

**RESERVATION POLICIES  
IN J&K: TRACING THE  
GENESIS AND EVOLUTION**

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**Abstract**

*This research paper gives a detailed analysis of the genesis and evolution of reservation policies in India, tracing its origin from the British Raj era to current times. It analyses the constitutional provisions and amendments that laid the foundation for reservations for Scheduled Tribes, Scheduled Castes, and Other Backward Classes in education, employment, and political representation. This paper comprehensively analyses the role of various commissions and committees appointed to advice on reservation policies and the evolving criteria for identifying backwardness. With a specially focussing on the evolution of reservation policies of the erstwhile state of Jammu and Kashmir, it discusses the constitutional provisions, subsequent orders, and the efforts of the state government through the Reservation Act of 2004 and Reservation Rules of 2005 to provide legal backing for affirmative action measures. The paper also highlights the commissions and committees appointed in Jammu and Kashmir to examine reservation policies, evaluating the challenges in devising objective frameworks for identifying beneficiaries while balancing social justice and administrative efficiency.*

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**Introduction**

Affirmative action refers to government policies promoting employment opportunities for marginalised groups in society. These policies are designed to counteract the negative effects of historical injustices and discrimination faced by minorities and depressed groups and to ensure fair representation of these depressed groups in public institutions. Discrimination persists as a pervasive societal issue, impacting access to assets, employment, education, and political participation across diverse economic and political systems (Ferreira & Walton, 2005). To address inequalities in representation and correct the marginalisation of minority groups, different countries have implemented various compensatory policies, including reservation, affirmative action, and equal opportunity measures (Gryphon, 2005; Hickey et al., 2014).

Modern affirmative action policies trace their origin to the 1950s-60s civil rights movement in the United States (Deshpande, 2005; Weisskopf, 2004). The landmark Civil Rights Act legislation in 1964 outlawed discriminatory practices under equal protection principles and provided the initial legal base for the affirmative action (Faingold, 2022). What began specifically as restorative efforts to uplift African Americans expanded over time to promote equity across wider demographics who suffer comparable disenfranchisement to others (Deshpande, 2005)

The implementation of affirmative action often involves targeted recruitment programs, preferential treatment for those who are socially, and politically marginalised, and, in some cases, the use of quotas. However, opponents of affirmative action argue that this approach is based on collectivism and can lead to a different form of discrimination. They assert that the Indian reservation system which is based on quota system disregards the importance of merit, denying qualified applicants certain benefits wholly based on their social group membership (Kumar, 1992, pp. 290-91)). Similarly, in India, Reservation policies aimed at promoting equality, and social justice have always been an integral part of

constitution of India. These reservation policies seek to empower marginalised communities who are facing historical exclusion and marginalisation and try to address structural inequalities ingrained in the Indian society. Thus, the research paper uses the descriptive approach and offers a comprehensive analysis of the genesis, evolution, and key developments in shaping the reservation policies in India, and it also focuses on the evolution of reservation policies in the erstwhile state of Jammu and Kashmir.

### **Tracing the Evolution of Quota-Based Affirmative Action in India**

Indian society has deep-rooted structural inequalities arising from its diversity of races, cultures, religions, regions, and castes, resulting in a hierarchical social system where people's positions and rights are determined by his or her birth. This hierarchy has persisted in the unequal allocation of social positions, goods, and rights, historically denying basic rights like education, civil liberties, and religious freedom to many groups (Akerlof, 1976).

The concept of guaranteed socio-political representation for communities in India dates back to the British Raj in the late 19th century (Copland, 2005). While all castes faced some sort of discrimination in the form of inequality, yet Scheduled Castes (SCs) were the most among the depressed castes who are severely affected, historically denied the rights related to property ownership, business, education, and civil/cultural liberties (Das, 2000). The Indian constitution has passed different landmark Acts, and Commissions which has shaped India's complex framework of reservation system, including the Morley-Minto Reforms of 1909, which introduced separate electorates and quotas for minority groups, and the Government of India Act of 1919, which recognised the political existence of excluded and marginalised depressed classes of Indian society (Jensenius, 2015).

