

The “Cut-Off” Game

How the Ploy to Kill OBC Reservations in Higher Education Was Defeated

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Chapter 1

Introduction

Following three years of ceaseless struggle, a historic verdict by the Apex Court finally stops the open robbery of OBC seats...

The historic verdict of 18 August 2011 by the Supreme Court finally puts an end to the attempts to keep OBC students from availing seats reserved for them. Now, in all central universities across the country (including JNU, DU, Allahabad and other universities which had been blatantly stealing OBC seats), administrations and anti-reservation forces will not be able to misinterpret the ‘cut-off’ criterion to scuttle OBC reservations. Thanks to the distorted definition of ‘cut-off’ adopted by JNU and some other universities, in admissions over the last three years, *many OBC students who met the minimum eligibility criterion fixed for general category, **minus any relaxation**, were denied admission, turned away, and told they lacked ‘merit’!*

But this victory was not achieved over overnight. Nor is it something that was gifted to us by the judiciary. Behind it is a long story of protracted student mobilization and struggle in favour of affirmative action and to defend OBC reservations in educations of higher learning. In keeping with JNU’s traditions, hunger strikes, protest demonstrations and rallies were called to agitate against the university administration which wilfully sought to misinterpret the law so as to deprive its own students of the opportunity to education which was their right. It is also the result of three years of painstaking research and documentation that allowed our case to be proved first in the

Delhi High Court and then in the Apex Court.

In the confusion and counter-claims that are being spread today, we believe that this is a story that must be told. Of how, a political struggle that was initiated by AISA in JNU to ensure the proper implementation of OBC reservations went on to define the reservation policy at the national level

The consensus that exists today on the irrationality of the existing criteria of defining ‘cut off’, was built through a sustained struggle involving students, teachers and progressive individuals, both inside and outside JNU. Over the past three years, this struggle has required large-scale mobilisation of public opinion, mobilisation of funds, as well as collection of facts and data to build the case. In this process, throughout this protracted struggle, several progressive voices defending social justice (including a range of progressive lawyers who fought the case, several JNU and DU faculty members and other concerned citizens including, notably, the late civil libertarian K Balagopal and retired IAS officer and social justice expert P S Krishnan) have enthusiastically supported the cause. Without their contribution, this victory would not have been possible.

This booklet shares AISA’s experience of struggling for social inclusion and democracy in university admissions, in the hope that it would be useful for others elsewhere engaged in similar struggles against the entrenched caste discrimination in our educational system, polity, economy and society.

Chapter 2

The Long Struggle against Robbery of OBC Seats

The implementation of the Mandal Commission recommendations on 27% reservations for OBCs in Central government jobs unleashed an anti-reservation frenzy all over north India in the early 1990s. When 27% OBC reservations were extended in higher education in 2006, there was a renewed attempt by casteist groups to whip up a similar kind of frenzy.

Let us not forget that the 2006 Act implementing OBC reservations in higher education itself came with two conditionalities attached:

Firstly, it required that for effecting 27% OBC reservations, there must be a corresponding increase in seats by 54% so that the existing number of general category seats remains intact – thus getting rid of the fear that OBC seats would shrink opportunities for general category students.

Secondly, 27% quotas would be implemented over three phases, so as to allow educational institutions to build infrastructural capabilities to cope with the 54% increase in seats

During this time, the ‘Youth for Equality’ (YFE) emerged as the mouthpiece for elitist arguments against reservations. But this time around, in spite of the tremendous support given to it by the corporate media, the YFE could achieve little mass presence or impact beyond campuses in Delhi

YFE, with its battery of lawyers, used every tactic at its disposal to

impede reservations. They approached the Supreme Court against the Act, and while arguments proceeded, succeeded in effecting a stay and delaying the implementation of the Act for two years.

During May-June 2006, immediately after the announcement of OBC reservation, casteist forces, styling themselves as ‘Youth for Equality’, started a month-long relay hunger strike against reservations for OBC students AISA challenged and exposed the YFE’s reactionary agenda head on, with a simultaneous 34 days long relay hunger strike in the JNU campus for Social Justice. This massive hunger-strike became the site for regular film screenings, public meetings, cultural activities and sharp ideological debate by well known activists and academics. This more than a month-long Hunger Strike, participated by hundreds of students had a powerful significance. It sent out a loud and clear message that the despite media-hype for YFE, there are large number of students in JNU and elsewhere who dare to challenge YFE’s casteist frenzy head on and stand up for social justice. The game of anti-reservationists and YFE to hegemonise campus spaces and project them as the sole voice of the students and youth was thus robustly defeated.



34-day long hunger strike at JNU during May-June 2006

Eventually, despite YFE's best efforts, on 10 April 2008, the Supreme Court upheld the constitutional validity of implementing 27% OBC reservations in institutes of higher education. However, the judgment was not without its problems and was filled with caveats that were deliberately misinterpreted by the anti-reservation forces.

The Supreme Court had, in the first round of implementing Mandal Commission recommendations in jobs in 1992, excluded the 'creamy layer' among OBCs from quota benefits. This time, it went *further*, imposing a *fresh caveat/rider* to the principle of OBC reservations in the shape of a directive on OBC 'cut-off' marks. Two of the judges on a five judge Bench made a suggestion that the Central Government, in the 'interests' of safeguarding 'merit', could consider the "desirability" of fixing a lower floor for cut off marks for OBC students, and if OBC seats failed to be filled in this manner, then they should be converted into general seats.

Note that this suggestion, *not even endorsed by the whole Bench*, was neither part of the apex court's order and nor part of the Act for reservation for OBCs in higher education. Yet, it acquired the 'power' of a virtual law, and subsequently got bolstered through a clarificatory Supreme Court judgment of 14 October 2008 that 'cut-off' marks for OBC students could not be lowered to more than 10% below those fixed for general category students. However, this caveat, *interpreted in a deliberately mischievous manner*, proved to be the foremost tool in the hands of various universities (particularly JNU and DU) to scuttle OBC reservations for all times to come.

As a university, JNU has a long and well-established tradition of standing for social justice. In this, the student community has played a vanguard role, but teachers and karamcharis have also fought consistently for making the campus more socially sensitive and inclusive. JNU is probably the only institution in the country to have incorporated the unique ‘deprivation point’ system in its admission policy to allow greater inclusion of women and students from deprived backgrounds. In fact, when the JNU administration scrapped the deprivation point system, the AISA-led JNU Students’ Union (JNUSU) of 1993 launched a spirited movement to ensure that it was reinstated.

Yet there are also elements within the university that stand opposed to this egalitarian, democratic politics of JNU. Regrettably, over the last few years, such elements were centrally involved in the running of the JNU Administration during the tenure of the last Vice-Chancellor B.B. Bhattacharya.

In fact, the JNU Administration under B.B. Bhattacharya should be credited with the dubious distinction of providing the template for the distorted interpretation of implementing OBC reservations, which was then adopted by several other higher education institutions to ensure that OBC seats went empty year after year. The key to this ploy and the reason for the massive non-fulfilment of OBC seats lay in the *faulty interpretation* of the ‘cut-off’ criterion adopted by JNU.

