

Arbitrary and exclusionary: On EWS quota

Even if EWS quota is **upheld**, eligibility will have to be properly defined

A **Constitution Bench** led by Chief Justice of India U.U. Lalit **is** now **examining** the **validity** of the 103rd Constitutional Amendment, which provides for 10% reservation to the economically weaker sections (EWS), excluding Other Backward Classes, Scheduled Castes and Scheduled Tribes who already have reservation in higher education institutions and government jobs. The Bench has finalised three issues for **hearing** — whether the amendment has **breached** the Constitution’s basic structure by **permitting** the **state** to make special provisions; whether it does so in relation to admissions to private **unaided** institutions and, lastly, if **the exclusion** of OBC/SC/ST communities from the scope of the quota **tramples** on the basic structure. These are **valid** questions and it could be argued that the **legislation** of the reservation in 2019 **was** done **hastily** without **due diligence** of the criteria adopted. For example, the **setting** of an annual family income of ₹8 lakh as a **ceiling** to determine if someone belongs to the EWS **is** clearly **problematic**. If available consumer expenditure **surveys** such as the NSSO report, ‘Key Indicators of Household Consumer Expenditure, 2011-12’, **are relied on**, a large **chunk** of the population will be eligible for reservations in the “below Rs. 8 lakh” EWS category and not just the truly deserving sections of the poor. A government-appointed committee submitted that this ceiling was **reasonable**, but it could not adequately explain how the income criterion was “more **stringent**” than the one for the OBC creamy layer. Also, the ₹8 lakh figure did not **correspond** to any data on the estimated number of EWS persons in the population with incomes related to it.

Petitioners have also argued that **the net effect** of the exclusion of Backward Classes and SC/ST aspirants from the EWS **has** been that they are now **denied** an opportunity to compete in the general category to the extent of 10%, **in effect, limiting** the quota to the “forward classes”. This is a valid argument. Even if the Court agrees to maintain that reservations can be provided on economic basis — something that has been **explicitly denied so far** with only social and educational **backwardness** being mentioned in the Constitution and **reiterated** in several judgments — excluding people of certain communities from this benefit despite their belonging to the EWS **renders** the legislation **discriminatory**. In recent recruitment and entrance examinations such as the UPSC and JEE, marks cut-offs for admissions were lower for the EWS quota than that of the OBCs. **In essence**, if an income **criterion** for identifying the economically weaker sections **has** to be the basis, it must arrive at a clearly determined figure for the limit **unlike** the ₹8 lakh figure, and **all sections** of society, irrespective of caste, **should** be eligible to **avail of** reservation under this category. **[Practice Exercise]**

- Red/blue coloring of words in the sentence indicate subject verb relationship; where ‘red’ denotes ‘subject’ and ‘blue’ denotes ‘verb’

Vocabulary

1. **Arbitrary** (adjective) – random, dictatorial, absolute, capricious, autocratic मनमाना
2. **Exclusionary** (adjective) – Tending to exclude; causing exclusion; exclusive. बहिष्करण
3. **Uphold** (verb) – support, endorse, sustain, defend, back बनाए रखना
4. **Constitution bench** (noun) – the name given to the benches of the Supreme Court of India which consist of **at least five judges** of the court which sit to decide any case
5. **Examine** (verb) – study, investigate, review, scrutinize, inspect जांच करना
6. **Validity** (noun) – cogency, validness, soundness, effectiveness वैधता
7. **Hearing** (noun) – a time when evidence is given to a judge in a court of law सुनवाई
8. **Breach** (verb) – break, violation, violate, rift, infringement तोड़ना
9. **Permit** (verb) – allow, license, authorize, enable, sanction अनुमति देना
10. **State** (noun) – Government सरकार
11. **Unaided** (adjective) – solo, alone, independently, single-handed बिना सहायता के
12. **Trample** (verb) – crush, tread, squash, flatten, stamp रौंदना
13. **Valid** (adjective) – sound, legitimate, true, reasonable, authentic उचित, वैध
14. **Legislation** (noun) – lawmaking, bill, regulation, legislative, statute विधान
15. **Hastily** (adverb) – hurriedly, quickly, rapidly, speedily, briskly जल्दबाजी में
16. **Due** (adjective) – Appropriate, suitable, fitting, proper, correct उचित
17. **Diligence** (noun) – carefulness; careful attention सावधानी बरतें।
18. **Ceiling** (noun) – limit, maximum, upper limit अधिकतम सीमा
19. **Problematic** (adjective) – difficult, tricky, knotty, thorny, समस्यात्मक
20. **Rely on** (phrasal verb) – depend on, count on, trust, bank on, lean on भरोसा करना
21. **Chunk** (noun) – Portion, lump, piece, amount हिस्सा
22. **Reasonable** (adjective) – sensible, rational, logical, sound, acceptable उचित
23. **Stringent** (adjective) – rigorous, strict, harsh, severe, rigid कठोर
24. **Correspond** (verb) – match, agree, tally, coincide, मेल खाना

