

3. Sub-Classification within SC Quota – Polity

1. Why in News?

1. Karnataka Government has approved a new sub-classification framework within the 15% SC quota
2. Aims to resolve prolonged recruitment deadlock and address intra-Dalit disparities
3. New framework will enable filling of 56,432 vacant posts

2. Key Policy Highlights

Recruitment Restart

1. Government will immediately begin filling 56,432 vacant posts
2. Previous notifications based on older 6:6:5 ratio (under 17% plan) will be withdrawn
3. Replaced with new sub-classification matrix

Nomadic Community Safeguards

1. Within Category 3, one in every five posts reserved specifically for 59 nomadic (Alemari) communities
2. If no candidate available from these groups, post remains within Category 3 for other sub-castes

Addressing the 50% Cap

1. State legislature previously passed law for 17% SC reservation
2. Government has reverted to 15% limit to avoid legal hurdles regarding Supreme Court's 50% reservation ceiling

Backlog Provision

1. 6% of posts (2% SC and 4% ST) treated as "backlog"
2. Pending High Court decision on state's move to push total reservation to 56%

About Sub-Classification

1. Dividing broader reserved category (like SCs) into smaller groups based on varying levels of social and economic backwardness
2. Ensures fair distribution of benefits among different sub-groups
3. Example: OBC "Creamy Layer" exclusion ensures benefits reach truly disadvantaged "Non-Creamy Layer"

Need for Sub-Classification

1. Benefits of reservation often disproportionately reach relatively advanced sub-castes
2. Most marginalized among SCs remain deprived
3. Addresses internal disparities within reserved categories

About Scheduled Castes

1. Communities historically disadvantaged and subjected to untouchability and social discrimination
2. Article 341(1): President specifies castes deemed as SCs for each State/UT
3. Article 341(2): Parliament empowered to include or exclude castes from SC list

Constitutional Provisions

1. Article 14: Equality before law
2. Article 15(4): Special provisions for advancement of socially and educationally backward classes
3. Article 16(1): Equal opportunity in public employment
4. Article 16(4): Reservation in public employment for backward classes
5. Article 341: Presidential notification and Parliamentary modification of SC list

3. Arguments For and Against Sub-Classification

Arguments in Favour	Arguments Against
Ensures most marginalized within SCs benefit from reservations, not just relatively advanced groups	May divide SCs, weakening collective political and social strength

Promotes substantive equality based on actual needs rather than formal equality	SCs recognized as homogenous group under Article 341; sub-classification could undermine this basis
Recognizes layered discrimination and ensures targeted affirmative action	Adds administrative complexity in identifying sub-groups and monitoring implementation
Recent Supreme Court decisions allow sub-classification if data-driven and justified	Potential for political misuse rather than genuine assessment of social backwardness
OBC "creamy layer" concept shows benefits can reach truly needy	Continuous litigation and lack of clear criteria could delay process

4. Supreme Court Evolution on Sub-Classification

1. E.V. Chinnaiah Case (2005): SCs formed homogenous group, cannot be sub-categorized
2. Davinder Singh Case (2014): Referred issue for reconsideration to 5-judge Constitution Bench
3. 2020 Ruling: 5-judge Bench found E.V. Chinnaiah requires reconsideration
4. 2024 (State of Punjab v. Davinder Singh): 7-judge Bench held intra-SC sub-classification constitutionally permissible, subject to empirical justification and judicial review

5. Way Forward

1. Establish commission similar to G. Rohini Commission (for OBC sub-categorization)
2. Address internal disparities while preserving community unity
3. Engage SC community representatives, legal experts, and social scientists for better categorization

Source: <https://www.thehindu.com/news/national/karnataka/karnataka-internal-quota-cabinet-clears-sub-classification-within-15-for-scs/article70902436.ece>