On the Question of Defining the “Cut Off”

Supreme Court in the Ashok Kr. Thakur case

1) Hon’ble Justice Dalveer Bhandari in paras 627,628 and,629 at pages 706 and 707 observed as under:

"At p.34 of Vol. I of its Report, the Oversight Committee recommended that institutions of excellence set their own ‘cut-off’ marks such that quality is not completely compromised. ‘*Cut-off*’ or *admission thresholds* as suggested by the Oversight Committee are reproduced:

4.4.2. The Committee recognizes that those institutions of higher learning which have established a global reputation (e.9. IITs, IIMs, IISc, AIIMS and other such exceptional quality institutions), can only maintain that if the highest quality in both faculty and students is ensured. Therefore, the Committee recommends that the threshold for admission should be determined by the respective institutions alone, as is done today, so that the level of its excellence is not compromised at all.

4.4.3. As regards ‘cut-off’s in institutions other than those mentioned in para 7, these may be placed somewhere midway between those for SC/ST and the unreserved category, carefully calibrated so that the principles of both equity and excellence can be maintained.

4.4.4. The Committee strongly feels that the students who currently tend to get excluded must be given every single opportunity to raise their own levels of attainment, so that they can reach their true potential.” (emphasis ours)

Further, let us note:

2) Para 139 [3] of the statement of Justices Pasayat and Thakkar

“The Central Government shall examine as to the desirability of *fixing* a cut off marks in respect of the candidates belonging to the Other Backward Classes [OBCs]. By way of illustration it can be indicated that five marks grace can be extended to such candidates *below the MINIMUM ELIGIBILITY marks FIXED for general categories of students*. This would ensure that quality and merit would not suffer. If any seats remain vacant after adopting such norms they shall be filled up by candidates from general categories.” (emphasis ours)

MHRD Directive (20 April 2008) Para 10 and 11:

“Each CEI is also authorized to fix cut off marks for admission/selection through admission test, etc. for the OBC candidates with such differential from the cut off marks for the unreserved category as each institution may deem appropriate for maintaining the standards of education and at the same time ensuring that sufficient number of OBC candidates are available in keeping with the directions/observations of the Hon’ble Supreme Court of India in this regard.

“CEIs which are in process of conducting admission tests may DECIDE on the ‘cut-off’ marks for the OBC category *well in time*, so that consistent with the standards of the education of the CEIs, *sufficient number of eligible OBC candidates are available for selection on the basis of inter-se merit against the reserve seats*. (emphasis ours)

It should be clear from the OBC verdict cited above and in the subsequent MHRD circular that the phrase ‘cut-off’ marks was being used in the sense of ‘minimum eligibility marks.’ Instead, what JNU

did was to interpret the marks obtained by the last general category student to secure admission, as the ‘cut-off’, and only OBC students securing up to 10 % less than this ‘cut-off’ were accepted for admission

From the outset, as soon as the admission policy became public, AISA-led JNUSU alerted the JNU community that this method of fixing ‘cut-off’ was flawed and would *never* allow OBC seats to be filled. Sure enough, when the admission lists were out, it became clear that a small percentage of OBC seats were filled – the rest were all diverted to the general category.

Here are some figures for the implementation of reservations in JNU admissions after the Act was implemented:

- In 2008, only 10% out of the stipulated 12% OBC quota was filled.
- In 2009, only 14% out of the stipulated 18% OBC quota was filled with 83 OBC seats being transferred to the general category.
- In 2010, only 15% out of the stipulated 27% OBC quota was filled with around 277 OBC seats being transferred to the general category.

Three Years of Ceaseless Struggles

The JNU administration's attempts to undermine OBC reservations through faulty 'cut-off' criterion was robustly challenged by the AISA-led JNUSU, right from 2008 itself. In repeated demonstrations, hunger strikes and other forms of protests, the JNU campus had waged a protracted struggle against the JNU administration and for social justice. The struggle also required large-scale opinion-building, meticulous collection and analysis of data to substantiate a critical point that had remained unnoticed in the labyrinth of court orders and administrative whims.

A timeline:

2008-2009 :

- In July-Aug 2008 itself, the AISA-led JNUSU began a hunger-strike against JNU administration's wrong interpretation of 'cut-off' that went on for 14 days.
- In the midst of the Hunger Strike, we led a demonstration to the UGC on 13 August to highlight JNU's use of faulty 'cut-off' to sabotage OBC reservations.
- These protests forced the JNU Administration to agree to set up a committee to look into the non-fulfilment of reservations. However, the administration subsequently chose to appoint Prof. Aditya Mukherjee, well-known for his anti-reservation credentials, as the head of this committee. Violating the agreement, the committee refused to have any student representation.

- Over the next three years, the Aditya Mukherjee Committee was used by the administration to ratify its faulty and illegal admission processes, despite protests by JNUSU and concerned faculty members.
- JNUSU organized a public meeting on September 1, 2008, with Prof. Satish Despande and Yogendra Yadav, who were noted experts on the question. The meeting was also attended by the then Associate Dean, Sachidanand Sinha. In the discussion the Associate Dean had to accept the robust arguments of the other speakers and yet he took no corrective step.
- During September, detailed memorandums were submitted to both the MHRD and UGC, but no substantive interventions were made by them.
- Before the 2009 admissions, the Aditya Mukherjee Committee rubber-stamped the university's faulty and illegal 'cut-off' criterion as the basis for admissions. This happened despite the note of dissent provided by one of its members, Dr. D.K. Lobiyal advocating the position articulated by the progressive student community.
- The Academic Council's acceptance of the Aditya Mukherjee Committee recommendation predictably led to non-fulfilment of reserved OBC seats on a larger scale in 2009 admissions.
- To counter the deliberate misinformation by the JNU Administration, JNUSU organized a Symposium with several faculty members on 3 August, 2009, to discuss our position on OBC reservations *vis-a-vis* the administration's position.

- Convinced by the correctness of our logic, many faculty members signed a statement espousing this position and also met the VC in a delegation.
- The Vice-Chancellor, however, responded only by promising to take a re-look at the issue. The Aditya Mukherjee committee was reconvened. However, it did not change its earlier recommendations.

The Evidence of RTIs

Extensive RTIs were filed by us, asking for marks of all students who had written the JNU exams for the centres where OBC reservations went unfulfilled.

The JNU Administration did not cooperate and took more than 3 months to provide the data, in itself a violation of the RTI Act.

Through RTI, several hundreds of pages of data was collected and analyzed. This data allowed AISA to nail the administration's lies and the information demonstrated our point in a decisive manner

After this exposure, there was NO WAY the administration could continue claiming that there were not enough 'eligible' OBC candidates.