The MacDonald's Communal Award of 1932 and the subsequent Poona Pact marked the start of affirmative action policies in British India aimed at balancing compensatory justice while maintaining the fabric of national integration. However, the extent of reservations and the duration they would apply lacked consensus or empirical benchmarks among the leaders, setting arbitrary quotas based on immediate political calculations rather

than substantive social and economic indicators (Galanter, 1984; Biswas, 2021).

The debates and deliberations between Gandhi and Ambedkar over separate or joint electorates for Dalits created differing perspectives on the path to social justice. Ambedkar envisioned the reservation policy as a means to uplift and emancipate Dalits, seeking to transform the hierarchical structure of Indian society and restore equal rights and justice for the marginalised Dalits in opposed to Gandhi's cherished ideology of Varna Sharma, which Ambedkar thought as the main force behind the Dalit exploitation (Ambedkar & Rodrigues, 2002).

The principle of communal representation by providing separate electorates and reserved seats for the Depressed Classes was included in the Government of India Act of 1935, which replaced the term "Depressed Classes" with "Scheduled Castes" (SCs) and "backward tribes" with "Scheduled Tribes" (STs) (Anand, 1980; Annual Report, 2009-2010). After independence, the Indian Constitution enshrined quotas and affirmative action policies for SCs, STs, and Other Backward Classes (OBCs) (Sheth, 1987).

### **Reform Measures and Evolution of Reservation Policy**

The reservation or the policy of affirmative action in India is one of the most important features of the nation's ongoing struggle to rectify historical injustices and create a society based on democratic ideals, equality. Based on social justice and affirmative action ideals, the policy has undergone tremendous changes and evolution since its inception.

The Indian government from time to time has appointed various commissions to examine and analyse the issues pertaining to the reservation system for Scheduled Castes (SCs), Scheduled Tribes (STs), and Other Backward Classes (OBCs). One of the initial efforts was the Kaka Kalelkar Commission (First Backward Class Commission), appointed in 1953, which aimed to identify criteria for socially and educationally backward classes and examine, analyse their socioeconomic conditions (Somanaboina, 2021). The commission established four main criteria for social backwardness: degraded status, lack of education, underrepresentation in civil services and secondary/tertiary

sectors, and lower caste membership. It identified 2399 backward castes/communities and recommended extensive measures for their upliftment, including reservation of seats in educational institutions and government services. However, the commission's approach of using caste as the primary criterion for backwardness was largely criticised for potentially reinforcing caste divisions and discrimination, leading to the rejection of its recommendations by the central government (Pasricha, 2006).

In 1978, the government appointed the Second Backward Class Commission, known as the Mandal Commission, to evaluate the current situation of backward classes and recommend steps for their advancement. The Mandal Commission developed eleven criteria under three social, educational, and economic categories to determine backwardness and identified 3743 OBC castes (Kaur & Suri, 2009). The commission advocated for positive discrimination aligned with socialist principles, arguing that equal treatment of unequals perpetuates inequality. It recommended 27 percent reservation in recruitment, promotions, and university selections for OBCs, along with intensive educational programs and measures to promote their participation in business and land reforms. The Mandal Commission's recommendations reflected a compensatory discrimination approach based on Ambedkarite/social justice ideologies, aiming to enable OBC access to power, not just jobs. However, implementing these recommendations sparked nationwide protests and controversy, although they were eventually implemented between 1990-2006 (Mathur, 2004).

To address the issues of Scheduled Castes (SCs) and Scheduled Tribes (STs), the Government of India established the Commission for SCs and STs in 1978 under Article 338 of the constitution. This commission was responsible for ensuring the implementation of the safeguards and protections provided to SCs and STs, investigating matters related to these safeguards, and reviewing the implementation of the Protection of Civil Rights Act of 1955 (Sharma, 2002). In 1987, the Commission for SCs and STs was renamed the National Commission for SCs and STs, delineating its role as a national advisory body for policy and development levels related to SCs and STs. The statutory National Commission for

SCs and STs was created in 1992 after the 65th Constitutional Amendment, with functions including investigating and monitoring the implementation of safeguards for SCs and STs, inquiring into complaints of deprivation of rights, and advising on their socio-economic development planning (Shinde,2005).

Furthermore, the National Commission for Backward Classes was constituted in 1993 under the National Commission for Backward Classes Act to examine requests for the inclusion or exclusion of classes in the backward class lists and advise the central government accordingly. The commission has the powers of a civil court in summoning and enforcing the attendance of any person from any part of India for examination (Verma, 2011).

