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The Reservation Policy in India: A Necessary Tool or Hindrance to Merit Based Growth

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ABSTRACT

Reservation has remained one of the most debated and sensitive socio-legal issues in India. While a significant section of society considers reservation an essential mechanism for ensuring social justice and equality, others argue that it adversely affects meritocracy and fair competition in educational institutions and public employment. The reservation system in India was introduced with the objective of uplifting historically disadvantaged and socially marginalized communities, particularly the Scheduled Castes (SCs), Scheduled Tribes (STs), and Other Backward Classes (OBCs), who were subjected to centuries of discrimination and exclusion. Over time, the policy has expanded to include Economically Weaker Sections (EWS), thereby widening the scope of affirmative action within the constitutional framework of India.

This research paper critically examines whether reservation continues to function as a necessary tool for social upliftment or whether it has become a hindrance to merit-based growth in contemporary India. The study analyses the historical development of reservation policies, constitutional provisions, landmark judicial decisions, and the socio-economic factors that influence the implementation of reservations in education, public employment, and political representation. It further evaluates the arguments both in favour of and against the reservation system, focusing on issues such as equality of opportunity, representation, social justice, efficiency, and meritocracy.

The paper also explores the impact of reservation policies on merit lists, competitive examinations, government employment, and promotions in public services. In addition, a comparative analysis with affirmative action policies followed in countries such as the United States and Canada has been undertaken to understand how different nations address social inequalities while balancing merit-based selection. The research adopts a doctrinal and analytical method by relying on constitutional provisions, case laws, government reports, journal articles, and secondary sources.

The study concludes that although reservation has played a crucial role in improving representation and reducing historical inequalities, reforms and periodic review

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mechanisms are necessary to ensure that the system remains fair, balanced, and consistent with the principles of equality and merit in a democratic society.

Keywords: Reservation, Meritocracy, Discrimination, Underrepresented groups

I. INTRODUCTION

As, India being a developing country facing many problems and reservation policy is one among them. According to the oxford dictionary¹, the word 'Reserve' means something that you keep for a special reason or to use at later date and the term reservation means a seat, table, room, etc. that you have booked. As per India, reservation refers to the act of reserving a fixed number of seats in government jobs, legislatures, and educational institutions for the weaker section of society. The age-old caste system of India, is one where responsible for ordination of reservation system in India. Reservation policy in India was originally developed by William Hunter and Jyotirao Phule in the year of 1882. The basic principle of reservation is that , protecting and giving opportunities based on their caste and preventing the malpractice of untouchability in India. Initially reservation was only given to SC and ST , but later extended to the OBCs in 1987 after the implementation of the Mendal Commission report. However, the present reservation system in India was introduced in 1933 by British Prime Minister Ramsay Macdonald in the form of the Communal Award. Under the provision of the communal award, there were separate electorate for European, Anglo-Indian, Indian Christian, Muslims, Sikhs, and Dalits. But on 24 September 1932 when Poona pact agreement between mahatma Gandhi and Dr BR Ambedkar was signed, that decision provides reservation for depressed classes.

After India gained independence, the new government introduced to uplift the underrepresented communities, especially the Scheduled Castes (SCs) and Scheduled Tribes (STs), through reservation policies. In 1950, reservations were initially set at 15% for Scheduled Castes and 7.5% for Scheduled Tribes in government jobs and educational institutions. These quotas aimed to address the historical discrimination and social inequalities faced by these communities.

The Other Backward Classes Commission, headed by B.P. Mandal, was established in 1979 to identify socially and educationally backward classes and suggest measures for their upliftment. As the Mandal Commission Reports (1980) that 27% reservation for Other Backward Classes (OBCs) in addition to the existing quotas for SCs and STs, bringing the total reservation to 49.5%. In 1990, Prime Minister V.P. Singh implemented the Mandal Commission's

¹ Definition of Reservation: (Oxford Learners Dictionary), <https://www.oxfordlearnersdictionaries.com/definition/english/reservation>

suggestions.

In *Indra Sawhney v. Union of India* (1992) case,² the Supreme Court held that OBCs can enjoy the reservations, as those provisions designed in the Constitution of India of total reservations at 50% for reserved categories. The court also excluded the "creamy layer" from enjoying OBC benefits. In 2019, the government introduced a 10% quota for the Economically Weaker Sections (EWS) among the general category, based on economic criteria rather than caste.

