

# Analyzing Reservation Policies in Civil Service of Nepal

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# Socio Political Situation

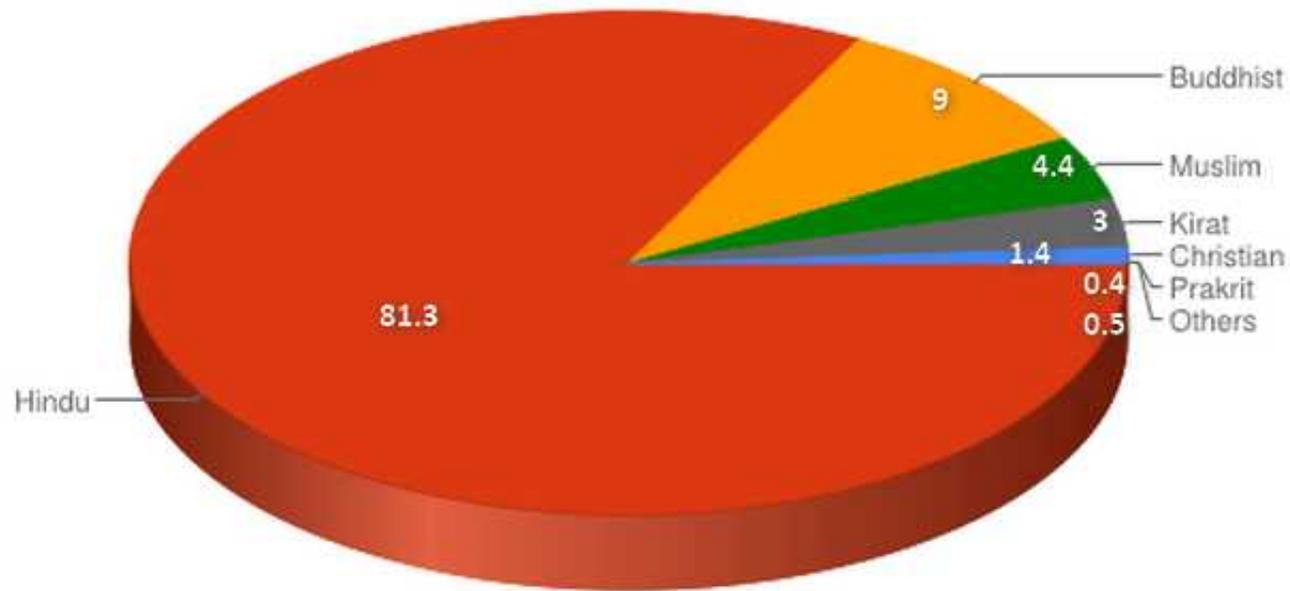
- Divided into 5 development and 3 ecological regions
- Certain geographical areas strongly associated with particular ethnic/caste groups.
- Multi-ethnic, multi-lingual and multi-religious country with diverse cultures.
- 26 million population.
- More than 125 caste and ethnic groups.
- Speaking over 91 languages.
- Practicing 10 different religious beliefs.



# Demographic Structure

Caste/Ethnicity	Population:	Percentage:
Chhetri	4,398,179	16.6
Bramhin Hill	3,226,903	12.2
Magar	1,887,733	7.1
Tharu	1,737,470	6.6
Tamang	1,539,830	5.8
Newar	1,321,933	5.0
Kami	1,258,554	4.8
Muslim	1,164,255	4.4
Yadav	1,054,458	4.0
Rai	620,004	2.3