### **Affirmative Action and Constitutional Provisions**

The Indian constitution enshrined the principles of equality, liberty, and fraternity, aiming to create an egalitarian society with social, economic, and political justice for all citizens. However, recognising the historical and traditional disadvantages faced by certain sections of the population, the constitution adopted a two-pronged strategy – guaranteeing equality before the law and equal protection of the law and empowering the state to make special provisions for the advancement of Scheduled Castes (SCs), Scheduled Tribes (STs), Other Backward Classes (OBCs), and minorities(Chander et al., 2017).

Various constitutional articles were incorporated to address this objective, such as Article 15(4), allowing the state to make special provisions for the socially and educationally backward classes, SCs, and STs; Article 16(4), enabling reservation in state services for inadequately represented backward classes; and Article 46 mandating the promotion of educational and economic interests of weaker sections, especially SCs and STs. Furthermore, Articles 330 and 332 provided for reserving seats in the Lok Sabha and State Legislative Assemblies for SCs and STs, respectively.

To ensure the effective implementation of these provisions, the constitution also established mechanisms such as the National Commission for Scheduled Tribes (Article 338A) to investigate, monitor, and evaluate the constitutional safeguards for STs, and Article 340, which mandated the appointment of a commission to

examine the conditions and difficulties faced by backward classes and recommend measures for their advancement. These constitutional provisions and subsequent amendments reflect the state's commitment to addressing the long-standing inequalities and promoting the upliftment of marginalised communities through affirmative action measures like reservations. However, implementing these provisions has been a subject of ongoing debates and controversies, reflecting the complex interplay of social, economic, and political factors in the pursuit of an equitable and inclusive society (Rana, 2008).

### **Reservation Policies in Jammu and Kashmir**

Since independence, various human development indicators in the erstwhile state of Jammu and Kashmir have improved substantially. However, the benefits of economic development have not been equally shared among all communities and social groups. Scheduled Castes (SCs), Scheduled Tribes (STs), and Other Backward Classes (OBCs) constitute the weaker sections of society and continue to lag behind on most human development indicators. The government has undertaken various policy and programmatic efforts to analyse the condition of these disadvantaged groups and address their social, economic, and educational marginalisation. Reservation policies enacted since independence aim to redress inequality, injustice, and discrimination against weaker sections of society by providing quotas in public sector jobs, education, and political representation.

In Jammu and Kashmir, reservation criteria are based on caste, geographic region, or profession. Considering their economic deprivation and social exclusion, the entire Scheduled Caste population has been classified as a reserved category. Similarly, some communities have been identified as Scheduled Tribes, while others are categorised based on traditional occupations like cobblers, barbers, and carpenters. Another reserved category termed as "Residents of Backward Areas" includes people living in regions bordering the Line of Actual Control. The Constitution of Jammu and Kashmir mandates special care for socially and educationally backward groups under Sections 13 and 23 to

promote their welfare, education, culture, and protection from injustice (Javaid, 2013).

### **The Constitutional Provisions for the Protection and Development of Various Marginalised Communities of Erstwhile State of Jammu and Kashmir**

The Constitution of India applied to the erstwhile state of Jammu and Kashmir with certain exceptions and modifications as provided in Article 370 and the Constitution Order of 1954. Jammu and Kashmir was the only erstwhile state of India that had its own separate Constitution (Bhat, 2017). The Constitutional provisions relating to safeguards for the protection and development of Other Backward People and Dalits of the erstwhile state were as follows:

Section 13 mandated that the state establish a social order of society to promote the welfare of the people, consistent with the ideals and objectives of the freedom movement envisaged in New Kashmir and preserving the Socialist order of society. Section 19, Clause (a) guaranteed that the state made effective provisions for securing all permanent residents equal opportunities irrespective of gender, including the right to work with payment for labour in accordance with its quantity and quality, subject to a basic minimum and maximum wage established by law.

Section 22 guaranteed that the state endeavoured to secure all women the right to equal pay for equal work and the right to full equality in all social, educational, political, and legal matters. Section 23 ensured that the state guaranteed the depressed and underprivileged sections of society special care in promoting their educational, material, and cultural interests, and protection against social injustice.