The reservation for Economically Weaker Sections (EWS) was provided through the 103rd Constitutional Amendment Act, 2019³. This amendment inserted two new clauses in the Indian Constitution:

- Article 15(6): Allows the state to make special provisions for the advancement of EWS in matters of admission to educational institutions (both private and public), excluding minority institutions.
- Article 16(6): Provides for up to 10% reservation for EWS in government jobs.

This 10% reservation is in addition to the existing reservations for SCs, STs, and OBCs, but it applies only to individuals who do not fall under these other categories. The EWS reservation is based on economic criteria rather than caste.

Reservation has been expanded to institutions like the Indian Institutes of Technology (IITs), All India Institute of Medical Sciences (AIIMS), and others⁴. This has sparked debate on the impact of reservations on academic merit and the quality of education.

A. Current Scenario

Today, the reservation system in India covers:

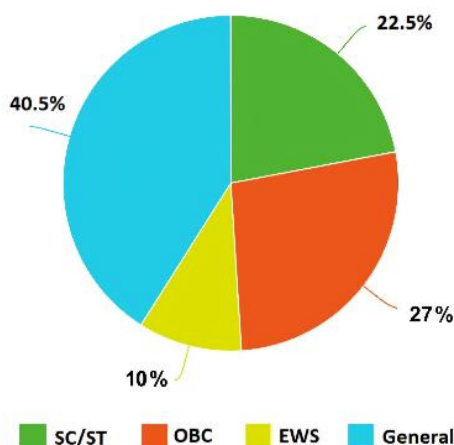
Reservation Category	Reservation Quota (%)
ST	7.5
SC	15
OBC	27
EWS	10
Total	59.50%

Source: Alex Andrews George, "Reservation in India – Explained in Layman's Terms," ClearIAS (March 6, 2024), <https://www.clearias.com/reservation-in-india/>

² *Indra Sawhney Etc. Etc vs Union Of India And Others, Etc. Etc.* on 16 November, 1992 AIR1993SC477, [1992]SUPP2SCR454, AIR 1993 SUPREME COURT 477, 1992 AIR SCW 3682, 1993 LAB IC 129, (1992) 6 JT 273 (SC), (1992) 6 JT 673.1 (SC), 1992 (3) SCC(SUPP) 217, 1992 (6) JT 273, (1993) 1 SCT 448, (1993) 1 SCJ 353

³ INDIA CONST, amended by The Constitution (103 Amendment) Act,

⁴ The Hindu : Front Page : OBC quota for faculty posts in IITs challenged". 12 July 2008



Sources: Prabhakar Waghodekar, "Present caste based Reservation policy in India," ResearchGate (February 2020), https://www.researchgate.net/figure/Present-caste-based-Reservation-policy-in-India_fig1_339041201

The total reservations across sectors like education and public employment remains at 50%, as per the Supreme Court's ruling, except in certain states where specific laws have allowed for variations (like Tamil Nadu, where reservations exceed 50%)⁵

The reservation policy is actually designed to uplift the underrepresented communities. The reservation policy provides some percentage of seats in government jobs, educational institutions, legislatures assembly and even in political bodies. the main objective is to reduce social inequality and provided to see the participants of underrepresented communities in the society. In the order to get social justice and equality the Constitution of India provides some provisions. As per the provision of Constitution, the reservation policy set some percentage seat to be reserved based on their caste category. 15% for SCs, 7.5% for STs, 27% for OBCs. A 10% for Economically Weaker Sections (EWS) was added in 2019.

B. Constitutional Provisions: Based on Reservation System

India's reservation system is primarily based on several constitutional provisions aimed at promoting social equality and providing opportunities for historically disadvantaged communities⁶. Here are key constitutional provisions related to the reservation system:

- Article 15(4): "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".

⁵ "How Tamil Nadu's reservation stands at 69% despite the 50% quota cap," The News Minute (March 29, 2021, 4:21 am), <https://www.thenewsminute.com/tamil-nadu/how-tamil-nadu-s-reservation-stands-69-despite-50-quota-cap-146116>

⁶ Drishti IAS, < <https://www.drishtiias.com/reservation-in-india>>, July 2022.