# Demographic Structure

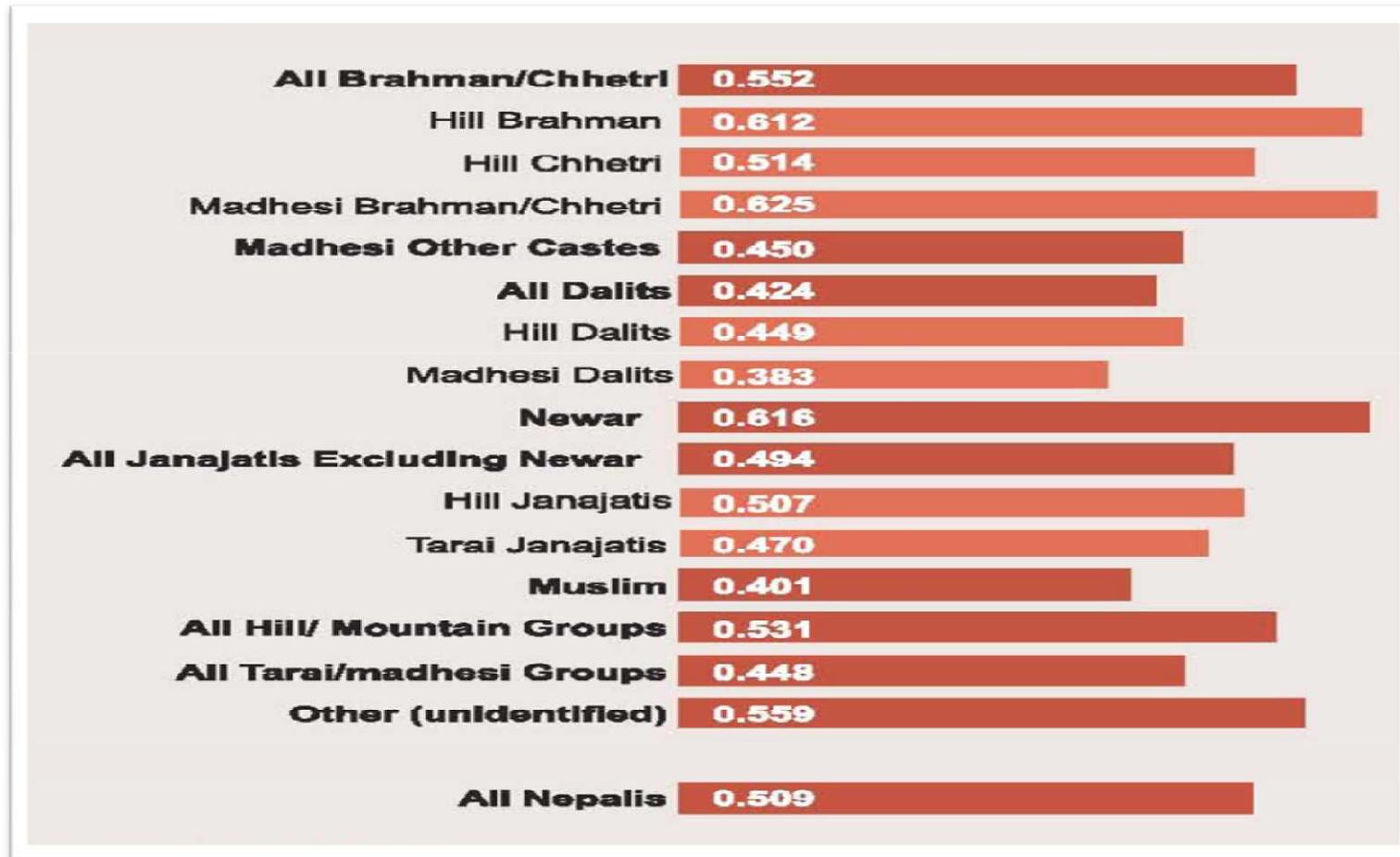


Population by Religious Belief

# Poverty Incidence in Nepal

Ethnicity/Race	Population under Poverty line (In percentage)	Population Distribution
Hill Brahmin	10.34	12.7
Hill Chhetri	23.40	17.8
Terai Bramhin	18.61	0.5
Terai Middle Caste	28.69	15.4
Hill Dalit	43.63	8.7
Terai Dalit	38.16	4.6
Newar	10.25	6.2
Ethnic Nationalities-Hill	28.25	21.8
Ethnic Nationalities-Terai	25.93	7.1
Muslim	20.18	4.3
Others	12.34	0.9

# HDI by caste/ethnicity, 2006



Source: HDR 2009.

