

WRAP Exams · wrapexams.com

Prelims PYQ, Mains model answers, and copy evaluation. Write to the desk for this paper, a doubt, or the AI waitlist.

ask@wrapexams.com · +91 85951 84903 · wrapexams.com

Q5(d)

How far is the National Commission for Backward Classes an empowered body? Assess its role in the context of rising demand for backwardness among dominant communities.

UPSC Civil Services Mains 2022 · PSIR GS 1 · 10 marks · Statutory Institutions/Commissions

Statutory Institutions/Commissions: Election Commission, CAG, Finance Commission, UPSC, NCSC, NCST, NCBC, National Human Rights Commission, National Commission for Women and National Commission for Minorities, NITI Aayog.

Core demand of the question

- **Answer the following in about 150 words:** How far is the **National Commission** for Backward Classes an empowered body? Assess its role in the context of rising demand for backwardness among dominant communities. (10 marks)

Revision summary

The 102nd Amendment made NCBC a constitutional commission under **Article 338B**.

It inquires and must be consulted; it does not replace legislatures as the final list-maker.

The 105th Amendment restored state power over state OBC lists after the Maratha case.

Jat, Patidar, Maratha, and Kapu agitations show dominant groups claiming backwardness.

Mandal criteria and street power now compete; NCBC is not the winner by default.

Introduction

The **National Commission** for Backward Classes became a constitutional body through the **102nd Amendment** (2018), as **Article 338B**. Empowerment is real on paper and limited in the politics of dominant-caste reservation demands.

Body

Empowerment after 102nd Amendment

- **Article 338B** copies much of the SC and ST commission design: inquiry, reporting, and a duty of governments to consult on major policy affecting socially and educationally backward classes.
- The Commission is not a court. It cannot by itself add a community to a list in the way a legislature or, earlier, the executive did after **Indra Sawhney** (1992).
- The **105th Amendment** (2021) restored the power of states to identify OBCs for their lists after the Supreme Court's Maratha judgment read 102nd as stripping states.
- So NCBC is empowered as a watchdog and adviser, not as the sole gatekeeper of every backward-class list.

Dominant-community demands

- Jats, Patidars, Marathas, Kapus, and similar agrarian-dominant groups have sought OBC or special reservation after agrarian crisis and public-job scarcity.
- **Mandal** was about social and educational backwardness plus inadequate representation, not about every politically strong community's unemployment.
- NCBC's role is to apply criteria, not to ratify street strength. In practice, cabinets and state laws often move first; the Commission follows or is bypassed.
- Rising demand therefore tests the Commission's independence more than it proves its supremacy.

Assessment

- Compared with the pre-2018 statutory NCBC, the constitutional status is an upgrade.
- Compared with the political weight of dominant groups, the body is not decisive. Empowerment is legal, not hegemonic.

Flow diagram

NCBC Art 338B Art 338B -> Inquire and advise
Mandal Indra Sawhney -> Backwardness criteria
Dominant caste demands -> Political lists
Political lists -> NCBC Art 338B

Conclusion

NCBC under **Article 338B** is a constitutional adviser and investigator, not a sovereign classifier. Dominant-caste movements for backwardness have often outrun it. The 105th Amendment returned list-making to states, which further relativises the Commission's gate.

Facts & figures

102nd Amendment, 2018

Inserted **Article 338B** and constitutionalised NCBC.

105th Amendment, 2021

Clarified states' power to identify socially and educationally backward classes for their lists.

Indra Sawhney (1992)

Upheld OBC reservation with creamy layer and a 50 per cent ceiling as the general rule.

Mandal Commission

Identified backwardness through social, educational, and economic indicators, not political dominance.