- Article 16(4): “The Constitution provide for reservation in appointments to posts and services in favour of backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State.”
- Article 330: "Reservation of seats for Scheduled Castes and Scheduled Tribes in the House of the People, seats shall be reserved in the House of the People for the Scheduled Castes and the Scheduled Tribes."
- Article 332: “Reservation of seats for Scheduled Castes and Scheduled Tribes in the Legislative Assemblies of the States.”
- Article 243D: “Reservation of seats. — Seats shall be reserved for the Scheduled Castes and the Scheduled Tribes, in every Panchayat.”
- Article 335: “Claims of Scheduled Castes and Scheduled Tribes to services and posts.”⁷

C. Research Problem

The reservation policy in India introduces criteria beyond individual merit into the selection process, raising the question of whether social justice can coexist with meritocracy.

D. Review of Literature

1. According to Dr. Ashish Singha in “A Study on the issues of reservation policies in India “, the document offers a balanced view of India's reservation system, recognizing its role in promoting social justice and aiding marginalized groups. It highlights the system’s benefits for underrepresented communities but also raises concerns about its impact on merit-based selection and fairness. The introduction of the EWS quota addresses economic disparities, yet challenges around long-term dependency remain. In my view, the reservation system is necessary but should gradually evolve to focus on economic need and merit. This approach would support those in genuine need while promoting a fair, unified society that values both social equity and individual achievement.⁸

2. In article” Reservation system in India: Is it indispensable?” by Inderjeet Santoshi, the document’s review of literature provides a balanced perspective on India’s reservation system, which, while rooted in the noble goal of social justice, faces criticism in modern society. Originally meant to empower marginalized communities, the system now raises concerns about

⁷ Vajiram & Ravi , < <https://vajiramandravi.com>>, "what are the constitutional provisions relating to reservation in India", 15-11-2022.

⁸ Dr. Ashish Singhal, Eakramuddin, and Jamshed Ansari, "A Study on the issues of reservation policies in India," *International Research Journal of Engineering and Technology (IRJET)*, Volume 06, Issue 04, page 4253-4260 (2019).

fairness, especially for economically disadvantaged individuals from non-reserved categories. It highlights both the social benefits and inefficiencies of a caste-based approach, suggesting that economic criteria could make the system fairer. In my opinion, moving toward income-based reservations could create a more equitable framework, ensuring support reaches those most in need without compromising merit-based opportunities.⁹

3. In the article "Reservation system in India: advantages and disadvantages" by Monika Chopra, the author presents a critical perspective on the current state of India's reservation policy, arguing that what was intended as a temporary tool for social upliftment has become a source of division and political exploitation. The paper contends that the persistence of the reservation system, originally conceived by Dr. B.R. Ambedkar with a ten-year limit, has contributed to heightened competition and unemployment. The author suggests that the system is frequently manipulated by political figures for electoral gains, often at the expense of genuine social welfare. In my opinion, while the author highlights critical flaws regarding political misuse and the erosion of equal opportunity, the discourse would benefit from exploring how reservation functions as a necessary mechanism for addressing deeply entrenched systemic inequalities, rather than viewing it solely as a barrier to meritocracy.¹⁰

II. CONCEPTUAL FRAMEWORK

A. Meritocracy

Meritocracy in India refers to the system in which individuals are rewarded or given opportunities based on their skills, abilities, and performance, rather than their caste, religion, or socio-economic background. In sectors like education, government services, and private employment, meritocracy plays a key role in determining access to jobs, promotions, and academic opportunities. However, in India, which complicate the balance between merit and social justice.

To talk about meritocracy we need to know it's importance, Meritocracy ensures that individuals are judged and regarded based on their talents, qualifications, and efforts, regardless of their social background, race, caste, or economic status. This promotes equality¹¹ by giving everyone a fair chance to succeed based on their abilities. When rewards like promotions, academic admissions, or career opportunities are based on merit, individuals are more motivated

⁹ Inderjeet singh, "Reservation system in India: Is it indispensable ", International Journal of Law ,volume 9 issue 6,page no 181 : (2023)

¹⁰ Monika Chopra, "Reservation system in India: advantages and disadvantages," *International Research Journal of Engineering and Technology (IRJET)*, Volume 06, Issue 04, page 4253-4260 (2019)

¹¹ "The Mantra of Meritocracy," Stanford Social Innovation Review, accessed January 12, 2025, https://ssir.org/articles/entry/the_mantra_of_meritocracy.

to work hard and improve their skills. Meritocracy reduces the influence of nepotism and corruption. In a merit-based system, rewards and positions are given based on proven abilities, not personal connections. By focusing on merit, systems become more transparent, and thereby our country may develop. In public institutions, merit-based appointments lead to stronger governance, better policy decisions, and efficient public services. When the most capable individuals are in leadership roles, institutions tend to function more effectively and for the public good.