Furthermore, Section 50 stated that the state's Legislative Council consisted of thirty-six members, with the Governor empowered to nominate eight members, out of which not more than three were persons belonging to any socially and economically backward classes in the state. Section 139 provided that no person was ineligible for inclusion in the electoral roll based on religion, race, caste, or sex (Anand, 2001).



In pursuance of these Constitutional provisions, the erstwhile state government promulgated various laws for the protection of the interests of Dalits to prevent them from economic and socio-political exploitation. The founding members of the constitution were aware of the plight of depressed classes and the need for the removal of caste disparities and practices of exploitation, so they incorporated several provisions against exploitation and other criminal offences based on sex, caste, and religion (Manzoor, 2008).

The Constitution (Jammu and Kashmir) Scheduled Castes Order, (1956), issued by the President in consultation with the Sadar-i-Riyasat of Jammu and Kashmir, specified 13 castes deemed as Scheduled Castes in the erstwhile state for constitutional purposes, excluding non-Hindus and non-Sikhs. Similarly, the Constitution (Jammu and Kashmir) Scheduled Tribes Order, 1989, issued by the President in consultation with the Governor, specified 12 communities designated as Scheduled Tribes in the erstwhile state.

Additionally, the Union Government incorporated 23 Backward Classes from Jammu and Kashmir into the central Other Backward Classes list, formalising the process of identifying and listing Scheduled Tribes and Backward Classes in the erstwhile state as per constitutional provisions.

These constitutional provisions and subsequent orders reflected the erstwhile state's efforts to address the issues faced by marginalised communities, including Dalits, Scheduled Tribes, and Other Backward Classes. The provisions aimed to promote their welfare, educational, and cultural interests and protect them from social injustice and exploitation. However, the implementation and effectiveness of these measures remained a subject of ongoing discussions and debates within the complex socio-political landscape of the erstwhile state.

### **Reform Measures and Evolution of Reservation Policy**

The state of Jammu and Kashmir has witnessed the appointment of several commissions and committees to examine and address issues related to the reservation policy for backward classes. One of the earliest efforts was the Glancy Commission, formed in 1931

by Maharaja Hari Singh, which recommended standardised job requirements, leading to the establishment of a Recruitment Rule Committee in 1938 for selecting qualified candidates. However, the state government struggled to devise definite criteria for identifying and categorising backward classes, and the reservation policy remained contentious, leading to judicial intervention and the subsequent appointment of three backward class commissions (Mathur, 2004).

In 1967, the Gajendragadkar Commission of Inquiry was established to evaluate development programs and examine recruitment policies. The commission found a disproportionate allocation of development funds due to a failure to grasp the nature of backwardness. It recommended a set of criteria for identifying backward classes based on economic backwardness, occupation, region of residence, educational indicators, and caste in the case of Hindus. Although this framework presented an early attempt at a rigorous and evidence-based approach, the subsequent identification of backward classes remained subjective and contentious (Gajendragadkar, 1967).

The Jammu and Kashmir Scheduled Castes and Backward Classes Reservation Rules of (1970) and the Jammu and Kashmir Scheduled Castes and Backward Classes Reservation of Appointments by Promotion Rules of (1970) provided for reservation in employment and promotions for Scheduled Castes and Backward Classes. However, these rules faced legal challenges before the Supreme Court of India, which pointed out certain defects and directed the state government not to enforce them until the deficiencies were addressed. In response, the state government constituted the Wazir Committee in 1969, which categorised Backward Classes into six broad groups based on traditional occupations, social castes, cultivators, pensioners, areas adjacent to the ceasefire line, and underdeveloped pockets. Despite laying down reservation quotas, the subjective classification criteria persisted, highlighting the need for rigorous and transparent frameworks. Recognising the need for a comprehensive review, the state cabinet constituted the Justice A.S. Anand Committee in 1976. The committee's terms of reference were expanded to examine the criteria for social,

educational, and economic backwardness, identify backward classes, categorise them, and recommend safeguards for their balanced development. The committee supported preferential representation for backward classes in government services while considering administrative efficiency and minimum job standards (Mathur, 2004). It prepared a list of backward classes, including weak and underprivileged sections, residents of backward areas, bad pockets, and regions within 8 kilometres of the Line of Actual Control.