2009-2010:

- As the JNU Administration refused to budge, AISA started to organize opinion in campus and outside against this massive violation which served to make OBC reservations null and void.
- In particular, we received help from the noted human rights lawyer, the late K. Balagopal and P.S. Krishnan (former advisor to the MHRD on OBC reservations) who extended their support

to this struggle. K. Balagopal not only addressed a public meeting on the issue in JNU, he also wrote a powerful piece in Economic and Political Weekly (6 October, 2009) highlighting JNU's malpractices.

Excerpts from K. Balagopal's article in EPW:

“It is not possible to conclude this without commenting on the extraordinary interpretation put by the Jawaharlal Nehru University (JNU) on the order of 14 October 2008 passed by the Supreme Court. It should be obvious to even a child that what the Court said was that if a student in general has to get, say, 40 marks in the qualifying test or interview or whichever combination of two the institution prescribes, to be eligible for selection to a course, then in the case of OBCs it will be sufficient if the candidate gets 30 marks. It takes exceptional intelligence to read it as anything else. But they evidently possess that in that university. A committee of five teachers concluded that what the Supreme Court meant when it spoke of relaxation of not more than 10 in the ‘cut-off’ marks was that the marks obtained by an OBC candidate must be within 10 marks of the least marks obtained by those who have qualified in the general category for the OBC candidate to be eligible for selection! Social scientists for some time now have been speaking much of the legitimacy of diverse “readings” of “texts” but one does hope that in the JNU they have not carried it to misreading of plain English.” – ‘Ideology And Adjudication – The Supreme Court and OBC Reservations,’ K Balagopal, *Economic and Political Weekly*, October 24, 2009 Vol xlv no 43

- Several members of parliament were met and detailed papers given to them, *but there was no intervention or response on their part.*

Details of the Marks of 2009 Admissions Based on Information Provided by JNU Through RTI

M.Phil/Ph.D Programme

Minimum Eligibility Marks For General Category Students in M.Phil/Ph.D: 40

Minimum Eligibility Marks For OBC Students in M.Phil/Ph.D: 35, subject to the condition that the mark of the OBC candidate is NOT less than 10 marks from that obtained by the LAST general category candidate selected.

Centre	Total Offer	Seats reserved for OBC students as per 18% of total offer	(B)	(C)	Actual OBC seats offered by JNU	DEFICIT in OBC reservation i.e. (C)-(D)	Mark of the Last candidate offered in the general category	Centre-wise "Effective" qualifying mark for OBC candidates by JNU's wrong criterion i.e. (F-10)	Number of OBC eligible students available from whom the deficit could have been filled, if JNU had applied the CORRECT Cut-off criterion
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)		
Modern History	21	4	3	1	65	55	9		
Population Studies	20	4	2	2	43	33	0		
Economic s Regional Studies	20	4	3	1	53	43	4		
Sociology	35	6	1	5	64	54	16		
Science Policy	11	2	1	1	66	56	6		
International Politics	10	2	0	2	64	54	4		
English	21	4	3	1	66	56	9		
Visual Arts	7	1	0	1	70	60	1		
Theatre and Performance Studies	7	1	0	1	80	70	1		
Cinema Studies	7	1	0	1	78	68	1		
Law and Governance	25	5	2	3	53	43	4		
Sanskrit	16	3	2	1	72	62	6		
Ancient History	10	2	0	2	52	42	0		
Economics	25	5	1	4	45	35	0		
Education	21	4	0	4	54	44	3		
Philosophy	12	2	0	2	42	32	0		
Russian and Central Asian Studies	31	6	3	3	47	37	2		
European Studies	13	2	1	1	40	30	0		
International Trade and Development	8	1	0	1	53	43	0		
Linguistics	14	3	0	3	57	47	0		

Details of the Marks of 2009 Admissions Based on Information Provided by JNU Through RTI

MA Programme

Minimum Eligibility Marks For General Category Students in M.A/B.A.: 30

Minimum Eligibility Marks For OBC Students in M.A/B.A.: 27, subject to the condition that the mark of the OBC candidate is NOT less than 10 marks from that obtained by the LAST general category candidate selected.

Centre	Total Offer	Seats reserved for OBC students as per 18% of total offer	Actual OBC seats offered by JNU	DEFICIT in OBC reservation i.e. (C)-(D)	Mark of the Last candidate offered in the general category	Centre-wise "Effective" qualifying mark for OBC candidates by JNU's wrong criterion i.e. (F-10)	Number of OBC eligible students available from whom the deficit could have been filled, if JNU had applied the CORRECT Cut-off criterion
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
Economics	123	22	3	19	73	63	79
Modern History	39	7	0	7	70	60	53
Medieval History	26	5	1	4	67	57	43
Political Science	78	14	4	10	48	38	23
Linguistics	31	6	3	3	71.5	61.5	33
Arts and Aesthetics	31	6	0	6	71	61	10

- The HRD Ministry and Social Justice Ministry were repeatedly approached, asking them to step in and settle the matter by clarifying how their own law on OBC reservations was to be interpreted, *but they made no such clarification.*
- From December 2009 onwards, the question of reservations in JNU faculty positions also came to the fore. On this front too, the VC began showing his anti-reservation colours and Aditya Mukherjee, emboldened by his efforts in stalling the OBC quota for students, started a vicious campaign against reservations in faculty positions
- This total travesty of social justice united progressive students and teachers against the JNU administration.
- As the next Academic Council (AC) meeting of 18 March 2010 approached, AISA launched a broad based forum – FDIR (Forum for Defending and Implementing Reservations)– to rally the broadest possible opinion in the campus on the question of reservations.
- FDIR held a huge public meeting in the Koyana Hostel Mess on 25 Feb 2010, where several teachers expressed their support for the struggle and unitedly decided to take it up in all university forums in a big way.
- Towards the proposed Academic Council Meeting of 18 March 2010, which was to take up both the critical questions of OBC ‘cut-off’ and reservations in faculty positions, an Indefinite Hunger Strike was started on 13 March night, which found massive support from the students and teachers alike.
- On the day of the AC Meeting (18 March) students observed

University Strike and held a Protest Demo in front of the AC meeting.

- Teachers issued a powerful statement against Aditya Mukherjee Committee's wrong 'cut-off' criterion and carried the debate inside the AC meeting.



Demo: 18th March, 2010, in front of Academic Council Meeting

Excerpts from the appeal issued by some faculty members: It aptly describes what the Aditya Mukherjee Committee actually did:

...”To use this minimum marks obtained by the last student in the merit list to define a fluctuating ‘cut-off’ is a disingenuous argument designed to deprive OBC candidates of their rightful place in the university. But this is precisely what the committee has done... The committee has in effect achieved the near impossible task of simultaneously encouraging and also thwarting the implementation of OBC reservations...”.

- The Academic Council meeting of 18 March 2010 decisively rejected the Aditya Mukherjee Committee recommendations. The reluctant VC had no choice now but to set these recommendations aside and entrust the Dean’s Committee with the task of finding a proper solution.
- Although cornered and exposed, the JNU Administration didn’t give up. For months on end, they refused to call the meeting of the Dean’s committee.
- Following the call for a protest demonstration, the Deans’ Committee meeting was finally held on 17 June 2010. With students protesting outside the venue, the Deans’ Committee accepted the formula that AISA along with progressive students and teachers had been proposing for so long.