Meritocracy helps reduce tensions and divisions by demonstrating that everyone, regardless of their background, has a fair chance to succeed based on their abilities.

B. Challenges to Meritocracy in India

Even though meritocracy is considered an ideal system, achieving it in a country like India is not so simple. India faces several deep-rooted challenges that make it difficult to implement a purely merit-based system. Some of the major challenges are discussed below.

1. Reservation System

One of the biggest challenges to meritocracy in India is the reservation system. While reservations were introduced with a noble goal to correct historical injustices and social inequalities they have created an ongoing debate about whether they affect fair competition. When seats in colleges and government jobs are reserved based on caste, candidates from the general category sometimes feel that their merit is being overlooked, even when they score higher marks.¹²

2. Socio-Economic Inequality

Not everyone in India gets the same opportunities. Many students from rural areas, economically weaker families, or underdeveloped regions do not have access to quality schools, coaching centres, or study materials. This puts them at a natural disadvantage in competitive exams, making it hard to say that the competition is truly equal for everyone.¹³

3. Private Sector vs. Public Sector Divide

In the private sector, selection and promotion are mostly based on performance and skill. However, in the public sector, both merit and reservation coexist. This creates an uneven system

¹² M. Chopra, *Reservation System in India: Advantages and Disadvantages*, 15 INT'L J. ECON. PERSPECTIVES 30, 32 (2021)

¹³ Inderjeet Singh, *Reservation System in India: Is It Indispensable?*, 9 INT'L J.L. 181, 183 (2023)

where the same individual may be treated differently depending on whether they are applying for a private or a government job.¹⁴

4. Corruption and Nepotism

Even in a system that claims to be merit-based, corruption and nepotism remain serious problems in India. In some cases, personal connections, bribes, or political influence play a bigger role than actual talent or hard work. This weakens the very foundation of meritocracy and discourages honest and capable individuals.¹⁵

5. Regional and Rural Disparities

Students from rural areas or less developed states often receive a lower quality of education compared to those from cities or well-developed regions. This regional gap means that even if the system tries to be fair, the unequal quality of education across the country makes true meritocracy difficult to achieve.¹⁶

III. HOW RESERVATION POLICY AFFECTS MERIT LISTS?

The reservation system which affects merit lists in various ways, like:

1. Merit Lists based on Reserved and Unreserved Categories:

Merit-based Reserved Categories: SC, ST, OBC and EWS, who are considering in reserved of merit-list with respective to their reservation quotas. Even though the candidates get lower mark than unreserved category, they will be reserved based on their percentage of quotes.

Impact on Unreserved Category: The candidates with higher scores in the unreserved category were not able to reserve seats, because of limited seats available to unreserved categories.

2. Reduced Cut-off Marks

To fill the seats, the cut-off marks for reserved category is reduced than for the general category. As a result, candidates with lower scores may secure positions, while candidates from the unreserved category with higher scores may not get secure position.

3. Promotion Reservations

In cases where reservations are applied in promotions within government jobs, merit-based

¹⁴ Ishanvi Biswal, *Reservation in Promotions: Analysing the Impact of Article 16 on Equality in Employment Within Government Services*, INDIAN J.L. & LEGAL RES. (2022); Vajiram & Ravi, *What Are the Constitutional Provisions Relating to Reservation in India?*, VAJIRAM & RAVI (Nov. 15, 2022), <https://vajiramandravi.com>.

¹⁵ *Seat Reservation and Corruption*, TIMES OF INDIA (July 12, 2017), <https://timesofindia.indiatimes.com>.

¹⁶ *The Mantra of Meritocracy*, STAN. SOC. INNOVATION REV., https://ssir.org/articles/entry/the_mantra_of_meritocracy (last visited Jan. 12, 2025)

promotions might be affected as employees from reserved categories can be promoted over others with better performance or seniority, leading to frustration and claims of unfairness in the workplace.

While the goal of reservation is to provide opportunities to underrepresented groups, the reservation policy's effect on the merit list is a point of disagreement. It affects merit by allowing candidates with lower scores to be selected, which affects the person with higher scores. Where reservations affect the merit list candidates in various fields.¹⁷

Reservation policies affect the merit list across various fields in India, particularly in the following areas:

1. Education (College Admissions):

In competitive entrance exams for colleges and universities (such as NEET, JEE, or state board exams)¹⁸, reservation affects the merit list by setting reserved seats for students from SC/ST, OBCs, and EWS. As a result, the cut-off marks for students from reserved categories are lower, which allows them to get seat with lower scores compared to general category students.

