



EWS Quota

Why in News

Recently, the [Supreme Court \(SC\)](#) has questioned the methodology adopted by the government in fixing Rs. 8 lakh as the annual income limit to identify the [Economically Weaker Section \(EWS\)](#) for providing 10% quota in public jobs and educational institutions.

Key Points

▪ About:

- The **10% EWS quota** was introduced under the **103rd Constitution (Amendment) Act, 2019** by amending [Articles 15 and 16](#).
 - It inserted **Article 15 (6) and Article 16 (6)**.
- It is for **economic reservation** in jobs and admissions in education institutes for **Economically Weaker Sections (EWS)**.
- It was enacted to promote the welfare of the poor not covered by the 50% reservation policy for [Scheduled Castes \(SCs\)](#), [Scheduled Tribes \(STs\)](#) and [Socially and Educationally Backward Classes \(SEBC\)](#).
- It enables both **Centre and the states** to provide reservation to the **EWS of society**.

▪ Significance:

- **Addresses Inequality:**
 - The **10% quota is progressive** and could **address the issues of educational and income inequality in India** since the **economically weaker sections of citizens** have **remained excluded** from attending higher educational institutions and public employment due to their financial incapacity.
- **Recognition of the Economic Backwards:**
 - There are many people or classes other than backward classes who are living under hunger and poverty-stricken conditions.
 - The proposed reservation through a constitutional amendment would **give constitutional recognition to the poor from the upper castes**.
- **Reduction of Caste Based Discrimination:**
 - Moreover, it will **gradually remove the stigma associated with reservation because reservation has historically been related with caste** and most often the upper caste look down upon those who come through the reservation.

▪ Concerns:

- **Unavailability of Data:**
 - The Statement of Object and Reason in the EWS bill clearly mentioned that the economically weaker sections of citizens have **largely remained excluded from attending the higher educational institutions and public employment** on

account of their financial incapacity to compete with the persons who are economically more privileged.”

- This is at **best a wild guess or a supposition** because the government has **not produced any data to back this point.**
- **Breaches Reservation Cap:**
 - In the [Indira Sawhney case 1992](#), the nine-judge Constitution bench put a **cap of 50%.**
 - The **EWS quota breaches this limit**, without even putting this issue into consideration.
- **Arbitrary Criteria:**
 - The criteria used by the government to decide the eligibility for this reservation is vague and is not based on any data or study.
 - Even the SC questioned the government whether they have checked the **GDP per capita for every State** while deciding the monetary limit for giving the EWS reservation.
 - Statistics show that the **per capita income in states differs widely** - Goa is the state having the highest per capita income of almost Rs. 4 lakh whereas Bihar is at the bottom with Rs.40,000.

Way Forward

- Reservation **adversely affects all the categories** except the EWS by **shrinking the competitive pool** accessible to them. Empirically, it does not seem justifiable as candidates from EWS are already well represented in higher educational institutions.
- It is high time now that the **Indian political class overcame** its tendency of continually expanding the scope of reservation in pursuit of electoral gains, and realised that it is not the panacea for problems.
- Instead of giving reservation based on different criterias government should focus on **quality of education and other effective social upliftment measures.** It should **create a spirit of entrepreneurship** and make them job-givers instead of a job seeker.

[Source: TH](#)

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