

Cabinet approval for panel to study quotas within OBC quota

**SHALINI NAIR
& RAVISH TIWARI**

NEW DELHI, AUGUST 23

THE UNION Cabinet Wednesday approved the setting up of a commission to examine the sub-categorisation of almost 5,000 castes in the central list of Other Backward Classes (OBCs) to ensure a “more equitable distribution” of reservations in central government jobs and educational institutions.

“Under Article 340 of the Constitution, the President would be recommended to constitute a commission that would examine the central list of OBC and sub-categorise it. The proposal is that there will be sub-categorisation within the OBC list for the purposes of central government employment,” Finance Minister Arun Jaitley said after a meeting of the

Rs 2 LAKH HIKE IN CREAMY LAYER CAP

The Government has revised the criteria for “creamy layer” among OBCs from Rs 6 lakh per annum to Rs 8 lakh.

REPORT, PAGE 7

Cabinet chaired by Prime Minister Narendra Modi.

The Indian Express had first reported on August 14 about this proposed move by the government.

Announcing that the Cabinet has approved the proposal submitted by the Ministry of Social Justice and Empowerment, Jaitley said that the former National Commission for

CONTINUED ON PAGE 2

OBC quota

Backward Classes (NCBC) as well as a Parliamentary Standing Committee had recommended such a sub-classification. “We have accepted this after inter-ministerial consultation,” he said.

Jaitley said the intent is to ensure a “more equitable distribution amongst the OBCs themselves” so that those that get left behind in the broader classification in every state are able to get benefits meant for the community.

Once the chairperson of the new commission is appointed, it will have 12 weeks to submit its report. Its terms of reference include examining “the extent of inequitable distribution of benefits” among OBCs with reference to the Central list. It will also have to evolve a scientific methodology and classify the OBCs into sub-categories.

In its report submitted in March 2015, the former NCBC under Justice Eswaraiiah had advocated sub-categorisation within the OBCs. Citing Article 14, the report had noted that un-equals cannot be treated equally and have to be brought on par with advanced classes. It had asked for sub-categorisation within OBCs into Extremely Backward Classes (Group ‘A’), More Backward Classes (Group ‘B’) and Backward Classes (Group ‘C’). The Cabinet decision is likely to build upon this suggestion.

In 2015, the NCBC had also sought the approval of the Government to undertake the exercise “to avoid lumping so that one or two such classes do not eat away the entire quota leaving the other backward classes high and dry”. It had said that the ICSSR should be roped in to study state-wise lists with reference to traditional occupation, and social, educational and economic backwardness.

At present, Andhra Pradesh, Telangana, Puducherry, Karnataka, Haryana, Jharkhand, West Bengal, Bihar, Maharashtra and Tamil Nadu, as well as the Jammu region, have such a sub-categorisation in place for their state list of OBCs for employment in the state government. However, there is no such sub-categorisation in some of the bigger states, such as Uttar Pradesh, Madhya Pradesh and Rajasthan. Likewise, there is no such sub-categorisation in the central OBC list.

The latest decision comes over 25 years after the implementation of the Mandal Commission report, and is being seen as a political move that seeks to widen the BJP’s appeal among non-dominant castes among OBCs.

Welcoming the move, BJP president Amit Shah said, “The sub-categorisation will help prioritise castes within the OBCs that need reservation and other benefits because of their economic backwardness.”

On Monday, Shah had asked BJP chief ministers to “expose” the Opposition

Congress’s alleged intent to stall legislation to grant constitutional status to the NCBC in the monsoon session of Parliament that concluded recently.

“In several states, the benefits meant for OBCs, such as reservations in government jobs and educational institutions, are cornered by the dominant OBC groups. For instance, the Yadavs in UP, Jats in Rajasthan, Thevars and Gounders in Tamil Nadu or Kurmis in Madhya Pradesh have all been more advanced OBC groups in their respective states,” said a Government official.

The official said that this commission is being appointed according to Article 340 under which the Mandal commission, which recommended 27 per cent reservation for socially and educationally backward classes, was appointed.

In its proposal, the Ministry of Social Justice and Empowerment had cited the landmark 1992 Supreme Court order in the Indira Sawhney vs Union of India case, which said that there is no Constitutional bar to a state further classifying backward classes based on degrees of social backwardness.

Against this backdrop, the proposed sub-categorisation at the national level could be the most radical move since the V P Singh government accepted the Mandal Commission’s recommendations in 1989. A quota within quota is considered to be the next stage — Mandal 2.0 — of reservation for OBCs.