25. **Petitioner** (noun) – requester, suppliant, supplicant, applicant, claimant याचिकाकर्ता
26. **Deny** (verb) – Declare untrue; contradict नकारना, वंचित करना
27. **In effect** (phrase) – (used about a rule, a law, etc.) in operation; in use
28. **Limit** (verb) – restrict, curb, boundary, restrain, confine सीमित करना
29. **Explicitly** (adverb) – expressly, clearly, definitely, specifically, unequivocally स्पष्ट रूप से
30. **So far** (phrase) – hitherto, thus far अब तक
31. **Backwardness** (noun) – The state of being backward. पिछड़ापन
32. **Reiterate** (verb) – repeat, restate, iterate, echo, दोहराना
33. **Render** (verb) – Cause to become प्रस्तुत करना
34. **Discriminatory** (adjective) – prejudiced, biased, unfair, preferential, invidious भेदभावपूर्ण
35. **In essence** (phrase) – essentially, basically, fundamentally, संक्षेप में कहें तो
36. **Unlike** (adj./prep.) – in contrast to; different from से भिन्न, के विपरीत
37. **Avail of** (phrasal verb) – use, advantage, make use of का लाभ उठाना

Practice Exercise

Direction (Q1 – Q3): Select the best express synonym of the given words [Editorial page]

1. The exclusion of OBC/SC/ST communities from the scope of the quota tramples on the basic structure.
 - A. Zealous
 - B. Refute
 - C. Crush
 - D. Compendium
2. A government-appointed committee submitted that this ceiling was reasonable, but it could not adequately explain how the income criterion was “more stringent” than the one for the OBC creamy layer
 - A. Rigorous
 - B. Apathy
 - C. Rudimentary
 - D. Infer
3. something that has been explicitly denied so far with only social and educational backwardness being mentioned in the Constitution and reiterated in several judgments
 - A. Blithe
 - B. Restate
 - C. Coalesce
 - D. Aesthetic
4. **Idioms & Phrase**

She really drove home the message that we need to economize.

 - A. To start working on a plan from the beginning because your previous attempt failed completely
 - B. To say something clearly and with a lot of force so that you are certain people understand it
 - C. To be ready to work immediately on a new activity
 - D. To go beyond the limits of something
5. **Direction: Six statements are given below, which are jumbled in any random order. These statements will form a coherent and meaningful paragraph, when arranged in the correct sequence. Arrange the sentences in the right order and answer the questions that follow.**

The slogans raised by a child at a rally in Kerala’s Alappuzha on May 21 were chilling not merely for the death threats that they make.

P. The Islamist group’s claim that its rally was to save the Republic does not cut ice, considering its track record and the threatening posturing that it has engaged in, in recent years.

Q. Organisers of the rally, the Social Democratic Party of India (SDPI), disowned the slogans, but not in any reassuring manner.