Example: In top institutions like the Indian Institutes of Technology (IITs) or medical colleges, candidates from reserved categories qualify with lower marks, which can affect merit list candidates with high scores.

2. Government Jobs:

Even in government jobs we have reservation based their caste, for position like IAS, IPS, IRS, IFS and etc. This can result in candidates from reserved categories being selected for jobs with lower scores (in competitive exams like UPSC, TNPSC and etc) compared to those from the general category, affecting the overall merit-based selection process.¹⁹

Example: In exams conducted by bodies like the Union Public Service Commission (UPSC) or Staff Selection Commission (SSC), reserved category candidates may get selected with lower marks.

3. Promotions in Government Jobs:

Reservations are also applied in promotions for government employees in certain sectors. This means that candidates from reserved categories might receive promotions even if their

¹⁷ ¹⁷ Ishanvi Biswal, *Reservation in Promotions: Analysing the Impact of Article 16 on Equality in Employment Within Government Services*, INDIAN J.L. & LEGAL RES. (2022)

¹⁸ Times of India, <https://timesofindia.indiatimes.com/education/news/reservation-impact-on-education-in-india/articleshow/77485880.cms>,

¹⁹ "Indian Reservation System, Critical Analysis, Pros and Cons" by Piyush, published on February 22, 2024, on Study IQ

performance is lower compared to general category employees, which can affect merit-list.²⁰

4. Political fields:

A certain number of seats in Parliament, state assemblies, and local bodies (panchayats, municipalities) are reserved for SCs and STs. While this doesn't affect merit candidates, it limits the number of general category candidates who can contest from the elections.

The fields most affected by reservations in terms of the merit list are education, government jobs, promotions within the public sector.

IV. CASE LAWS

1. Youth for equality v. UNION OF INDIA (2021)²¹

This case centre on the 103rd Constitutional Amendment Act, which introduced a 10% of reservation for EWS (Economically Weaker Sections) in education and jobs. This amendment expanded reservation where that might impact on meritocracy, as it was exceeding 50% of ceiling limit set by the Supreme Court in *Indra Sawhney v. Union of India* case 1

The supporters of meritocracy argued that while social justice is crucial, excessive reservations could harm fair competition, as they may limit opportunities for those who have dependent on pure merit.

However, in November 2022, the Supreme Court in 3 bench session, upload with EWS. By stating that the 50% ceiling on reservation was not an absolute rule and that EWS would be valid one for affirmative action

2. Jaishri Laxmanrao Patil vs. Chief Minister of Maharashtra (2021)²²

This case challenged Maharashtra's law granting a 16% of reservation to Maratha communities, which raised the state's total reservation quota to around 68%, far exceeding the 50% ceiling limit established by the Supreme Court of India in *Indra Sawhney v. Union of India* case

Where in this case the court emphasised that while affirmative action is essential for upliftment The court ruled that the Socially and Educationally Backward Classes (SEBC) Act, 2018, which provided reservations for the Maratha community in higher education and public employment, violated the 50% reservation ceiling set by the Supreme Court. The court reaffirmed the 50%

²⁰ "Reservation In Promotions: Analysing The Impact Of Article 16 On Equality In Employment Within Government Services" by Ishanvi Biswal, published on the Indian Journal of Law and Legal Research

²¹ *Youth for Equality v. Union of India*, Writ Petition (Civil) No. 1429 of 2018, Supreme Court of India, 14 March 2019

²² *Jaishri Laxmanrao Patil vs. Chief Minister of Maharashtra*, Civil Appeal No. 3123 of 2020, Supreme Court of India, 5 May 2021, AIRONLINE 2021 SC 240.

limit on reservations, emphasizing that exceeding this limit would compromise the principles of equality and meritocracy. The judgment also addressed the 102nd Constitutional Amendment Act, 2018, ruling that it took away states' powers to identify backward classes for reservations. This case highlights the ongoing tension between social justice and meritocracy in India's reservation policies.

