

M. KARUNANIDHI
CHIEF MINISTER



SECRETARIAT
CHENNAI - 600 009

Date: 17-09-2008

Dear PM,

With a view to fulfilling one of the longstanding and lifeline demands of the Other Backward Classes in the country, the UPA Government had finally come forward to introduce a legislation called the Central Educational Institutions (Reservation in Admission) Act, 2006, providing reservation of 27% to the students belonging to the Other Backward Classes in admission to higher educational institutions of the Government of India. After crossing a number of hurdles, the validity of this Act was upheld by the Constitutional Bench of the Supreme Court of India. Even after this major historic development, the implementation of the 27% reservation has been facing rough weather.

The Government of India have decided to implement reservation in the higher educational institutions over a period of three years and to create additional seats in such a manner that the number of seats provided for Open Competition does not get altered, because of the implementation of the reservation for OBCs. Though we are not in agreement with this formula as it is not in conformity with the basic principles of social justice, the Government of India had started implementing 9% reservation during the current academic year in the matters relating to admissions in higher educational institutions.

We have been very strongly opposing the concept of creamy layer, right from its inception. In fact, we have been insisting that no economic criterion by way of annual income of the parents of the students should be inserted for reservation to socially and educationally backward classes, as contemplated by the constitution of the India. Due to exclusion of creamy layer, about 400 seats in higher educational institutions remain unfilled during the current academic year. On this unfilled vacancies, the Supreme Court of India has recently held that there is no bar in filling these vacancies from among the students under the Open Competition category.

27% reservation to OBCs is not being implemented fully. Only one third of the prescribed quota has been implemented, excluding the creamy layer. The enhanced income ceiling from Rs.2.5 Lakhs to Rs.4 Lakhs per annum recommended by the National Backward Classes Commission has also not been taken up for implementation. All these factors have diluted the purpose of reservation and resulted in unfilled vacancies. If these reduced number of vacancies originally meant for OBCs are filled from among the candidates of the Open Competition category, the OBCs are afraid that there will be a big setback to their right of reservation.

The present situation has to be legally resolved. I am of the view that unless the creamy layer issue is tackled to the best satisfaction of the OBCs, the object of the constitutional amendment will not be fully met. Therefore, I kindly request you to take immediate steps to rectify the situation and pave way for full implementation of social justice.

Kind. Regards

Yours sincerely,

M. Karunanidhi

(M.KARUNANIDHI)

To

Dr. Manmohan Singh,
Hon'ble Prime Minister of India,
New Delhi.

கொலியீடு, இயக்குநர்.

செய்தி, மக்கள் தொடர்புத் துறை.

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