R. in SDPI-Rashtriya Swayamsevak Sangh (RSS) rivalry in the State in recent months.

S. At least five people have been killed in Kerala

T. The fact that an innocent child could be indoctrinated and tutored such that he could call for violence portends a communal storm that is making landfall in the State.

U. It is merely using the democratic space and the prevailing environment of Hindutva upsurge to advance its dangerous, nihilistic communal agenda.

Which among the following will be the **Second** sentence of the paragraph after the rearrangement?

A. P

B.T

C.U

D.Q

E.R

Direction (Q6 – Q9): Read the given sentences to find out whether there is any grammatical error in them

6. A. We went with guptas to a movie called 'deewar'.
B. You know it well that your success in life depends not on my advice but on somebody else's.
C. He informed me that he had gone to the residence of one of the ministers and stayed there all night.
D. The roof of the building needs repairing otherwise it may fall down result into many persons' death.
E. All are correct
7. A. Visited John and Mary's house twice but found the couple absent.
B. A ton's weight is too heavy for anyone to carry on his head.
C. I stopped his going out late at night because the situation in the town was very tense.
D. Once an old hermit saw a cat pounce upon a rat.
E. All are correct
8. A computer virus works exactly (A)/ like the biological variety (B)/ which invade the human body. (C)/ No error (D)
9. When I first started my school (A)/ my boys had (B)/ no evident love for music. (C)/ No error (D)
10. **Find out the misspelt word**
A. Vacuum
B. Withold
C. Upholstery
D. Tomatoes

Direction: Read the passage given below and answer the following questions.

(The Hindu Editorial: Reviewing remission – Aug 24, 2022)

Public-spirited activists have done good **(A)**/ to challenge in the Supreme Court the premature release of 11 convicts who were **(B)**/ serving life terms for the gang-rape of a woman and **(C)**/ the murder of at least seven people during the 2002 anti-Muslim **pogrom** in Gujarat. **(D)**

Bilkis Bano, the survivor, has not moved the courts so far, but it is clear that the controversial order of the Gujarat government, granting remission to the convicts, should be subject to judicial review. That those found guilty of multiple murders, including that of a three-year-old child, and a gang-rape, were

found suitable candidates for premature release is unacceptable. Even otherwise there are specific legal grounds to question the government's decision. The remission was based on a direction from a two-judge Bench of the Supreme Court on a petition by one of the convicts. The question to be decided was whether the Gujarat government or the Maharashtra government was the appropriate government for considering their plea for remission. The Court ruled that the State government of Gujarat, where the crime occurred, should consider the matter, and not Maharashtra, the State to which the trial was transferred by the Supreme Court to ensure an _____ **11** _____ trial. While passing this order, the Bench also said the remission should be considered under a policy framed in July 1992, as that was the _____ **12** _____ policy on the date of their 2008 conviction. This meant that the bar on granting remission to those convicted for murder and rape, found in the current policy, will not apply to these convicts.

First, the State government made a decision on its own without consulting with the Centre. **(1)**/ Under Section 435 of the Code of Criminal Procedure, such consultation with the Centre is mandatory in cases probed by the CBI. **(2)**/ There are at least two grounds on which the remission order appears illegal. **(3)**/ Further, the composition of the committee that recommended remission for the convicts consisted of two BJP legislators. **(4)**/ Ideally, a remission panel should comprise senior government officials in charge of home or law, a district judge, the prison superintendent, and officers who deal with probation and rehabilitation of offenders. The presence of political members certainly _____ **13** _____ its decision. Further, it appears that the objection of the district judge concerned was disregarded, casting a _____ **14** _____ on the legitimacy of the remission. It will be appropriate if the Supreme Court constitutes a Bench of sufficient size to reconsider judgments that allow the remission policy obtaining on the date of conviction, instead of the policy currently in force; as well as decide the question of whether the 'appropriate government' should be the one in the State where the crime took place, or the State to which the trial was transferred on judicial orders. It can also spell out the **reform (A)** of a rational remission policy, one that will be informed by humanitarian **considerations (B)** as well as the scope for **contours (C)** of the offenders and their sense of **remorse (D)**.

