbanded the Legislative Council on October 17, 2019. In August 2019, the Indian Parliament implemented a significant change by reorganizing Jammu and Kashmir's legislature from a bicameral to a unicameral system. On October 31, 2019, the Government recognized the State as a Union Territory after this change.

The same day the Jammu and Kashmir Reorganization Act was approved, The Government established Ladakh as a distinct Union Territory. As a result of these changes, India now comprises 28 states and eight Union Territories.

### 5. Reservation of Seats for SCs and STs in the Lok Sabha (Lower House of Parliament of India)

In India's Parliamentary Assembly elections, reserved constituencies exist for Scheduled Castes (SCs) and Scheduled Tribes (STs). Part XVI of the Indian Constitution deals with ST and SC reservations in central legislatures. Specifically, Article 330 allows for particular representation in the Parliament Legislative Assemblies by reserving seats for SCs and STs.[22] Initially, the Government set the reservation to terminate after 10 years.

**Table 7:** State-wise Seats Reserved in the Lok Sabha for SCs and STs, 2008-2030

1	Andhra Pradesh	20	4	1	25
2	Arunachal Pradesh	2	0	0	2
3	Assam	11	1	2	14
4	Bihar	34	6	0	40
5	Chhattisgarh	6	1	4	11
6	Goa	2	0	0	2
7	Gujarat	20	2	4	26
8	Haryana	8	2	0	10
9	Himachal Pradesh	3	1	0	4
10	Jharkhand	8	1	5	14
11	Karnataka	21	5	2	28
12	Kerala	18	2	1	20
13	Madhya Pradesh	19	4	6	29
14	Maharashtra	39	5	4	48
15	Manipur	1	0	1	2
16	Meghalaya	0	0	2	2
17	Mizoram	0	0	1	1
18	Nagaland	1	0	0	1
19	Orissa	13	3	5	21
20	Punjab	9	4	0	13
21	Rajasthan	18	4	3	25
22	Sikkim	1	0	0	1
23	Tamil Nadu	32	7	0	39
24	Tripura	1	0	1	2
25	Uttarakhand	4	1	0	5
26	Uttar Pradesh	63	17	0	80
27	West Bengal	30	10	2	42
28	Telangana	12	3	2	17

[23]

However, it has been extended every decade through constitutional amendments, with the most recent extension occurring in 2019. The Union Government plans to defend the validity of this Amendment and Parliament's ability to grant extensions in its appeal to the Court. The proportion of SCs and STs in the population determines the number of seats reserved for them in the Lok Sabha.

According to the Indian Constitution's 104th Amendment, this reservation is valid until 2030. In light of shifting demographics, the Indian Delimitation Commission regularly analyzes and modifies the seats for SCs and STs. The Table displays the reserved seats for SC and ST in the Lok Sabha.

**Table 8:** UTs-wise Reserved Seats in the Lok Sabha for General, SCs and STs, 2008-2030

SN	Name of UTs	General	SCs	STs	Total
1	Andaman & Nicobar Islands	1	0	0	1
2	Chandigarh	1	0	0	1
3	Dadra & Nagar Haveli & Daman & Diu	1	0	1	2
4	Ladakh	1	0	0	1
5	Delhi	6	1	0	7
6	Lakshadweep	0	0	1	1
7	Pondicherry	1	0	0	1
8	Jammu & Kashmir	5	0	0	5
	<b>Total Seats: both UTs and States</b>	<b>-</b>	<b>84</b>	<b>47</b>	<b>-</b>

[24]

The Indian Parliament comprises the Lok Sabha (Lower House) and the Rajya Sabha (Upper House), the country's top legislative body. With 543 parliamentary constituencies, each electing one member to the Lok Sabha, eligible voters directly elect the Lok Sabha members. The Government allocated reserved seats for SCs (Scheduled Castes) and ST (Scheduled Tribes) in the Lower House (Lok Sabha). The number of SC seats in the Lok Sabha was raised from 79 to 84 out of 543 constituencies by the Delimitation Commission's 2008 Parliamentary Delimitation and Constituencies Assembly Order. This change resulted from the overall population growth in the states, as reflected in the 2001 census. According to the Table, SCs have reserved 84 Lok Sabha seats across states and UTs (union territories). The distribution of SC seats varies across states. For instance, Andhra Pradesh had seven SC seats divided into four and three after Telangana became a separate state.

In contrast, eight states - Arunachal Pradesh, Goa, Tripura, Manipur, Mizoram, Meghalaya, Nagaland, and Sikkim - have no SC seats in the Lok Sabha. Some states, such as Assam, Chhattisgarh, Himachal Pradesh, Jharkhand, and Uttaranchal, have only one SC member. In union territories, Delhi has a reserved seat for SCs in the Lok Sabha, while the remaining seven union territories have no reserved seats. Notably, the Indian Constitution states that the Rajya Sabha, the upper body of Parliament, has no SC representatives.

The number of Lok Sabha seats for STs increased from 41 to 47 out of 543 constituencies due to the growth in the ST population, as per the 2001 census. In the 15th Lok Sabha elections, the Government raised the seats for STs. This increase was made possible by the Parliamentary Delimitation and Constituencies Assembly Order of 2008. Currently, 11 states, including Bihar, Arunachal Pradesh, Goa, Himachal Pradesh, Haryana, Sikkim, Nagaland, Uttar Pradesh, Punjab, Tamil Nadu, and Uttarakhand, have no ST MPs in the Lok Sabha. However, Arunachal Pradesh and Nagaland tribals have been elected general category members. It is worth noting that Arunachal Pradesh and Nagaland are present as broad categories because there is no designated category for general representation, and the State is 99% tribal. The remaining states have between 1 and 6 ST members. Madhya Pradesh has the highest number of reserved ST seats in the Lok Sabha, with six members. The UTs of Dadra and Nagar Haveli, Daman and Diu, and Lakshadweep each have one representative, while the remaining union territories have none. As of 2023, the Lok Sabha has 543 seats, with 412 allocated for general candidates, 84 for SC candidates, and 47 for ST candidates. SCs and STs hold around 24% of the total seats.

## 7. Conclusion

In conclusion, India's reservation system is a multifaceted policy designed to promote social justice and equality by providing opportunities to historically excluded groups, including Scheduled Castes (SCs) and Scheduled Tribes (STs). The system is grounded in the Indian Constitution, which guarantees equal public employment and education opportunities. The Constitution empowers the State to enact legislation to set aside positions in Government agencies or employment for underrepresented citizens or persons from backward groups. The system aims to help people regain their rights and promote representation for backward classes and economically disadvantaged sectors. The Indian Government has established a complex framework for reservations in Central Government services, educational institutions, and State Legislative Assemblies. The reservation percentages vary significantly across states, with some states having a high percentage of reservations for SCs and STs while others have none.

The Central Government has reserved 15.34% of the workforce for SC employees and 6.34% for ST employees across 19 ministries. The Government reserves 22.5% of available spaces for SC and ST students in educational institutions. The reservation system also extends to the Lok Sabha, with 84 seats reserved for SCs and 47 seats reserved for STs. Overall, the reservation system in India is a critical component of the country's efforts to promote social justice and equality, and its complexities and variations reflect the diversity of the Indian population.

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