2010-2011:

- With the Deans’ Committee stance, the road-blocks on OBC reservation *appeared* to have been cleared. *But this was not be.*
- YFE sent a notice to JNU through its casteist lawyers questioning the Dean’s Committee decision. The JNU

Administration on 12 July 2010, in defiance of all proper procedure, used this illegal ‘legal opinion’ to *revert back* to its earlier wrong ‘cut-off’ criterion for admissions. In complete disregard of all democratic procedures, it did so without even informing the AC, which had earlier rejected this wrong ‘cut-off’ criterion in its 18 March 2010 meeting.

- With all avenues within JNU thus exhausted, there was no option now but to approach the Delhi High Court in July 2010.
- Locating petitioners was also a challenge- as we were advised by our lawyer that petitioners must be the victims of the wrong policy - that is those OBC students who were denied admission despite being eligible. This involved locating those OBC students who were being denied admission! Once again, the RTI data of 2009 came handy to track down the victims of 2009. But the RTI data did not carry their addresses and at any rate, since the case was being filed in 2010, we needed those who were being wrongly denied admission in 2010. Somehow, we tracked down a couple of applicants who suffered in 2009 and applied again in 2010. Through our organizational contacts we reached out to them and they became the petitioners in this historic case.
- In its judgement on 7 September 2010, the High Court upheld student community’s position regarding the definition of ‘cut-off’ and declared “JNU’s admission policy to be bad”. The Court also criticized the position taken by Union of India Counsel, who supported the views of JNU Administration regarding ‘cut-off’.

- The Delhi High Court judgment of September 2010, emphatically vindicated the position on OBC ‘cut-off’ that AISA had been articulating and struggling for since 2008.

From the Delhi High Court verdict dated 7th September 2010 on OBC Reservations in JNU:

“The cheque of reservation of 27% issued by the legislature to the OBCs in accordance with the Constitution of the country cannot be made to bounce...The policy adopted by UOI [Union of India] and JNU amounts to the Executive taking away what the legislature has given to the OBCs. The same cannot be permitted to happen... Procedure followed by...JNU and the stand of the UOI regarding reservation for OBCs is thus declared to be bad.”

- Despite the Delhi High Court verdict, JNU extended admission only to the 2 petitioners of the court case, while *refusing* to give admission to all other OBC candidates who were denied admission by the same faulty ‘cut-off’ criterion.
- JNU students demanded that Delhi High Court calls for a policy correction by JNU and it must *apply uniformly to all the victims* of the same fallacy. They must not be denied their legitimate claims to admission for no fault of their own. But to no avail.
- In the face of massive pressure from the progressive students and teaching community, the JNU did not dare to directly challenge the Delhi High Court verdict. However, the casteist agenda and manipulative tricks of the B.B. Bhattacharya administration to steal OBC seats were far from over.
- On 13 September 2010, YFE and former IIT director P.V. Indiresan filed an SLP in the Supreme Court, challenging the

Delhi High Court verdict.

- At this juncture, it was urgent to intervene with the Union Law Ministry, so that the Union of India corrects its position in the Supreme Court hearing. A detailed note and letter was sent to Union Law minister on 23 September 2010, as the SLP was coming up for hearing on 27 September.

Excerpts From the Letter to Law Minister Moily on 23 Sep 2010 seeking his intervention in the Govt.'s position on Indiresan's SLP.

"...We also seek your urgent intervention so that Union of India Counsel's position is corrected. It is mandatory that a govt Counsel must defend in letter and spirit, and not contradict, this important piece of legislation on OBC reservation introduced by the govt itself. Youth for Equality and former IIT director P V Indiresan has filed an SLP in the Supreme Court against the Delhi High Court verdict. The matter is to be heard on 27 Sep. In this context, the role and position of Union of India Counsel becomes all the more critical. We urge you to ensure that UOI counsel stands by the MHRD circular and SC pronouncements on " 'cut-off'" and does not side with the wrongs done by JNU in this regard. This case is going to have all India implications for the actual implementation of OBC reservation and fulfilment of OBC seats..."

"It is now established that correct definition of 'cut-off' is central to the actual fulfilment of OBC seats. If the faulty definition of 'cut-off' prevails then OBC reservation Act will become illusory on the ground."

- On 18 Aug 2011, finally, after many ups and downs, many twists and turns in the prolonged hearings that went on from 5 July 2011, the Hon'ble Supreme Court decided the matter in

favour of the position we were painstakingly arguing since 2008.

Supreme Court Bench of Justice Raveendran and Patnaik (in their 18 August verdict) describe the process by which JNU and other institutions stole OBC seats:

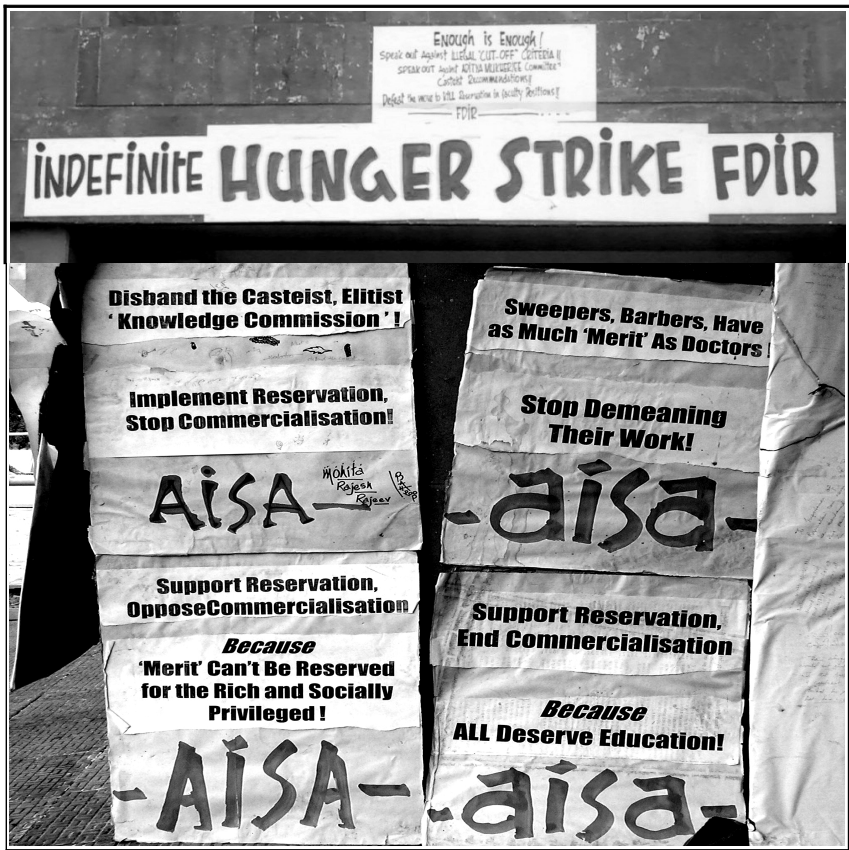
“The appellant (PV Indiresan) canvasses the continuance of the procedure adopted by JNU during 2008-09 and 2009-10. What in effect was that procedure?”