V. ADVANTAGES AND DISADVANTAGES OF RESERVATION POLICY IN INDIA²³

A. Advantages

Reservation policies play a significant role in empowering underrepresented communities by providing better access to education and employment opportunities. These measures aim to correct historical injustices and discrimination based on caste, offering a level playing field for those who lack access to essential societal resources. By supporting economically disadvantaged families, reservations help improve their living conditions and build confidence among individuals from marginalized backgrounds. This approach contributes to reducing social inequalities, mitigating caste-based discrimination, and fostering national integration. Additionally, it provides targeted support to women from disadvantaged groups, enabling them to pursue education and secure jobs, thereby promoting community development and overall societal progress.

B. Disadvantages

Reservation policies are often criticized for undermining meritocracy in education and employment, as they prioritize caste-based quotas over individual capabilities. Critics argue that the benefits largely remain confined to specific reserved groups, often favoring the relatively privileged among them, while excluding the genuinely disadvantaged. This system is said to encourage caste-based politics, where votes are sought through divisive strategies, and it may lead to a decline in the quality of public services and efficiency in government jobs. Additionally, reservations are perceived to weaken fairness in competition, strengthen caste-based identities, and cause dissatisfaction among the general population. Furthermore, such policies may diminish motivation for self-improvement within the reserved categories, fostering dependency rather than empowerment.

VI. MERITOCRACY AND ARTICLE 15: A CONSTITUTIONAL ANALYSIS

Article 15 of the Constitution of India prohibits discrimination on grounds of religion, race,

²³ Monika Chopra, "Reservation system in India: advantages and disadvantages," *International Research Journal of Engineering and Technology (IRJET)*, Volume 06, Issue 04, page 4253-4260 (2019)

caste, sex, or place of birth.²⁴ At first glance, a merit-based selection system appears to be entirely consistent with this provision, as meritocracy evaluates individuals solely on the basis of their abilities, qualifications, and performance — without reference to caste or religion.

However, a purely merit-based framework must also be read alongside Article 15(4) and Article 15(6),²⁵ which empower the State to make special provisions for the advancement of socially and educationally backward classes, Scheduled Castes, Scheduled Tribes, and Economically Weaker Sections. These clauses serve as a constitutional recognition that formal equality does not always translate into substantive equality and that historical disadvantage must be actively addressed.²⁶

The Supreme Court in *State of Madras v. Champakam Dorairajan*²⁷ was the first to address the tension between merit and reservation, ultimately leading to the First Constitutional Amendment inserting Article 15(4). Later, in *Indra Sawhney v. Union of India*²⁸, the Court reaffirmed that reservations are a tool of social justice and not a violation of equality, provided they do not exceed the 50% ceiling.

Therefore, meritocracy and Article 15 are not inherently in conflict. The Constitution envisions a balanced framework where merit governs general selection, while targeted reservations correct structural inequalities. The two principles can coexist, provided reservation policies are periodically reviewed, limited in scope, and directed toward the genuinely disadvantaged.

VII. COMPARISON WITH OTHER COUNTRIES

As we all know, India adopted reservation policy, whether it is only in India. No, reservation is not exclusively adopted by India. Many other countries around the world adopted the reservation that focus on the representation of people not by their race, colour, gender, or religion, but by their socio-economic status, while India's system is primarily based on caste.

For example, countries like the United States, Russia, Australia, Canada, Nepal, Sri Lanka, and Malaysia have reservation systems that emphasize socio-economic factors rather than caste.²⁹

²⁴ INDIA CONST. art. 15, cl. 1.

²⁵ INDIA CONST. art. 15, cls. 4, 6. Article 15(4) was inserted by the Constitution (First Amendment) Act, 1951; Article 15(6) was inserted by the Constitution (One Hundred and Third Amendment) Act, 2019.

²⁶ See *Indra Sawhney v. Union of India*, AIR 1993 SC 477 (holding that substantive equality requires the State to account for historical disadvantage in framing reservation policies).

²⁷ *State of Madras v. Champakam Dorairajan*, AIR 1951 SC 226 (holding that caste-based reservation in educational institutions violated Article 15(1), which prompted the First Constitutional Amendment inserting Article 15(4)).

²⁸ *Indra Sawhney v. Union of India*, AIR 1993 SC 477 (reaffirming that reservations constitute an instrument of social justice and do not violate the right to equality, subject to a 50% ceiling on total reservations).