# High Centralization of State

**Table 1. Ethnic/Caste representation in governance, 1999**

Institutions	CHHE		Dalit		Madhesi		Newar		Indigenous Nationalities		Other		Total number
	%	#	%	#	%	#	%	#	%	#	%	#	
Judiciary: Supreme, appellate, district	181	77	0	0	18	7.7	32	13.6	4	1.7			235
Constitutional bodies and commissions	14	56	0	0	3	12	6	24	2	8			25
Cabinet	20	62.5	0	0	5	15.6	3	9.4	4	12.5			32
Parliament: Lower & Upper Houses	159	60	4	1.5	46	17.4	20	7.6	36	13.6			265
Public administration, police, army elite	190	77.6	0	0	9	3.7	43	17.6	3	1.2			245
Central members of national political parties	97	58.4	0	0	26	15.7	18	10.9	25	15.1			166
District Development Committee chair/vice chairs, mayor/deputy mayors	106	55.8	0	0	31	16.3	30	15.8	23	12.1			190
Industry/commerce association leaders	7	16.7	0	0	15	35.7	20	47.6	0	0			42
Education: administrative & academic elite, and teachers association leaders	75	77.3	1	1	7	7.2	11	11.3	2	2.1	1	1	97
Culture: Organization and association leaders	85	69.1	0	0	0	0	22	17.9	6	4.9			113
Science/technology: organization and association leaders	36	58.0	0	0	6	9.7	18	29	2	3.2			62
Civil society association leaders	41	75.9	0	0	4	7.4	8	14.8	1	1.9			54
<b>Total</b>	1,011		5		170		231		108		1 0		1,526
Percentage (a)	66.25		0.3		11.1		15.1		7.1		0		100
Population %, 1991 (b)	31.6		8.7		30.9		5.6		22.2		0.1		100
Difference % (a-b)	+34.65		-8.4		-19.8		+9.5		-15.1		-1		
Domination ratio (a/b)	2.1		0.03		0.56		2.69		0.32				

Adapted from Lawoti (2007)



# Status of Women

- Nepal's GEI Ranking is 47 (Considered Very Low)
- Maternal mortality ratio (per 100,000 live births) 229
- Skilled birth attendance 28.8%
- Though women's contribution to agricultural production is above 60%, the total land holding is only 8%.
- Over 70% women workers are confined to self- employed, unpaid and low wage informal activities.
- Male literacy rate is 75.1% compared to female literacy rate of 57.4%

<http://www.socialwatch.org/node/15726>



# Male Female Ratio in Civil Service

S.N.	Status	Male	%	Female	%	Total	%
1.	Gazetted	10,086	93.33	721	6.67	10,807	14.40
	Special Class	67	97.10	2	2.90	69	0.09
	First Class	416	96.97	13	3.03	429	0.57
	Second Class	2474	95.63	113	4.37	2587	3.45
	Third Class	7129	92.32	593	7.68	7722	10.29

S.N.	Status	Male	%	Female	%	Total	%
2.	Non Gazetted	34813	82.02	7632	17.98	42445	56.55
	First Class	12867	87.95	1763	12.05	14630	19.49
	Second Class	15844	84.71	2859	15.29	18703	24.92
	Third Class	5178	63.53	2972	36.47	8150	10.86
	Fourth Class	924	96.05	38	3.95	962	1.28

S.N.	Status	Male	%	Female	%	Total	%
3	Class Less	20366	93.37	1446	6.63	21812	29.06
	<b>Grand Total</b>	<b>65265</b>	<b>86.95</b>	<b>9799</b>	<b>13.05</b>	<b>75064</b>	<b>100.00</b>