Fill in the blank with the most appropriate word given in the option (From Q11 – Q14)

11. The Court ruled that the State government of Gujarat, where the crime occurred, should consider the matter, and not Maharashtra, the State to which the trial was transferred by the Supreme Court to ensure an _____ **11** _____ trial.
 - A. Levity
 - B. Inferring
 - C. Coalescing
 - D. Impartial
12. The Bench also said the remission should be considered under a policy framed in July 1992, as that was the _____ **12** _____ policy on the date of their 2008 conviction
 - A. Forgoing
 - B. Prevailing
 - C. Facetious

- D. Elliptical
13. The presence of political members certainly _____¹³_____ its decision.
- A. Impeccable
 - B. Myopia
 - C. Vitiates
 - D. Clique
14. Further, it appears that the objection of the district judge concerned was disregarded, casting a _____¹⁴_____ on the legitimacy of the remission.
- A. Partisan
 - B. Shadow
 - C. Mollifying
 - D. Vicissitude
15. **The following sentence may or may not contain an error in one of its parts. Identify the part containing the error. If the sentence is correct, select 'No error' as your answers.**
- Public-spirited activists have done good **(A)**/ to challenge in the Supreme Court the premature release of 11 convicts who were **(B)**/ serving life terms for the gang-rape of a woman and **(C)**/ the murder of at least seven people during the 2002 anti-Muslim **pogrom** in Gujarat. **(D)**
- A. (A)
 - B. (B)
 - C. (C)
 - D. (D)
 - E. No Error
16. **Rearrange the sentence to form a meaningful sentence.**
- First, the State government made a decision on its own without consulting with the Centre. **(1)**/ Under Section 435 of the Code of Criminal Procedure, such consultation with the Centre is mandatory in cases probed by the CBI. **(2)**/ There are at least two grounds on which the remission order appears illegal. **(3)**/ Further, the composition of the committee that recommended remission for the convicts consisted of two BJP legislators. **(4)**/
- A. 1234
 - B. 2341
 - C. 4321
 - D. 2143
 - E. 3124
17. Given below is a word, followed by three sentence that consist of that word. Identify the sentence (S) that best express (es) the meaning of the word. Choose option 5 'None of the above' if the word is not suitable in any of the sentence
- POGROM**
- (i) He won his **pogrom** and the sentence was halved.
 - (ii) The famines and **pogroms** in 19th-century eastern Europe forced many Jewish refugees to emigrate.
 - (iii) A systematic **pogrom** against southern black Mauritians.

- A. Only (i)
- B. Only (ii)
- C. Only (iii)
- D. (i), (ii)
- E. (ii), (iii)

18. In the following question, a sentence is given with four words marked as (A), (B), (C), and (D). These words may or may not be placed in the correct order. Four options with different arrangements of these have been provided. Mark the option with the correct arrangement as the answer. If no rearrangement is required, mark option (5) as your answer.

It can also spell out the **reform (A)** of a rational remission policy, one that will be informed by humanitarian **considerations (B)** as well as the scope for **contours (C)** of the offenders and their sense of **remorse (D)**.

- A. C – A
- B. A – D
- C. B – C
- D. D – C
- E. No arrangement

19. Select the connector from the given options which can be used to form a single sentence from the two sentences given below, implying the same as expressed in the statement sentence.

- (i) This project was started in an effort to understand how certain kinds of tumors form,
 - (ii) We ended up learning why hair turns gray and discovering the identity of the cell that directly gives rise to hair.
- A. Whereas
 - B. Although
 - C. As soon as
 - D. While

20. Fill the appropriate preposition in the given blanks

The P.M. has great influence _____ the people of tribal regions.