²⁹ Lawyers Club India. "Reservation System: India and Abroad – Is Reservation Still Needed?" Published 27 July 2023. Available at: [<https://www.lawyersclubindia.com/articles/reservation-system-india-and-abroad-is->

There are no other countries that reservation system of India is exactly same, particularly in caste-based reservation. India's reservation system is different due to its focus on rectifying caste-based discrimination, which is deeply rooted from its historical aspects. India's reservation system is constitutionally designed to address historical inequalities, often faces problems in undermining pure merit. Where reservation quotas typically around 50-60% in education and government jobs—reduce opportunities for general category candidates, leading that merit takes a back seat to social justice. While competitive exams like UPSC and IIT-JEE maintain merit-based selection processes, but the lower cutoffs for reserved categories often allow candidates with lesser qualifications to gain entry, raising questions about efficiency and fairness. This system based on caste rather than merit, frequently results in dissatisfaction, particularly among the general category, who feel disadvantaged despite having stronger qualifications.

In contrast, countries like the U.S. and Canada adopt positive action. Their approach often focuses on considering both merit and factors like race, gender, or socio-economic background. This flexibility allows for a more balanced approach, where merit remains central, while positive action adjusts for difference.³⁰

Context	India's reservation	Other countries reservation
Basic principle	Caste-based (with some economic criteria recently introduced for Economically Weaker Sections).	Race, colour gender, or sometimes economic disadvantage (e.g., U.S., South Africa).
Scope	Education, public sector jobs, political representation.	Varies by country; usually in education (e.g., U.S. college admissions) and sometimes in employment (e.g., South Africa).
Beneficiary	SCs, STs, OBCs, EWS	Varies by country: African-Americans, Latinos (U.S.), Indigenous Peoples (Canada, Australia), ethnic Malays

reservation-still-needed-14200.asp]

³⁰ A Comparison of the Reservation System in India to Affirmative Action Policies in the United States, Michigan State University International Law Review, 22 March 2021

		(Malaysia).
Reservation in private	No direct reservation in private sector	Varies by country; in South Africa, for example, affirmative action applies to both public and private sectors and in US no direct reservation in private sector only based on merit.
Merit vs reservation	Reservation often overrides merit, with fixed quotas for reserved categories, lowering cutoffs for these groups.	Merit plays a central role, but race/other may be considered
Criticism	Criticism for undermining merit due to high reservation quotas, with more focus on social justice than academic or exam performance.	Criticism exists, but typically about “reverse discrimination.” Merit is usually considered more heavily in final decisions.

VIII. SUGGESTIONS AND RECOMMENDATIONS

To strike a balance between meritocracy and social justice, it is essential to reform the reservation policy while addressing the needs of underprivileged communities. The following recommendations aim to enhance fairness and efficiency in the system:

1. Shift the focus of reservations from caste-based criteria to economic disadvantage, ensuring support for the truly needy while promoting fairness.³¹
2. Regularly evaluate the effectiveness of reservation policies and beneficiary groups to prevent misuse
3. Strengthen educational infrastructure in rural and underprivileged areas to reduce the dependency on reservations for higher education and employment opportunities.
4. Limit reservation quotas to a maximum of 50% to maintain a balance between meritocracy and social justice.³²

³¹ "Economically Weaker Sections (EWS) Quota," Government of India, 12 January 2019, [<https://www.india.gov.in/spotlight/creation-10-reservation-economically-weaker-sections-general-category>]

³² Judgment of the case Indra Sawhney Etc. Etc vs Union Of India And Others, Etc. Etc. on 16 November, 1992

IX. CONCLUSION

In conclusion, the debate over reservation versus merit-based selection remains central to India's socio-legal discourse. On one hand, reservations have played a vital role in uplifting in underrepresented communities, providing them with opportunities in education and employment. This policy aims to rectify centuries of social injustice and discrimination, allowing individuals from disadvantaged backgrounds to represent themselves in the society.

However, the implementation of reservations has raised as a problem about fairness and the impact on meritocracy. Here argument is that reservation provides low cut-off to underrepresented category which leads to low cut-off individuals of reserved, whereby highly qualified individuals from unreserved category faces problems.

While a purely merit-based system based on the individual's talent and performance. Therefore, a balanced approach is required. This could involve continuing to provide reservations for economically disadvantaged groups while placing greater attention on merit and performance in educational and employment opportunities. Additionally, improving access to quality education and resources for all, regardless of background. Simultaneously equal importance should be given for the abolishment of the caste system, malpractice of untouchability, and other sorts of discrimination from our society. So that equality and meritocracy in society can be ensured.
