



Merit in Reservation

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Context : The apex court's Bench explained how merit is served by permitting candidates belonging to reserved categories compete with 'general' candidates.



Background : The judgment

by a two-judge bench of the Supreme Court in Saurav Yadav Vs. State of Uttar Pradesh is a significant addition to the discourse on reservations.

The Supreme Court has clarified in its judgement regarding the position of law on the interplay of vertical and horizontal reservations. The two-judge Bench in Saurav Yadav Vs. State of Uttar Pradesh dealt with issues arising from the way different classes of reservation were to be applied in the selection process to fill posts of constables in the state.

Vertical Vs. Horizontal

The reservation for Scheduled Castes, Scheduled Tribes, and Other Backward Classes is referred to as vertical reservation. It applies separately for each of the groups specified under the law.

While Horizontal reservation refers to the equal opportunity provided to other categories of beneficiaries such as women, veterans, the transgender community, and individuals with disabilities, cutting through the vertical categories.

The horizontal quota is applied separately to each vertical category, and not across the board. For example, if women have 50% horizontal quota, then half of the selected candidates will have to necessarily be women in each vertical quota category – i.e., half of all selected SC candidates will have to be women, half of the unreserved or general category will have to be women, and so on.

The interlocking of the two types of reservation throws up a host of questions on how certain groups are to be identified.

Decision of the Court

Supreme court ruled against the Uttar Pradesh government, holding that if a person belonging to an intersection of vertical-horizontal reserved category had secured scores high enough to qualify without the vertical reservation, the person would be counted as qualifying without the vertical reservation, and cannot be excluded from the horizontal quota in the general category.

A similar question had arisen in the case of vertical reservations in the past, and the law had been settled similarly, If a person in the SC category secures a higher score than the cut-off for the general category, the person would be counted as having qualified under the general category instead of the SC quota.**Rationality of the Judgment**

The court in its calculation, examining a number of hypothetical scenarios, it concluded that if both vertical and horizontal quotas were to be applied together and consequently, a high-scoring candidate who would otherwise qualify without one of the two reservations is knocked off the list then the overall selection would have candidates with lower scores.

On the other hand, if a high-scoring candidate is allowed to drop one category, the court found that the overall selection would reflect more high-scoring candidates. In other words, the meritorious candidates would be selected.

The ruling strikes at the heart of the debate on merit versus reservation, where reservation is sometimes projected as being anti-merit.

Connecting the Article

Question for Prelims : The Saurav Yadav Vs. State of Uttar Pradesh, case is related to the

- (a) Election Commission
- (b) Reservation
- (c) Public Health
- (d) None of the Above

Question for Mains : 'The reservation policy for the upliftment of backward community is somehow a compromise with the merit and talent'. Critically Examine.