*Source: Personnel Records Office, Harihar Bhawan, Sept. 2010.*

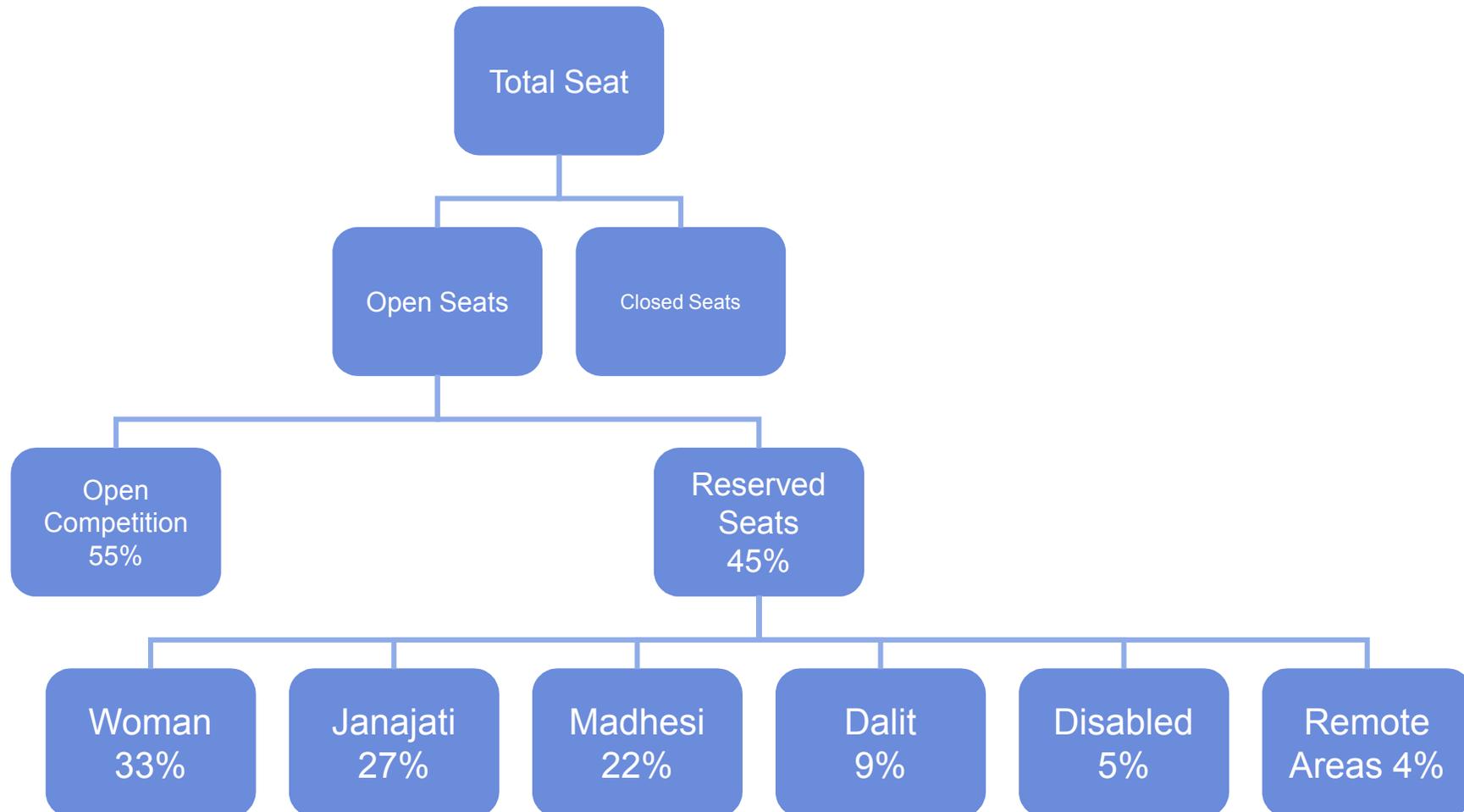
# Introduction of Reservation System

## **Civil Service Act 1993 (Second Amendment 2007)**

**introduced Reservation as a tool to combat exclusion in Nepal and recognized following groups as excluded:**

- *Aadibasi*: Antediluvian Residence
- *Janjati*: Excluded from Hindu caste classification
- *Madhesi*: Claimed antediluvian residence and has specific cast, mother tongue and culture.
- *Dalit*: Previously discard untouchable and segregated groups of cast.
- *Disabled*: Physically or mentally unable
- *Women*: Human female

