

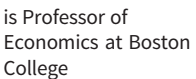
## Sequence of implementation, EWS quota outcomes



## People were allowed to walk into the death trap in Morbi

Coming out of the long restrictions on travel necessitated by the COVID-19 pandemic, people all over the world appear to be bingeing on travel and outings. A stampede in Seoul in South Korea killed 154 people last week. In India also, record numbers of people are thronging tourism and pilgrimage spots. While tourism and travel are powerful engines of the economy, there must be more attention paid to ensure that they are safe and sustainable. Tourist and pilgrimage centres around the country should carry out safety and environmental audits to ensure that crowd management and safety protocols are in place to avoid tragedies such as this. Development of new centres where large numbers of people are expected should account for such contingencies. The rapid pace of road and infrastructure development in ecologically sensitive areas such as the Himalayas should be in accordance with topographic limitations. More must be done to regulate the flow of travellers according to the infrastructure capacity of particular destinations. Tourism promotion campaigns must include creating safety awareness among visitors and local officials.

Exclusion of SCs, STs, OBCs from the scope of EWS reservation was immediately challenged in court on the grounds that it violated individual right to equality (that roughly corresponds to



The judiciary needs to note a subtle aspect of economically weaker sections' (EWS) reservation, i.e., first or last, in ensuring that there is an optimal implementation strategy

This would effectively end up making the EWS reservation redundant. Since the richest applicants are not eligible for EWS, the actual outcome would be slightly different, but not a whole lot as the richest 2% may not even apply to

EWS-last: If EWS positions are allocated after all other VR positions are filled, this issue will not arise. Now, while all individuals with incomes lower than the EWS limit are equally eligible for EWS positions (which is still effectively all individuals), the system awards the EWS positions to eligible individuals who have highest merit scores. But since some of the higher score individuals from SCs, STs and OBCs would be admitted under their respective quotas, this sequencing will make EWS positions more accessible to members of forward castes.

Therefore, the court would be well-advised to consider the implications of the implementation routes and to make sure there are no ambiguities, i.e., no loopholes. Ambiguities in reservation rules have led to court cases, leading to long delays in filling up positions. Given the enormity of the unemployment situation, as well as the importance of addressing social cleavages, the urgency of working out an optimal implementation strategy cannot be overstated.

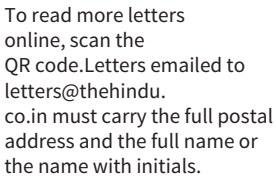
Besides its bilateral obligations and international humanitarian principles and conventions, there are recent judgments to guide India in having an expanded and liberal interpretation of the Citizenship (Amendment) Act

On October 11, the court held in *Abirami S. vs The Union of India* 2022, that statelessness is something to be avoided. The court further held that the principles of the CAA, 2019, which relaxes the conditions for citizenship for Hindus from Afghanistan, Pakistan and Bangladesh, would also apply to Sri Lankan Tamil refugees. As such, these judgments have provided categorical judicial guidance to the Union of India on how to utilise an expanded and liberal interpretation of

According to a recent report by the United Nations High Commission for Refugees, “Comprehensive Solutions Strategy for Sri Lankan Refugees”, there are around 29,500 Indian-origin Tamils currently living in India. As such, when the Union Government makes its case before the Supreme Court to extend citizenship to Indian-origin persons from Pakistan, Afghanistan and Bangladesh seeking asylum in India, it cannot deny Indian-origin Tamils their rightful pathway to citizenship.

*Inputs from Sheeba Devi L., advocate*

The sheer pace of the South African quartet – Lungi Ngidi, Wayne Parnell, Kagiso Rabada and Anrich Nortje – rattled the Indian batters. That the first slip was standing almost near the 30-yard circle behind the wickets stood testimony to the speed at which the SA bowlers were bowling, which reminded us of the deadly pace attack of the West Indies of the 1970s.



Barring Suryakumar Yadav, the rest fell to pace.  
**K. Pradeep,**  
Chennai