- A. Of
- B. From
- C. Over
- D. To

Answers

1. C 2. A 3. B 4. B 5. D 6. A 7. D 8. C 9. A 10. B 11. D 12. B
 13. C 14. B 15. A 16. E 17. E 18. A 19. B 20. C **[Practice Exercise]**

Explanations

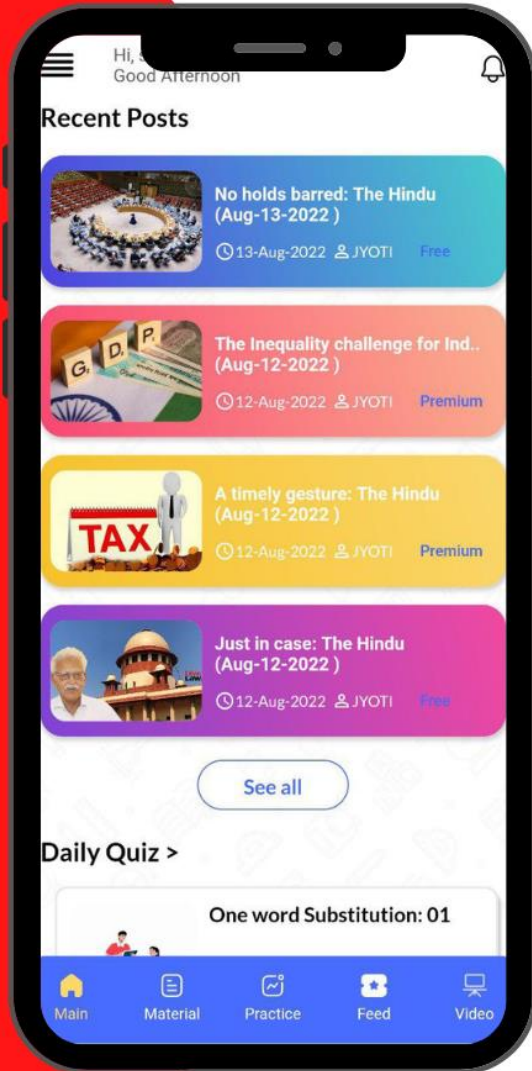
4. **Drive something home**(phrase) – to say something clearly and with a lot of force so that you are certain people understand it
5. **TQPUSR**
 The slogans raised by a child at a rally in Kerala's Alappuzha on May 21 were chilling not merely for the death threats that they make. The fact that an innocent child could be indoctrinated and tutored such that he could call for violence portends a communal storm that is making landfall in the State. Organisers of the rally, the Social Democratic Party of India (SDPI), disowned the slogans, but not in any reassuring manner. The Islamist group's claim that its rally was to save the Republic does not cut ice, considering its track record and the threatening posturing that it has engaged in, in recent years. It is merely using the democratic space and the prevailing environment of Hindutva upsurge to advance its dangerous, nihilistic communal agenda. At least five people have been killed in Kerala in SDPI-Rashtriya Swayamsevak Sangh (RSS) rivalry in the State in recent months.
6. 'Guptas' के पहले 'the' का प्रयोग होगा क्योंकि किसी surname (उपनाम , कुलनाम) का यदि plural बनाया जाता है तो उसके पहले 'the' का प्रयोग होता है; जैसे -
 i. The Guptas
 ii. The Sharmas
 ➤ 'the' will be used before 'Guptas' because if a surname (surname, surname) is made plural, then 'the' is used before it; like -
 i. The Guptas
 ii. The Sharmas
7. 'upon' के बदले 'on' का प्रयोग होगा क्योंकि 'pounce on somebody / something' (किसी व्यक्ति या वस्तु पर झपट्टा मारना) होता है।
 ➤ 'on' will be used instead of 'upon' because 'pounce on somebody / something'.
8. 'Invade' के बदले 'Invades' का प्रयोग होगा क्योंकि relative pronoun 'which' का antecedent 'variety' singular है, और Relative pronouns 'who, which, that' के बाद आनेवाला verb उनके antecedent के number तथा person पर निर्भर करता है।
 ➤ 'Invade' will be used instead of 'Invades' because the antecedent 'variety' of the relative pronoun 'which' is singular, and the verbs following the relative pronouns 'who, which, that' have their antecedent number and person it depends on.
9. 'first' का प्रयोग अनावश्यक है और इसे हटाना पडेगा क्योंकि 'start' का अर्थ ही है 'प्रारंभ करना, शुरू करना'
 ➤ The use of 'first' is unnecessary and has to be removed as 'start' itself means 'to begin'.