# Reserved Seats in Civil Service



# Research Question

To what extent the reservation policy initiated by the government of Nepal has addressed the problems of exclusion in civil service of Nepal?

In gaining this objective, this study has tried to seek answer for the following sub question:

- A. Who are the excluded groups in Nepal?
- B. What are the major problems related to the exclusion ?
- C. What are the policy responses in solving those problems of exclusion?
- D. Is the reservation policy sufficient enough to address the problem?

# Hypothesis

*Inadequate policy response and weak implementation has not been able to squarely address the problems of under-representation in civil service of Nepal.*

# Data Sources

Secondary data.

- Public Service Commission (PSC) of Nepal,
- Human Development Reports by UNDP,
- Nepal Living Standard Survey (NLSS) 2010-2011
- Population and Housing Census 2011
- Personnel Information System (PIS) of Nepal Government.

# Who are the Excluded?

# Meaning of Exclusion

"Social exclusion refer to processes by which entire communities of people are systematically blocked from rights, opportunities, and resources (e.g., housing, employment, health care, civic engagement, democratic participation, and due process) that are normally available to members of society and that are key to social integration."

Institute on Social Exclusion,  
Alder School of Professional Psychology

# Two Forms of Exclusion

- Sen (2000) describes exclusion as "Capability Deprivation".
- He categorize Exclusion in two different types:  
*Active Exclusion and*  
*Passive Exclusion*
- Nepal experienced both of these types of exclusion.

# Who are the excluded?

The Nepal Gender and Social Exclusion Assessment (GSEA) identifies 6 dimension of exclusion in Nepal:

Social Category Status	Gender	Caste	Ethnicity/Race	Language	Religion	Geo/Political
Dominant	Men/Boys	Bramhin Chettris	Caucasoid	Nepali	Hindu	Parbatiya: Hill Dweller
Subordinate	Women/Girls	Dalit	Janajati/Mongoloid	Other	Non Hindu	Madhesi: Plain Dweller

# Who are Excluded?



The Muluki Ain or Country Code (1854) brought all these diverse groups together under a single legal system.

Bhattachan, K. B. (2009).

# Cause/Impact of Exclusion

(Problems related to Exclusion)

Causes/Impact of exclusion has been identified as:

## Poverty

(Economic/Social/Political)

## Lacking

(Right/Choice/Voice)

## Under Representation

(Politics/Bureaucracy/Decision Making)

# Solution to Exclusion

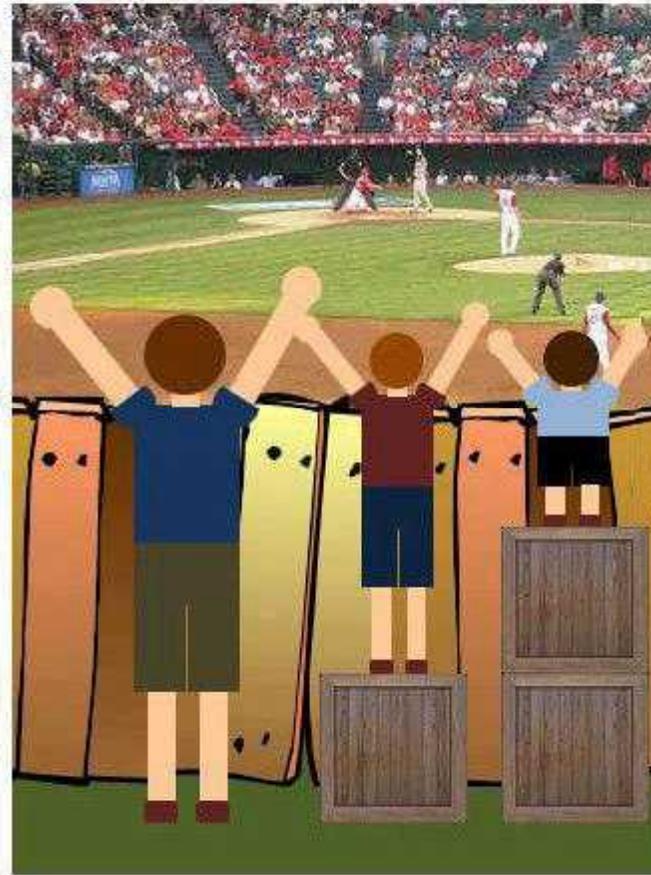
Solution: reversing the process of exclusion:

- Mainstreaming.
- Rightful sharing in Power, resource and Opportunity
- Tools: Positive Discrimination, End of Discrimination, Equality, Social Security, , Reservation.

# Equality is not always Justice



**This is EQUALITY**



**This is JUSTICE**

# Some major conventions nepal ratified...

- The Universal Declaration of Human Rights, 1948.
- The International Convention on the Elimination of All Forms of Racial Discrimination, 1965.
- The International Covenant on Civil and Political Rights, 1966.
- The International Covenant on Economic, Social and Cultural Rights, 1966.
- The Convention on the Elimination of all forms of Discrimination Against Women, 1979.
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984.
- The Convention on the Rights of the Child, 1989.
- The convention on indigenous and tribal peoples, 1989.

# Assessment of Reservation System in Civil Service of Nepal

8/8/2013

# Reserved Seats (5 Years)

Reserved Category	Number of Seats:	Percentage:
Woman	1743	34
AJ	1334	26
Madhesi	1113	22
Dalit	526	10
Disabled	233	5
Remote Area	144	3
TOTAL:	5093	100

Source: Civil Service Commission Annual Reports from 2008-2012

# Number of Applicants (5 Years)

S.N	Year	Women	Men	Total		
		Number	Percentage	Number	Percentage	
1	2008	67,435	39	107,687	61	175,122
2	2009	32,457	38	53,711	62	86,168
3	2010	139,963	47	160,500	53	300,463
4	2011	110,307	43	141,344	57	251,651
5	2012	113,785	42	157,792	58	271,577

Source: Civil Service Commission Annual Reports from 2008-2012

# Successful Candidates

SN	Reserved Category	Number of Seats:	Percentage:
1	Woman	1310	37
2	AJ	975	27
3	Madhesi	730	20
4	Dalit	302	9
5	Disabled	141	4
6	Remote Area	103	3
	TOTAL:	3561	100