Justice Anand Committee submitted its report to the government in September 1977, and on the recommendations of the Justice A. S. Anand Committee, a notification dated 3-7-1982 was issued by the government to provide the following reservations:

**Recommendation for reservation of Justice Anand Committee**

| S.NO | COMMUNITY   | PERCENTAGE |
|------|---|------------|
| 01   | SCs   | 08         |
| 02   | Socially and Educationally Backward Classes             | 33         |
| 03   | Weak and Under-Privileged Classes                       | 06         |
| 04   | Gujjar & Bakerwals                                      | 04         |
| 05   | Other Social Castes                                     | 02         |
| 06   | Residents of Backward Areas                             | 27         |
| 07   | District Leh  | 02         |
| 08   | District Kargil   | 02         |
| 09   | Other Backward areas, excluding Leh and Kargil          | 20         |
| 10   | Areas near the Actual Line of Control                   | 03         |
| 11   | Children of Freedom Fighters                            | 02         |
| 12   | Children of Permanent Residents Defense Personnel       | 03         |
| 13   | Candidates possessing outstanding proficiency in sports | 03         |

*Source: Government Notification vide SRO No. 272*

**Mandal Commission Recommendations with regard to Jammu and Kashmir**

At the national level, with a view to determine and investigate the conditions of socially and educationally backward classes in India

as per Article 340 of the Constitution on 1st January 1979, under a Presidential order, a commission known as the Second Backward Class Commission known as Mandal Commission was appointed under the chairmanship of B. P. Mandal to verify the conditions of socially and educationally backward classes. The Commission commenced its functioning on 21-3-1979 and completed its works on 12th December 1980. Moreover, this commission identified 63 castes/ communities as socially and educationally backward classes in the erstwhile state of Jammu and Kashmir and recommended 27 percent reservation for these castes in Jammu and Kashmir State on the basis of social and educational backwardness. The Mandal Commission had not recommended any reservation for residents of backward areas adjoining the Actual Line of Control in the erstwhile state of Jammu and Kashmir or any other part of India.

#### **The Jammu and Kashmir Reservation Act, 2004**

The erstwhile state of Jammu and Kashmir enacted the (Reservation Act of 2004) to provide legal provisions for reservation in appointments and admissions in professional institutions for members of Scheduled Tribes, Scheduled Castes, and Socially and Educationally Backward Classes. The Act defined key terms such as "backward areas" and "areas adjoining the actual line of control," which were declared by the government from time to time.

Chapter II of the Act dealt with reservation provisions through direct recruitment in appointments. Section 3 mandated that vacancies notified by the government be reserved for Scheduled Tribes, Scheduled Castes (not exceeding the limit based on their population proportion), and socially and Educationally Backward Classes. The total percentage of reservations was capped at 50 percent, with the government having the discretion to exclude certain services and posts requiring the highest levels of intelligence, skill, and excellence.

Chapter III provided for reservation in government service promotions, with Section 6 reserving posts notified by the government in any service, category, grade, or class carrying a pay scale not exceeding that of the post of Deputy Secretary to the

government. Section 19 allowed candidates belonging to multiple categories to claim the benefit of reservation in one category of their choice, either for appointments, promotions, or admissions in professional institutions.

The Reservation Act of 2004 was a significant step by the erstwhile state of Jammu and Kashmir to provide legal backing for affirmative action measures and ensure the representation of marginalised communities in government services and educational institutions. However, the implementation and effectiveness of these provisions remained subject to ongoing debates and evaluations as the state navigated the complex dynamics of social justice, merit, and administrative efficiency.

**The Jammu and Kashmir Reservation Rules 2005**

Consequently, in the exercise of the powers conferred by the Jammu and Kashmir Reservation Act, section 23 of 2004 and section 22 of the Jammu and Kashmir 1998 Disabilities Act, and all other relevant provisions of the law on this behalf, the erstwhile state government framed the Jammu and Kashmir Reservation Rules 2005 73. Rule 4 provides for reservation in direct recruitment in each category, class, and grade in favour of permanent residents of the state belonging to any of the below-mentioned categories, which shall, as nearly as possible, constitute the percentage of available vacancies shown against each:

**Reservation in Appointment by Direct Recruitment**

| S.NO | COMMUNITY  | PERCENTAGE |
|------|--|------------|
| 01   | Scheduled Castes   | 08         |
| 02   | Scheduled Tribes   | 10         |
| 03   | Socially and Educationally Backward Classes                        | 25         |
| 04   | Residents living in the areas adjoining the Line of Actual Control | 03         |
| 05   | Weak and Under Privileged Classes (Social Castes)                  | 02         |
| 06   | Residents belonged to Backward Areas                               | 20         |
| 07   | Ex-Servicemen  | 06         |
| 08   | Physically Disabled persons  | 03         |

### Reservation in Education

Rule 13 of the Jammu and Kashmir Reservation Rules 2005 stipulates that seats in professional institution courses must be reserved for members of Scheduled Castes (SCs), Scheduled Tribes (STs) and Socially and Educationally Backward Classes. The percentage of total available seats reserved per course should be approximately the percentages shown in the Table for each respective category.

#### Reservation in Educational Institutions

| S. NO. | COMMUNITY   | PERCENTAGE |
|--------|---|------------|
| 01     | Scheduled Castes  | 08         |
| 02     | Scheduled Tribe   | 10         |
| 03     | Gujjars and Bakarwals                                       | 06         |
| 04     | Residents of Leh District                                   | 02         |
| 05     | Residents of Kargil District                                | 02         |
| 06     | Other than (01,02,03 and above)                             | 01         |
| 07     | Socially and Educationally Backward Classes                 | 25         |
| 08     | Residents living areas adjoining the Line of Actual Control | 03         |
| 09     | (Social Castes) Weak and Under Privileged Classes           | 02         |
| 10     | Residents belonged to Backward Areas                        | 20         |

Rule 14 provides for other reservations. It provides that in addition to the reservations specified in Rule 13, the below-mentioned reservations are also made in favour of the following categories of the permanent residents of the erstwhile state to the extent shown against each:

#### Other Reservations in Educational/Professional Institutions

| S.NO | COMMUNITY   | PERCENTAGE |
|------|---|------------|
| 01   | Children of Defence Personal                        | 03         |
| 02   | Children of Para Military Forces                    | 01         |
| 03   | Candidates Having Outstanding Proficiency in Sports | 02         |

In this context, it is significant to note that the report of the Backward Classes Commission submitted in the year 2005-06 recommended for enhancement of the reservation quota of social castes from 2 percent to 27 percent as per the judgment of the Supreme Court on the Mandal Report.

### **Conclusion**

From the above discussion, thus it can be concluded that Reservation is a measure initiated in India after independence for the emancipation of socially deprived and economically backward people of the nation who are known as Scheduled Castes, Scheduled Tribes, and Other Backward Classes. The discussion mainly centered on Reservation. This chapter traced the complex background of issues faced by the depressed classes and analysed the efforts of the social reformers and the Government of India from the colonial period till the present time. Similarly, the constitution of the erstwhile state of Jammu and Kashmir has also made special provisions for the proper representation of the Scheduled Castes people by providing reservation of seats in the State Legislative Assembly. Section 49, Part IV of the erstwhile state constitution declares that there shall be reserved seats in the Legislative Assembly for the Scheduled Castes. Thus, the state policy regarding reservation in Jammu and Kashmir seems discretionary as the reservation is provided on the basis of geographical location along with caste or community basis.

### **References:**

- Akerlof, G. (1976). The economics of caste and of the rat race and other woeful tales. *The Quarterly Journal of Economics*, 90(4), 599–617. <https://doi.org/10.2307/1885324>
- Ambedkar, B. R., & Rodrigues, V. (2002). *The essential writings of BR Ambedkar*. Oxford University Press.
- Anand, A. S. (2001). Accession of Jammu and Kashmir State–Historical & Legal Perspective. *Journal of the Indian Law Institute*, 43(4), 455-468.
- Bhat, J. A. (2013). Assessment, evolution and the politics of reservation in Jammu and Kashmir. *The Anthropos*, 2(1), 68-80.