10. **Withhold** (verb) – conceal, deny, suppress, refuse, hold back रोक लेना
11. **Impartial** (adjective) – unbiased, unprejudiced, neutral, non-partisan निष्पक्ष
12. **Prevailing** (adjective) – current, existing, prevalent, be present मौजूदा
13. **Vitiate** (verb) – Destroy or impair the legal validity of. बिगाड़ना, निष्फल करना
14. **Cast a shadow on** (phrase) – to spoil a good situation with something unpleasant असर डालना, उदासी छाना
15. 'Good' के बदले 'Well' का प्रयोग होगा क्योंकि 'Good' Adjective है और adverb (i.e. Well) का प्रयोग होगा !
16. (E) **3124**

There are at least two grounds on which the remission order appears illegal. First, the State government made a decision on its own without consulting with the Centre. Under Section 435 of the Code of Criminal Procedure, such consultation with the Centre is mandatory in cases probed by the CBI. Further, the composition of the committee that recommended remission for the convicts consisted of two BJP legislators.
17. **Pogrom** (noun) – massacre, slaughter, wholesale slaughter, mass slaughter हत्याकांड
According to the given options only (ii) and (iii) are contextually correct.
Because the (i) sentence is not giving any meaning and correct sentence should be like
He won his appeal and the sentence was halved.
18. It can also spell out the contours of a rational remission policy, one that will be informed by humanitarian considerations as well as the scope for reform of the offenders and their sense of remorse.
19. **Although** this project was started in an effort to understand how certain kinds of tumors form, we ended up learning why hair turns gray and discovering the identity of the cell that directly gives rise to hair.

Explanation of other important words

Sr.NO	Words		Meanings	
Q1	Zealous	adjective	Enthusiastically devoted to something fervent.	उत्साही
	Refute	verb	To prove to be false; to disprove	झूठा ठहराना
	Compendium	noun	A summary; an abridgment	सारांश
Q2	Apathy	noun	Lack of interest; lack of feeling	उदासीनता
	Rudimentary	adjective	Basic; crude; unreformed or undeveloped	मौलिक
	Infer	verb	To conclude; to deduce	अनुमान करना
Q3	Blithe	adjective	Carefree; cheerful	ज़िंदादिल
	Coalesce	verb	To come together as one; to fuse; to unite	संगठित होना
	Aesthetic	adjective	Aesthetic, having to do with artistic beauty; artistic	सौंदर्यात्मक
Q11	Levity	noun	Lightness; frivolity; unseriousness	हल्कापन
	Infer	verb	To conclude; to deduce	अनुमान करना
	Coalesce	verb	To come together as one; to fuse; to unite	संगठित होना
Q12	Forgo	verb	To do without; to forbear	त्यागना, छोड़ देना, न लेना
	Facetious	adjective	Humorous; not serious; clumsily humorous	हासकर, ठिठोलिया, मसखरा
	Elliptical	adjective	Oval; missing a word or words; obscure	अंडाकार
Q13	Impeccable	adjective	Flawless; entirely without sin	त्रुटिहीन, निर्दोष
	Myopia	adjective	Nearsightedness; lack of foresight	निकट दृष्टि दोष
	Clique	noun	An exclusive group bound together by some shared quality or interest	गुट
Q14	Partisan	noun	One who support a particular person, cause, idea	पक्षपातपूर्ण
	Mollify	verb	To soften; to soothe; to pacify	शांत करना
	Vicissitude	noun	Upheaval; natural change; change in fortune	भाग्य-परिवर्तन



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