**Issue of Ensurity and Merit based Selection**

# Male Female Ratio

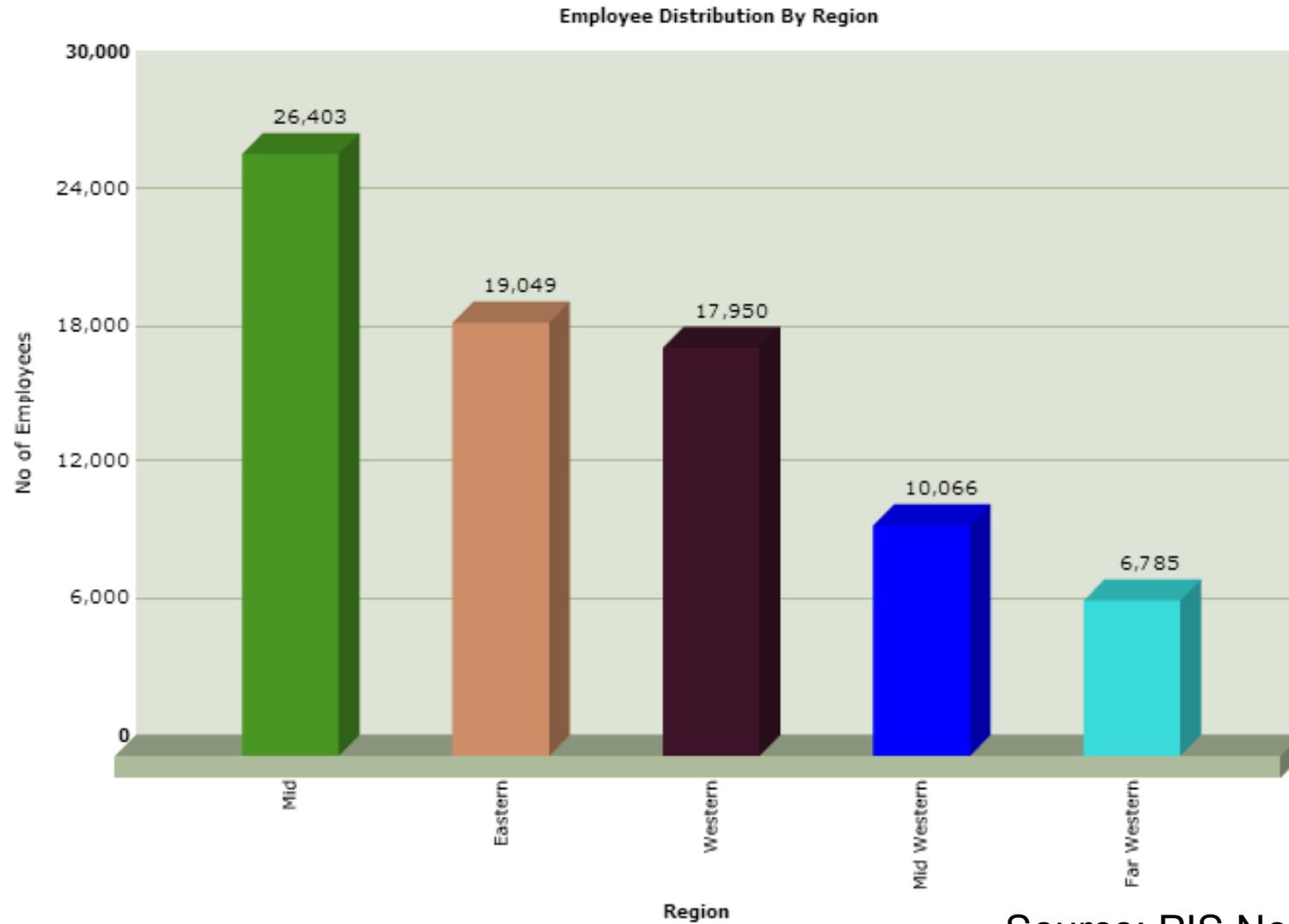
Year:	Female		Male		Total
2008	8774	11.09	70368	88.91	79142
2009	8713	11.96	64125	88.04	72838
2010	9749	13	65225	87	74974
2011	10773	13.84	67075	86.16	77848
2012	11679	14.67	67928	85.33	79607

Increased No. 2905  
Success in reserved seats: 1310  
So 1595 from open competition?