During those years, JNU would fix the minimum eligibility marks as say 40% when the admission programme is announced. JNU would apply it only to general category candidates. It would not say what was the minimum eligibility marks for OBC candidates, but would decide the same, only after all the general category seats were filled, by fixing a band of marks upto 10% below the marks secured by the last candidate admitted under the general category. If a OBC candidate secured the marks within that band, he would be given admission. Otherwise even if he had secured 70%, as against the minimum of 40% he would not get a seat, if the band of marks was higher. Such a procedure, was arbitrary and discriminatory, apart from being unknown in regard to admissions to educational institutions. The minimum eligibility marks for admission to a course of study is always declared before the admission programme for an academic year is commenced...

“...the ‘cut-off’ procedure followed by JNU during those days had the effect of rewriting the eligibility criteria, after the applications were received from eligible candidates. If the minimum eligibility prescribed for an admission in an institution was 50% and a candidate had secured 50%, he could not be denied admission, if a seat was available, based on a criterion ascertained after the last

date for submission of applications. No candidate who fulfils the prescribed eligibility criteria and whose rank in the merit list is within the number of seats available for admission, can be turned down, by saying that he should have secured some higher marks based on the marks secured by some other category of students. A factor which is neither known nor ascertained at the time of declaring the admission programme cannot be used to disentitle a candidate to admission, who is otherwise entitled for admission. If the total number of seats in a course is 154 and the number of seats reserved for OBCs is 42, all the seats should be filled by OBC students in the order of merit from the merit list of OBC candidates possessing the minimum eligibility marks prescribed for admission. (subject to any requirement for entrance examination.) When an eligible OBC candidate is available, converting an OBC reservation seat to general category is not permissible.”

- The 18 August verdict of the Apex Court finally vanquished the anti-reservation forces. The judgment firmly upheld that ‘cut-off’ and ‘minimum eligibility’ were one and the same thing, also dismissing Indiresan’s appeal and upholding the earlier Delhi HC verdict. The SC verdict has also ordered that in universities where admissions are still underway, OBC seats must be filled only by OBC candidates – only in the absence of OBC candidates who fulfil the qualifying/eligibility marks can seats be converted to general category seats.



JNU, March 2010

- As the matter was being heard in the Supreme Court, the admission in-charge of the Hindi Department of Allahabad University (former JNUSU President Pranay Krishna) registered his protest against being asked to implement the faulty 'cut-off' criterion for OBC admissions. In doing so, he cited the JNU experience and the Delhi HC verdict.

Negative Role of Various Student Organizations

YFE, of course, was openly anti-reservation. The NSUI and ABVP too discreetly played to the anti-reservation gallery. All other student groups, while officially claiming to be pro-reservation, have paid lip service to OBC reservations. In practice, they refused to endorse or join the struggle to rectify the distorted implementation of OBC reservations.

The Students' Federation of India (SFI)-CPI(M)'s student wing and the Democratic Students' Union(DSU)-of Maoist ideology, for the better part of those three years till the Academic Council Meeting of 18 March 2010 (when JNU administration already stood cornered) did all they could to spread confusions among students about the reasons for non-fulfilment of OBC quotas, heckling AISA's efforts to establish that in fact, it was the interpretation of 'cut-off' marks' that was responsible for this non-fulfilment. This vitriolic campaign *against* AISA and JNUSU's efforts allowed the JNU administration to maintain confusion on the issue.

By the time of the Academic Council Meeting of 18 March 2010, a broad consensus in favour of the 'cut-off' struggle had ALREADY been evolved amongst the faculty, and the Administration stood cornered. *Only then*, SFI grudgingly had to accept that the 'cut-off' was an issue - though it still continued to abuse us, while its participation continued to remain token and shockingly non-serious.

After the historic 7th September 2010 Delhi HC verdict, SFI was so shocked at AISA's position being validated by the HC, that it did not even welcome the verdict for 48 hours.

Responding to the counter-campaign, AISA-led JNUSU repeatedly alerted other organizations about their negative role in the critical OBC 'cut-off' struggle. Excerpts from a JNUSU leaflet of the time: (JNUSU leaflet 30.7.09)

"...For the past one year, JNUSU has been leading the struggle for proper implementation of OBC reservations in the face of a concerted attack from the casteist forces well-entrenched in the JNU administration. Unfortunately, this struggle has been characterized by a conspicuous lack of support, mobilization and opinion building by most student organizations on campus, who preferred to train their guns on JNUSU rather than focusing on this mischief of the administration.

During last year's hunger strike, when JNUSU was the only force to talk about this real impediment of manipulated 'cut-off' marks being the main obstacle in fulfilling OBC seats, both the SFI and the DSU refused to acknowledge this as a problem. ...

Even till now, they have not issued a single statement recognizing the central gravity of this issue as the most crucial roadblock for fulfilment of OBC reservations. We would like to ask these organizations: whose hands ultimately get strengthened when you indulge in such uninformed and irresponsible behaviour?...

In the Protest Meeting with students from other campuses, SFI left the meeting on plea of "delay" and DSU was a silent observer with not a word or suggestion to offer. In the Meeting with Yogendra Yadav, SFI totally boycotted the programme..."

An Example of SFI's Shameful Non-Seriousness and Farcical Tokenism in the 'cut-off' Struggle

On 17 June 2010, the Deans' Committee endorsed the correct 'cut-off' policy in midst of the strong pressure created by a student protest called by AISA and FDIR outside. SFI however was not even aware of the meeting and did not even participate in the demonstration. To show some token activism, they thought it wise to issue a poster the same afternoon. What did the SFI poster say?! It "warned" the Administration to stop delaying the promised Deans' Meeting on OBC reservation - *little knowing that the same Deans' Meeting was ALREADY in progress the very same afternoon, and students were protesting at the venue!* This is one piece of glaring proof of how real was SFI's concern for OBC reservations. There was no limit, it seems, to SFI's farcical tokenism and ritualism in a crucial battle for social justice.

Doublespeak of the UPA Government and Other Parties

In the three years since OBC quotas came into force, and before the Delhi HC verdict, the Central Government's role was intriguing, and quite revealing about the politics of the Congress and the UPA.

On the one hand, the Congress, claiming OBC quotas to be a feather in its cap, used to try to persuade OBCs in UP, Bihar and other North Indian states of its 'social justice' credentials. *On the other hand*, even as OBC quotas were being mocked by Central Universities, and OBC students robbed of their seats, the Central Government failed to use the powers at its disposal to intervene.

AISA repeatedly approached the HRD Ministry and Social Justice Ministry, asking them to step in and settle the matter by clarifying

how their law, the SC verdict, and the HRD circular were to be interpreted. But to no avail.

