



More than 50 Percent Reservation Declared Unconstitutional in HC | Chhattisgarh | 20 Sep 2022

Why In News?

- On September 19, 2022, the Division Bench of the Chief Justice of Chhattisgarh High Court set aside the notification of the state government to increase the reservation limit to 58%, calling it unconstitutional.

Key Points

- After this decision of the High Court, the state government will now be able to give only 50% reservation on government appointments, admission in professional colleges.
- The High Court, while pronouncing its order, accepted that the notification of the state government has created an unconstitutional situation. A reservation of more than 50% is not justified and justified under any circumstances.
- It is noteworthy that the previous BJP government had amended the reservation rules in the year 2012 itself. Reservation percentage of SC category was reduced from 16 to 12%. Similarly, the number of Scheduled Tribes increased from 20% to 32%. The quota for Other Backward Classes remained intact at 14%. By doing this the percentage of total reservations increased from 50 to 58. This was contrary to the directions and legal provisions of the Supreme Court.
- While the high court's latest decision on reservation has dealt a major blow to the ongoing preparations for 27 percent OBC reservation by the state government, the 32% reservation for STs has been abolished and the government has been directed to make a law within the 50% limit.