- Biswas, S. (2021). Did the Poona Pact Disenfranchise the 'Depressed Classes'? An Analysis of the 1936–1937 and 1945–1946 Provincial Elections. *Studies in Indian Politics*, 9(2), 239–253.
- Chander, R., &Thappa, S. (2017). The constitution of India and social justice: An analysis. *Constitution*, *International Journal of Advanced Research and Development*. 2(6)
- Copland, I. (2005). *State, community and neighbourhood in princely North India, c. 1900-1950*. Palgrave.
- Das, B. (2000). Moments in a History of Reservations. *Economic and Political Weekly*, 3831–3834.
- Deshpande, A. (2005). *Equity & development: World Development Report 2006 background papers*. Revised: January 2005. Affirmative action in India and the United States.
- Faingold, E. D. (2022). Language rights in the United States Constitution and the Civil Rights Act of 1964. *Language and Identity*, 447.
- Ferreira, F. H. G., & Walton, M. (Eds.). (2005). *World Development Report 2006: Equity and development* (Vol. 28). World Bank Publications.
- Gajendragadkar, P.B. (1967). *Jammu and Kashmir Enquiry Commission Report*. Ranbir Government Press, Jammu.
- Galanter, M. (1984). *Competing equalities: Law and the backward classes in India*. New Delhi: Oxford University Press.
- Government Notification vide SRO No. 272
- Gryphon, M. (2005). The affirmative action myth. *Policy analysis*, Cato Institute's Center for Educational Freedom, No. 540
- Hickey, S., Bukenya, B., & Sen, K. (2014). *The politics of inclusive development: Interrogating the evidence* (p. 416). Oxford University Press.
- Jensenius, F. R. (2015). Mired in reservations: The path-dependent history of electoral quotas in India. *The Journal of Asian Studies*, 74(1), 85–105.
- Kaur, H., & Suri, R. K. (2009). *Reservation in India: Recent Perspectives in Higher Education*. Pentagon Press.
- Kumar, R. (1992). The troubled history of affirmative action. *Ethnic and Racial Studies*, 15(2), 290–291.
- Lovell, P. A. (1974). Affirmative action: Implications for the workplace. *Human Resource Management Review*, 9(3), 235–237.



- Manzoor, F. (2008). *The constitutional system of Jammu and Kashmir*. Srinagar Kashmir: Gulshan Books.
- Mathur, M. L. (2004). *Encyclopedia of backward castes*. Kalpaz Publications.
- Pasricha, S. (2006). *Caste-Based Reservation in India: Constitutional Safeguards, Gandhi's Views, Ambedkar's Views, Mandal Commission Report, Caste Reservation in Theory and Practice*. Deep & Deep Publications.
- Rana, M. S. (2008). *Reservations in India: myths and realities*. Concept Publishing Company.
- Rule 13, *the Jammu and Kashmir Schedule Caste and Backward Classes Reservation Rules 1970*.
- Rule 13, *the Jammu and Kashmir Schedule Caste and Backward Classes Reservation Rules 1970*
- Sharma, R. (2002). Social Conflict and Social Assimilation: Constitution, Politics and Administration in India. *Indian Journal of Public Administration*, 48(4), 617–634.
- Sheth, D. L. (1987). Reservations policy revisited. *Economic and Political Weekly*, 1957-1962.
- Shinde, P. K. (Ed.). (2005). *Dalit and Human Rights* (3 Vols.). Isha Books.
- Somanaboina, S. (2021). The other backward classes: Pre- and post-Mandal India. In *The Routledge Handbook of the Other Backward Classes in India* (pp. 215-253). Routledge India.
- *THE CONSTITUTION (JAMMU AND KASHMIR) SCHEDULED CASTES ORDER*, 1956. Published with the Ministry of Law, Notification. No. S.R.O. 3135A, dated the 22nd December, 1956, Gazette of India, Extraordinary, 1956, Part II, Section 3, page 2686A.
- *The Jammu and Kashmir Reservation Act*, (2004). Retrieved from: [https://socialwelfarekashmir.jk.gov.in/pdf/Act\\_Reservations.pdf](https://socialwelfarekashmir.jk.gov.in/pdf/Act_Reservations.pdf)
- *THE JAMMU AND KASHMIR RESERVATION RULES*, 2005 Social Welfare Department Notification SRO-294 dated 21st October, 2005.
- Verma, V. (2011). Conceptualising social exclusion: New rhetoric or transformative politics? *Economic and Political Weekly*, pp. 89–97.
- Weisskopf, T. E. (2004). *Affirmative action in the United States and India: A comparative perspective*. Routledge.