

## Maratha Quota Demand

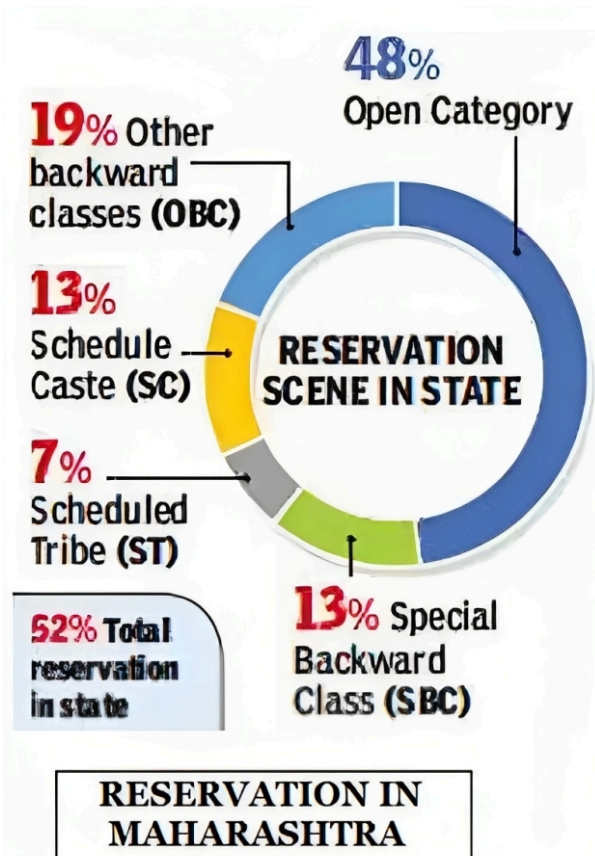
### Why in news?

Recently, an activist Manoj Jarange Patil has been demanding a blanket reservation in education and government jobs for all Marathas in the State.

### Who are Marathas?

- The Marathas comprise mainly peasant and landowning groups who make up almost a *third of the population of Maharashtra*.
- Most Marathas speak Marathi, though not all Marathi-speaking people are Marathas.
- The Marathas have been the *politically dominant* community in Maharashtra, 12 of its 20 Chief Ministers have been Marathas.
- The division of holdings and problems in the farm sector over the years have led to a decline in the prosperity of middle- and lower middle-class Marathas.

Currently, Maharashtra provides 52% reservation for different communities.



## What is the issue with demand of Maratha quota?

- **Reservation demand**- Marathas have been demanding reservation in jobs and education under OBC category for decades.
- **Legal challenges**- [Supreme Court struck down](#) the State's *Socially and Economically Backward Classes Act 2018* which granted 16% quota to the Marathas.
- **State's response**- Maharashtra government has filed a curative petition and plans to conduct a backwardness survey of the community.
- **Issue** - Marathas want to be identified as Kunbis a sub caste that already gets OBC reservation.
- **Justice Sandeep Shinde Committee** was appointed to decide the procedure for granting Kunbi caste certificates to Marathas.
- The government has also accepted the first report of the committee and issued a Government Resolution.
- **Counter-protests**- The OBC community and the Dhargar community have opposed the Maratha quota demand and threatened to launch their own agitations.

## How the Maratha reservation law evolved?

Committee	Opinion on Reservation for Maratha
Kaka Kalelkar commission, 1955	<ul style="list-style-type: none"><li>• Apart from Brahman, the Maratha claimed to have dominated all other communities in Maharashtra.</li><li>• Hence the commission <i>did not recognise Maratha as a backward class</i> community in the state of Bombay.</li></ul>
B.D.Deshmukh Committee, 1964	<ul style="list-style-type: none"><li>• The committee <i>did not find Maratha as backward class</i>.</li></ul>
Mandal Commission, 1979	<ul style="list-style-type: none"><li>• National Commission for Backward Classes held that Marathas are not a socially and educationally backward class community, but rather a socially advanced and prestigious community.</li></ul>
Rane Commission, 2014	<ul style="list-style-type: none"><li>• It recommended a <i>special reservation for the Maratha caste</i> under Articles 15(4) and 16(4) of the Indian Constitution.</li></ul>
Justice M.G. Gaikwad Commission, 2017	<ul style="list-style-type: none"><li>• It recommended Maratha people to be designated as a <i>Social and Economic Backward Class</i> (SEBC) of citizens with insufficient representation in services.</li><li>• Based on the report, <i>Maharashtra SEBC Act</i> was enacted in 2018.</li></ul>

## Why Supreme Court struck down the SEBC Act 2018?

- **Unconstitutional**- The Act exceeds the 50% ceiling limit imposed on reservations in *Indra Sawhney v. Union of India*.
- **Lacks data**- The Act provides reservation on the basis of the *Justice Gaikwad Commission report*, which lacks reliable, scientific, and adequate data to justify either the backwardness of Marathas or the extraordinary condition of increasing reservations in Maharashtra from 52% to 68%.
- **Violates fundamental rights**- The Act establishes a separate reservation category for Marathas outside the OBC category, *infringing* on *Articles 14, 16, and 19* of the Constitution by bestowing special benefits on them.
- **Violates 102<sup>nd</sup> Constitution (Amendment) Act**- The Act was passed without

adhering to the procedures outlined in this Act.

- *President* alone is empowered to identify SEBCs and include them in a list to be published under **Article 342A (1)**.
- The *States can only make suggestions* to the President of the Commission under **Article 338B** (National Commission for Backward Commission).

## References

1. [The Hindu- Maratha quota agitation](#)
2. [Indian Express- Explained Maratha quota demand](#)