In the worst betrayal of all, in the Delhi HC case, the Counsel for the Union of India (UoI) shamefully argued alongside the YFE and JNU advocates, *arguing against* our (correct) interpretation of ‘cut-off’ marks. Delhi HC, in its 7 Sep 2010 Verdict indicted the role of the Union of India (UOI) as well! (*See the excerpts from the Delhi High Court Verdict*)

It was only *long after* the Delhi HC verdict that the Central Government *changed* its posture as late as April 2011 and supported our interpretation of ‘cut-off’ during the Supreme Court hearings!

Meanwhile, during these three long years, the political parties whose USP is ‘social justice’ and ‘OBC welfare’ maintained a resolute silence on the deliberate and open subversion of OBC quotas. Parties like the RJD and SP were allies of the UPA who used their power to stall 33% reservation for women in the name of concern for OBC political representation. But they never used their power or influence to speak a single word – within Parliament or outside - to highlight this huge mockery of implementation of OBC reservations!

Misuse of Administrative Positions to Scuttle Constitutional Mandate

Since 2008, we have witnessed how people in positions of power in the JNU administration have shamefully misused their official, administrative positions to push through their casteist ideological agenda to scuttle OBC reservation, running roughshod over the law of the land and even the statutory decision making bodies of the university. Now that the SC verdict has *once more* indicted the JNU

administration, the question is:

- Shouldn't accountability be fixed on former Vice-Chancellor B.B. Bhattacharya and his officials in the JNU administration who actively connived in this criminal stealing of OBC seats and scuttling of constitutional provisions of social justice?
- Former VC and his team played with the careers of hundreds of students; who will compensate for their loss?
- Further, public money was used to pay JNU's lawyer to defend JNU's illegal position in the court of law and flout the constitutional mandate. Who will take responsibility for this?

If anything was needed to convince people of the continued need for reservations in our society, it is the lengths to which the university administrations of distinguished institutions like JNU and DU went to deprive OBC students of the seats they were entitled to by right.

High Weightage for Viva-Voce in Entrance Tests: Another Ready Tool for Discrimination

The Supreme Court (SC) verdict of August 18, 2011 finally put an end to the faulty and illegal cut-off criteria for OBC students, which was being used by various administrations across the country to criminally steal OBC seats. Though this verdict has removed the *central and structural roadblock* preventing proper implementation of OBC reservations, other issues lie ahead of us.

The petition in the Delhi High Court during the 'cut-off interpretation' case also included the plea for "reducing the weightage in viva marks" and bringing it line with the earlier court judgements of keeping viva-marks at NOT more than 10%-15% of the total

evaluation. Given the enormity of the ‘cut-off’ controversy, High Court at that juncture did not concentrate on this second part of the petition relating to reduction in “weightage for viva”.

For years, there have been several instances of students from deprived backgrounds being given abysmally low marks in the viva, despite having been awarded high marks in the written examination. This year, the JNU administration has, for the first time, released the marks-both written and viva marks- of *all* the candidates who have appeared in JNU’s entrance tests on the JNU website. The OBC quota in the MA programme was by and large fulfilled this year, because the correct ‘cut-off’ criterion was implemented for the first time in JNU. However, in the MPhil programme, where viva marks account for a substantial portion of the evaluation system, some OBC/SC/ST seats have remained unfulfilled.

The marks released by the JNU administration once again proves that the abnormally high weightage for viva marks can be used to deny admission. In many centres, students have received very low marks (1 or 2 marks out of 30) while their written marks were over 35. *We provide below a random sample of some instances:*

Continued on next page...

	Centre	Marks in Written	Marks in Viva	Category
Student A	MOD/CHS/SS	53 (+5 for women students)	8	OBC
Student B	POL/SSS	37	1	ST
Student C	SEAS/SIS	35	2	OBC
Student D	RCA/SIS	37	3	ST
Student E	RCA/SIS	46	1	SC
Student F	CSR/SSS	30	3	OBC
Student G	SAS/SIS	43	4	ST
Student H	SAS/SIS	48	2	ST
Student I	SAS/SIS	46	1	OBC
Student J	SAS/SIS	45	26	General
Student K	SAS/SIS	46	24	General

(We have avoided mentioning registration numbers)

This random sample unambiguously proves the pattern of discrimination. The high weightage for viva marks leaves the door open for subjective biases and rampant discrimination by the evaluators to unduly influence the final results. Therefore, it is urgent that in the interests of ensuring objectivity and impartiality, and reduce the evident subjective and ideological biases of the evaluators, the weightage for viva marks must be reduced.

Chapter 3

Far-reaching Significance of the Struggle

What finally defeated those casteist ploys to fix the match for OBC students so that they could never win was a determined struggle that took up the issue of OBC reservation as a democratic issue that concerned all those who fight for justice in our unjust society.

A struggle that begun in JNU and was joined by teachers in DU has resulted in a verdict of national significance that will salvage and defend OBC reservations all over the country.

We have now seen that the Congress-led UPA Government, which claims credit for introducing 27% reservations for OBCs in higher education, actually worked with anti-reservation forces to subvert the whole system of 27% reservations. It is forces like AISA, committed to a comprehensive agenda of revolutionary social change, who defended reservations in ideology as well as in practice, and fought for the correct implementation of 27% OBC reservations

The early 1990s saw the implementation of the Mandal Commission recommendations to provide for reservation to OBCs in government jobs; soon followed by the advent of the economic policies of liberalisation, privatisation and globalisation. The Mandal wave generated a massive euphoria of social justice, yet for the vast majority of India's rural and agricultural population, most of all the dalits, extremely backward communities and tribals, social justice remained a pipedream, with globalisation causing widespread starvation deaths, suicides, desperate unemployment, and further displacement and dispossession.

The globalisers now want to do away with the system of reservation much the same way as imperialist powers want us to stop all subsidies. Incidentally, reservation is being opposed not only in higher education but also in private industries. Like the empty rhetoric of ‘reforms with human face’, the myth of ‘globalisation with social justice’ is also fast coming unstuck.

In India today, governments seek to soften and mask the rapacious face of globalization with a ‘human face’, ushering in a whole range of laws promising greater democracy, greater rights. Right to Education, Right to Employment, Right to Food, as also OBC reservations – all such laws are being enacted with much pomp and fanfare. But while ‘giving’ with one hand, the government takes away with another, behind its back! In practice, almost each of these laws and policies has been weakened, whittled down, hollowed from within, or subverted on the ground.

For AISA, therefore, the struggle to ensure just and full implementation of 27% seats for OBC students is an important part of a struggle to ensure education for all. The same JNU and DU Administrations and the UPA Government which tried with all their might to subvert OBC reservations, also, in the same 3 years, aggressively pushed privatization policies and fee hikes: measures that would have pushed the weaker and poorer students out of higher education

Reservations are an important part of the agenda of social justice – but they cannot be the sole agenda. Social justice demands that the Government must undo the killer policies of liberalisation and stop sacrificing the lives of the poor at the altar of globalisation; must

ensure that each and every young Indian is guaranteed the right to education and dignified employment. The student movement of our times must spearhead this urge for social justice and social change, not peddle the myth of market-oriented meritocracy.

