

Supreme Court Clarifies “General Category” is not a Quota, but an Open Merit List

The Supreme court of India in the case of ***Rajasthan High Court & Anr. v. Rajat Yadav & Ors. MANU/SC/1737/2025*** held that SC/ST/OBC candidates are eligible for general category seats in government job recruitments if they clear the same cut-off as general category candidates and have not availed any benefits/relaxation/concessions.

The Supreme Court's ruling does not mean that every reserved-category candidate scoring above the open cut-off can automatically claim an open seat. The decisive factor is whether the candidate competed on the same standard as open-category candidates. If a candidate has availed substantive relaxations such as age relaxation, additional attempts, etc. their candidature may not be comparable to those who met stricter conditions.



Background Facts



The recruitment process was initiated by the Rajasthan High Court in August 2022 for 2,756 posts of Junior Judicial Assistant and Clerk Grade-II across the High Court, district courts, and allied institutions.



The selection process comprised a 300-mark written examination followed by a 100-mark computer-based typewriting test.



Candidates were shortlisted category-wise, limited to five times the number of vacancies, based on the prescribed minimum marks in the written exam.

Issue

During shortlisting for the next stage of recruitment, several SC/OBC/ST/EWS candidates who:

- Scored higher than the General category cut-off, but
- Fell below the cut-off of their own reserved category

were excluded altogether, as shortlisting was done strictly category-wise.

Judgment

- Meritorious reserved category candidates must be considered in the Open/General category if they score above the General cut-off, even at the shortlisting stage.
- If a reserved category candidate, without availing any relaxation or concession, outperforms general category candidates; such a candidate must be considered for open posts.

- The open category list must first be prepared purely on merit, followed by preparation of reserved category lists.
- Treating the general category as an exclusive compartment for unreserved candidates violates Articles 14 and 16 of the Constitution.
- Drawing from *Indra Sawhney and Ors. v. Union of India (UOI) and Ors. MANU/SC/0104/1993* and *Saurav Yadav and Ors. v. State of Uttar Pradesh and Ors. MANU/SC/0960/2020*, the Court clarified that 'open' implies 'open' to all suitable candidates regardless of caste/tribe/class/gender, and such vacant posts are not reserved for any specific group.

Further, in this case no relaxation or concession was shown to have been availed, and no rule prohibited their consideration as open candidates. The Court therefore held that once a candidate meets the open benchmark on merit, exclusion solely on the basis of social category is unconstitutional.

While the Supreme Court has now conclusively settled the issue for direct recruitment, the judgment is likely to raise a second layer of more complex questions, potentially leading to fresh and prolonged litigation.

One such foreseeable question is: if a SC candidate enters service through an open/unreserved post purely on merit, without availing any substantive relaxation, what is their position later in service? Would the candidate be able to claim the benefit of reservation during promotions? What do you think? Comment and let us know!