<NO>

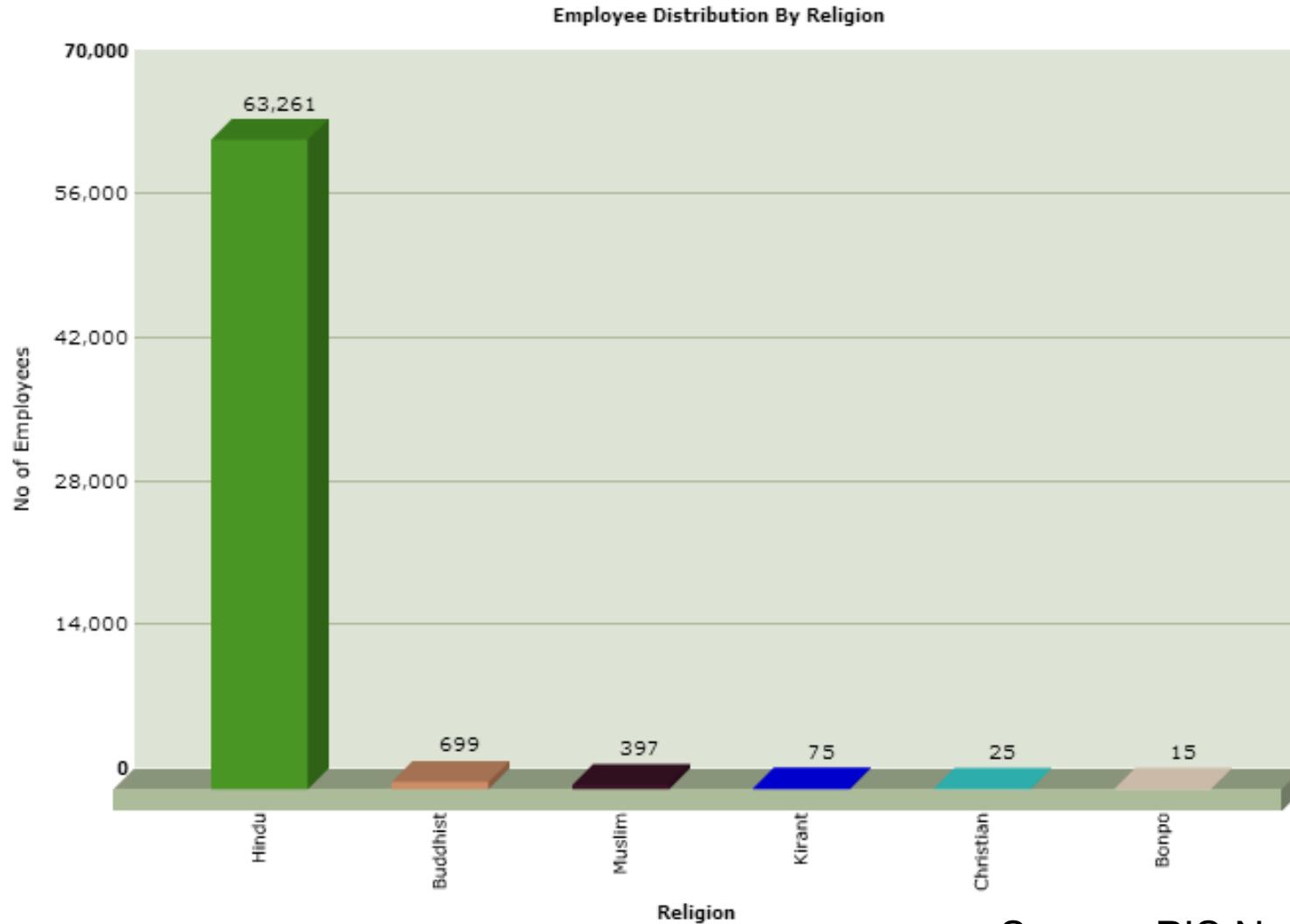
1595 women from Women only schemes  
only 497 women without reservation

# Region-wise Distribution



Source: PIS Nepal

# Religion wise Distribution



Source: PIS Nepal

# Key Findings

- Reservation can only solve the problem of under-representation in civil service in short run.
- Women have been found attracted to civil service but not all the groups.
- All the dimension of exclusion has not been covered by Reservation policy.
- Domination of a limited elite group even within the excluded groups
- It takes long time to build the ratio in proportionate manner so other tools need to be applied, i.e. capacity development.
- "Nepalese reservation system has not given comprehensive attention to all the dimensions of exclusion but its effects on generating attraction of marginalized people towards national bureaucratic system is noticeable."

Thank You