Appendix I

Exploding the Myths about Reservation

Will Reservations Punish ‘Merit’ and ‘Talent’?

One of the most persistent myths about reservation is that it prevents ‘merit’ from getting its due, and results in sub-standard education, sub-standard doctors, engineers, teachers etc...

Well, only racists can believe that ‘merit’ is something inherited by birth. We know that ‘merit’ is something acquired through opportunity and environment.

Further, we should ask ourselves, what is ‘merit’? In a system where seats are limited, only a certain fixed number of students get admission. If there happen to be more seats, more students make it. So, one cannot say that *only* those who get admitted to the limited seats are ‘meritorious’.

Moreover, in our society, some students come from privileged backgrounds, and others battle all sorts of hurdles, including social discrimination, educational deprivation and so on. *Who then is more ‘meritorious’ – the one who battles all those hurdles in the bid to achieve education – or the one for whom the path is much smoother thanks to social and economic privileges?*

Imagine a race, where some of the contestants run with shackles on. *Would it be fair to make the contestants with shackles compete with the ones who run freely, and then, when the former lose, declare that they ‘lack merit’?!*

Above all, in the present system, we have seen over and over that

‘merit’ is often nothing better than money-power or influence. Where high fees are levied, those who can afford to pay secure admission. Strangely, we hear no outcry over ‘merit’ in the case of NRI quotas, ‘payment seats’ or capitation fees – which are nothing but blatant reservation for the rich!

Many ask – how can I trust my life in the hands of a doctor who got into medical college through reservation? Well, the answer is quite logical. After all, it is only at the stage of *admission* that the students get reservation – but to get his or her degree, they have to pass the same examinations as those of the general category! Reservation opens the doors *only* at the point of *entry* or access to education; at the point of *exit*, all have to pass the same test of competence.

Moreover, think about why we never raise any outcry about those who literally buy their degrees on the strength of corruption and money! Read the cover story ‘Where Munna Gets His MBBS’ in the Tehelka Magazine, Vol 8, Issue 28, 16 July 2011. It shows how the Medical Council of India (MCI) takes bribes to give approval to private medical colleges which lack even the most basic infrastructural and teaching requirements. These colleges take exorbitant fees and ‘donations’ to admit students – and churn out thousands of ‘doctors’ who simply do not have sufficient qualification to treat people. This is a truly dangerous situation. But rather than focusing on such medical colleges and corruption in MCI which plays with people’s lives, the anti-reservationists raise the false bogey of ‘merit’ and target medical students who get admission through quotas.

Is our society truly a ‘merit-based’ system? Are wealth and resources allocated on the basis of merit? Those who till the land may be best

qualified to own it, but why do they remain landless? Those who toil to make grains grow surely have the merit to eat the best of food; but why do they remain hungry? Why do those who weave cloth not even have clothes on their back?

Today the same corporate houses which oppose reservations in the private sector and fund the YFE's anti-reservation campaigns, are happy to enjoy 'reservation' – of land, resources, exemptions from taxes that the common man pays, exemption even from the laws of the land – in the form of Special Economic Zones (SEZs).

The anti-reservationists, of course, never oppose reservation for the greedy, profit-hungry corporates and the rich (be it in the form of capitation fees and privatisation in higher education, or be it in the form of SEZs). It only resists the reservations for the deprived and oppressed sections of society

Should Reservations Be Based on 'Economic Criterion'?

Can 'economic criteria' really address social and economic discrimination?

It is true that the poor *of all castes* are deprived of access to higher education. But think: *when the poor of all castes are uniformly deprived of higher education, why is it that the relatively well-off of all castes are not equally well-represented in higher education? Why is it that upper castes who constitute one third of the population, dominate a disproportionate 2/3rds of the seats in higher education?*

Is it because they have inborn racial 'merit'? If we don't subscribe to this racist argument, then we must accept that social discrimination of caste is blocking access to higher education. Reservations are a must

to address this caste-based discrimination. It is true that women, too, are disproportionately ill-represented in higher education, as are those from economically and regionally weaker sections. *So, we can debate about how to combine caste-based reservations with measures that take into account economic, gender and regional deprivation. But to argue that caste as a category must be ignored, is to pretend to be blind to this stark social reality.*

Because AISA is serious about ensuring the availability of education for the *poor of all castes*, AISA has consistently struggled for a policy whereby schools and colleges offer education of uniformly good quality to *all* students, be they rich or poor. *This is inevitably a movement against the system that forces students to compete for a shrinking number of seats; a movement that struggles to end the sale of education as a commodity and the reservation of education for the rich; an end to a distorted notion of 'merit' that punishes students for poor marks, and tragically kills young people (through ever-increasing suicides) who fear 'failure'.*

The anti-reservationists like YFE have no agenda of such a struggle to ensure education for all. They talk of 'reservation for the poor' only to camouflage their basic elitist and racist agenda.

Anti-reservationists like to say, "*NO to caste-based quotas, YES to quotas for the poor.*" Yet at the same time they also say, "*Quotas go against 'Merit' and 'Quality'*". Isn't there a *basic contradiction* between these two slogans?

We would like to ask: If quotas were given for the poor, wouldn't anti-reservationists oppose them too for being 'anti-merit'? Or, are they claiming that only 'lower castes' are inherently incapable of

‘merit’, whereas the poor of upper castes are capable of it?

Either the anti-reservationists should admit that their argument about ‘merit’ is essentially racist and casteist; or they must admit that they don’t really support ‘economic criteria-based quotas’ either.

Are Reservations an Example of Casteism, Or One of the Correctives to It?

If you think caste-based reservations ‘divide society’ – think again! *Which came first – caste division or reservations?* Isn’t it the centuries-old caste-discrimination that continues to keep society divided?

Anti-reservationists project reservation as the biggest contemporary act of caste discrimination and not as a corrective answer, in however limited a manner, to centuries of social oppression and denial of opportunities. They would like us to believe that it is the politics of reservation which has kept caste artificially and anachronistically alive and that without reservation the entire system of castes would have been effectively demolished by now.

But the fact is that caste-based quotas came up as the first corrective step to *combat* casteism in a society that continues to ‘reserve’ education and social status for the upper castes, while ‘reserving’ the most menial jobs – cleaning shit and sweeping dirty drains, tanning leather, etc...- for the ‘lower castes’. Ambedkar, writing about his childhood, described how he and his brothers felt as children, when on a journey, they were denied water and transport *because* they were dalits – *though their father was well-off and they themselves were educated and had money*. This should remind us that casteism discriminates even against those who are relatively well-off – recall

the incident at Gohana in Haryana, where upper caste goons of the Congress and BJP burnt up an entire colony of upwardly mobile dalit homes.

Do Caste-Based Reservations go Against the Left's Concept of Class?

Some think that the concept of caste-based reservations goes against the Left's understanding of class. This is a childish notion of what the Left understands by class.

Class is what allows the owners of wealth to exploit the labour of the vast majority of those who are condemned never to own wealth. Remember that this class society, which speaks highly of 'merit', does not allocate wealth and resources based on merit. Those who till the land may be best qualified to own it, those who toil to make grains grow, surely have the merit to eat the best of food; but these meritorious sections are landless, poorest, hungriest. In India, caste is a phenomenon that has *facilitated* and ossified the exploitation of labour; it has blocked social mobility, by fixing a division of labour (with supposedly divine sanction) based on birth.

So, in India, caste is *not simply* a social 'identity' – it crystallises together various other economic and social factors. That is why *caste exploitation so often overlaps with class exploitation*, and while caste is not the *only* marker of deprivation, (economic, gender and other criteria are also there) it can often be a *reliable* indicator of deprivation.

Caste, therefore, has a *material*, not a mental, existence. So, caste can't be abolished by will power or wish power alone – but by *positive intervention*.

Reservations help to ‘*unblock*’ the barriers to social mobility – and so, they *weaken* the basis of caste oppression, *not* reinforce it.

But Hasn’t Industrialisation and Globalisation Weakened Caste and Made it Redundant?

Look around us. It is true that industrialization has increased in independent India.

But have industrialization or globalization significantly hit at the foundations of the caste system? Doesn’t caste continue to flourish in an environment marked by utter lack of social and economic mobility? Isn’t it true that in the absence of land reforms, old social structures of power and oppression still hold good in many parts of the country? Even in states like Punjab and Maharashtra, where capitalist development in agriculture has taken place, we can see feudal practices like semi-bondage and usury persist, and we see terrible caste atrocities like the chopping of Bant Singh’s limbs or the Khairlanji massacre take place.

The truth is that centuries of colonial subjugation and persistence of stubborn feudal survivals have made the process of modernisation through industrialisation very weak in content. It has given us some industries but has *failed* to modernise our social foundation.

And now the policies of globalisation are further retarding and distorting the process of industrialisation and its modernising potential. It is the service sector which is driving the growth engine and without a developed agricultural and industrial foundation we have set ourselves the goal of becoming a knowledge-economy and a knowledge-society. No wonder this is ushering in a *neo-Brahminical* order while *reinforcing* our age-old social contempt for labour.

Appendix II

Key Portions of Delhi High Court's September 7, 2010 Verdict

by Justice Rajiv Sahai Endlaw (on OBC Reservation Rules followed by JNU)

“Requiring the OBC candidates to secure marks within 10% bandwidth of the last candidate admitted in the General (Unreserved) category amounts to requiring the OBC candidates to compete with the General (Unreserved) category candidates and which is contrary to the concept of reservation....

“It is common knowledge that even where the eligibility for admission for General (Unreserved) category candidates is 50%, at least in the city of Delhi (and I presume in other metropolitan cities also), the last candidate admitted in the General (Unreserved) category in the premium courses have a percentage of over 85%. To say that an OBC candidate to be entitled to avail of the reservation ought to in such cases secure over 75% marks is to make the reservation illusory....

“The cheque of reservation of 27% issued by the legislature to the OBCs in accordance with the Constitution of the country cannot be made to bounce....

“The cheque of reservation given to these classes by enacting the CEI Act cannot be permitted to be called a bad cheque, a cheque which has come back marked “insufficient funds” or “no admission because you have failed to secure marks 10% lower than the last candidate

admitted in the General category”....

“The CEI Act does not lay down any such criteria of the reservation being subject to the candidate in the Reserved category falling within the 10% bandwidth. The legislative intent has to be given full impact and cannot be whittled down by Executive decisions....

“The policy adopted by the respondents UOI & JNU amounts to the Executive taking away what the legislature has given to the OBCs. The same cannot be permitted to happen. The Act cannot be permitted to be used as a mode of making more seats available to the General (Unreserved) category than before; that was not the intent of the Act....

“... the differential for the disadvantaged (Reserved category) has always been in the basic minimum criteria laid down and not in comparison to the last candidate admitted / appointed in the General category....

“Procedure followed by the respondent no.2 JNU and the stand of the respondent no.1 UOI regarding reservation for OBCs is thus declared to be bad. It is declared that the respondent no.1 UOI / Universities are entitled to only fix minimum eligibility criteria for admission in the reserved category at maximum 10% below the minimum eligibility criteria fixed for the General (Unreserved) category....

“The OBC candidates to avail of reservation provided for them in the CEI Act are not required to, in admission test or in the eligibility exam secure marks within the bandwidth of 10% below the cut-off marks of the last candidate admitted in the General (Unreserved) category....

“The petition is allowed. The respondent no. 2 University in accordance with the statement recorded on 27th July, 2010 to admit the petitioners within one week of petitioners complying with requisite formalities....” ■



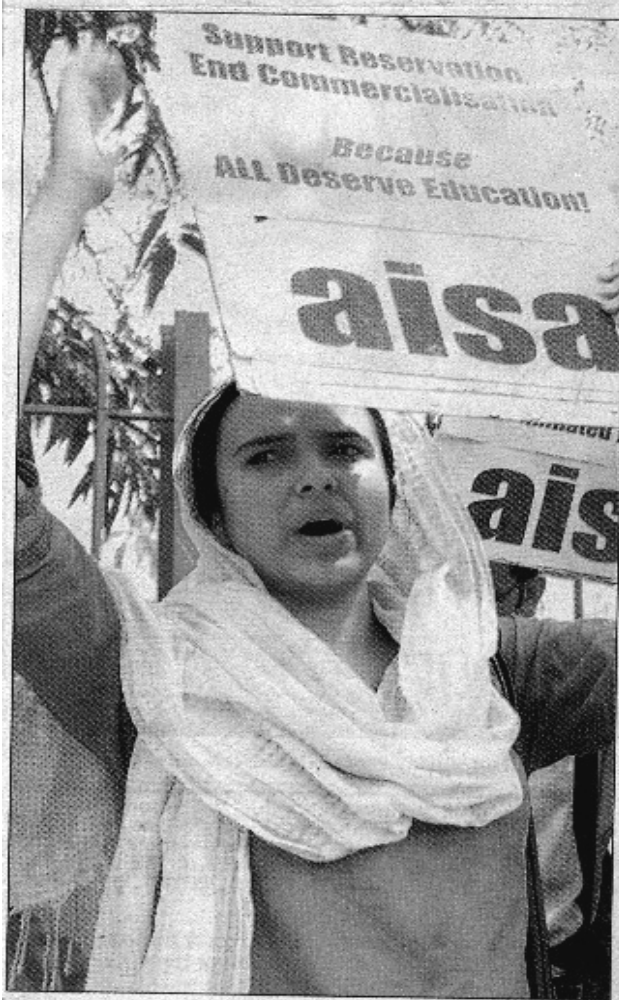
United victory march on the night of SC verdict



Immediately after the 18 Aug 2011 SC Verdict: Students take the victory message to the campus

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A JNU student protests against the Supreme Court stay on Friday. Picture by Prem Singh

March, 2007