



RESERVATION POLICY: A VITAL STRATEGY FOR SOCIAL TRANSFORMATION

Dr. K. Vijaya & Durga R.

Associate Professor & Head & Ph.D. Research Scholar
PG & Research Department of Historical Studies
Quaid-E-Millath Government College for Women (Autonomous), Chennai-02

Abstract: The twenty-first century is primarily a common man's century in comparison to the past when all civilizations were hierarchical, with a minority enjoying benefits at the expense of the majority, notwithstanding religious teachings. Discrimination had been based on race, color and sex in the earlier period, both within and among groups, different conceptions of human rights coexisted and they were sometimes ignorant of one another owing to lack of communication. This scenario is unthinkable in today's world as every incident happening in one area of the world has an instantaneous impact on others. As a result, closed systems of diverse cultures, as well as divergent views of human rights, are no longer possible. Any Human Rights charter today must be global in scope. Despite the reality that mutuality of rights and obligations is the foundation of human relationship, man has frequently attempted to assert his rights and reject his obligations towards others. Until the modern era, consent of the ruled was assumed rather than sought, but this practice has changed with the developing democratic principle. Hence, the present paper analyses in broad outlines on how reservation policy was developed by Dravidian Movement in Tamil Nadu and both primary and secondary methodology are adopted for this present paper.

Index Terms - social justice, reservation, transformation, human rights, communal representation

I. Introduction:

Social change is defined as the introduction of a new element, whether by violent revolution or through nonviolent, peaceful ways. The major factors responsible for social changes in today's fast moving world include Westernization, industrialization, urbanization, secularization, socialization, educationalisation, modernization, government regulations and the involvement of social reformers¹ while reservation has been practiced for millennia according to Varna Dharma as outlined in the *Manu Smriti*, reservation based on social justice is quite new. Reservations for distinct groups were established in South India during the 1920s and 1930s based on social justice.

The reservation policy aims to eliminate caste barriers and bring individuals from all walks of life together for social interaction. The term "Reservation" refers to the act of reserving certain rights, powers, privileges or other things for a certain purpose at a specific time. As a result, reserve is a transitory phenomenon exploited to attain a certain goal.² Positive discrimination, protective discrimination, compensating discrimination, reserve discrimination, benign discrimination and other terms have been used to describe how the concept of reservation has grown and matured into a well-thought-out policy.³ Social justice is a special constitutional arrangement created to compensate for cumulative losses and to eliminate the age-old social society and reservation aims to achieve social justice through preferential treatment, which includes sharing of opportunities in educational institutions, public employment and legislative bodies resulting in reservation becoming a significant step towards social transformation. Tamil Nadu is

the first state in India to introduced reservation policy as a weapon for social reform and justice and implemented it because of the society's hierarchical and graded structure.⁴

II. Genesis of the Policy of Reservation:

India was awakened by imperial authority, western education and the introduction of new technological devices. The goal of social reformers was to eliminate society's uneven structure and hence, they desired a slow sequence of social structural changes, drastic and revolutionary reforms to eliminate inequity. These reform movements led to transformation in the country.⁵ During the 18th century, Tamil society was socially and economically unequal on the eve of the British invasion. The feudal structure of medieval Tamil society had huge number of slaves and untouchables in the working classes to the landlords, their way of life was completely different from that of other groups. The dawn of 19th century witnessed social reformers attempting to transform diverse population of Tamil country, which was graded vertically. It is self-evident that efforts on social reform have failed due to lack of mass education. So, in order to alleviate the growing issues, they considered another form of liberation other than intellectual advancement. Social reform efforts in British India during the 19th century brought them to fulfillment. People were awakened by the advent of western education, which introduced new ideas, institutions and perspectives.⁶ The social legislations enacted during the British regime created great impact in the society. The downtrodden classes made significant advances in primary education around the turn of the twentieth century. The government pressed on with its efforts to reduce Brahmin dominance in public services, Brahmin to non-Brahmin ratio in superior services was 70:30 in 1904. The Board of Revenue added a column in 1904 exhibiting caste or sect of each subordinate department to provide uniformity to its rules.⁷

The constitutional character of the reservation scheme was started by introducing separate electorate in the Minto-Morley Reforms Act of 1909. The Act's principal provision was establishment of Principle of Communal Reservation. The establishment of a separate electorate in 1909 was also designed to protect Muslims as a minority. In the same year, Registrar of Co-operative Societies was directed to oppose a fully qualified non-Brahmin candidate over a Brahmin candidate.⁸ The government launched an examination of the execution of government policies and their repercussions for the representation of diverse populations in public services in 1911. It was discovered that Brahmins were the only ones who benefited from sub-divisions.⁹ According to the 1911 Indian Census, Madras Presidency had a total population of 41,870,160 people, including 37,230,034 Hindus. Brahmins made up 1,310,360 (3.1%) of the Hindu population, while non-Brahmins made up 35,919,674 (85.8%). Hence, Hindus made up around 90% of the overall population, with only 3% of them being Brahmins. Despite this, they had a commanding position in the sectors of education, employment and politics.¹⁰

The Royal Commission compiled a list of the representation from various castes in public services in the middle of the Brahmin-non-Brahmin controversy.¹¹ The Madras Government claimed in 1913 that the Brahmin community prevailed in clearing competitive examinations after 1893-1895. Brahmins made up 53% of the total Deputy Collectors in the presidency in 1896 and 55% in 1915. 15 of the 18 permanent sub-judges and 93 of the 123 permanent district munsiffs were Brahmins in the judicial department in the year 1912. Furthermore, a monopoly held by one class would lead to corruption and impede effective governance. So, the Commission advised that the share of Brahmins should not exceed 50%.¹² Sir Alexander Cardew, member of the Madras Executive Council, painted a vivid image of the Brahmins and non-Brahmins statuses and urged that percentage of slots allotted for each community be fixed.¹³ The administration notified in a meeting of Madras Legislative Council in November 1914 that Madras University had 650 registered graduates. There were 452 Brahmins, 124 non-Brahmin Hindus and 74 members belonging to other communities among them. Being at the pinnacle of Varna Dharma social order, Brahmins have enjoyed the sole privilege of teaching and learning Sastras - writings that include knowledge of both religious and secular literature – from ancient times. They were close to the monarchs and gained power and influence as counselors, administrators and other authorities as they fostered their tradition for

hundreds of years. As a historically literary caste, Brahmins found it relatively simple to attain contemporary knowledge by studying English when Britishers became overlords.

Table 1.1

Courses	Brahmins		Non-Brahmins	
	Appeared	Passed	Appeared	Passed
Intermediate	1900	775	640	246
B.A.	469	210	133	60
B.Sc.	442	159	107	49
M.A.	159	67	20	9
L.T.	104	95	11	10

The table above illustrates the gap between Brahmin and non-Brahmin graduates of Madras University in 1914.

In 1915, the total percentage of literacy in Madras Presidency was roughly 8, of which Brahmins alone provided an incredible 75%. Tamil Brahmins outperformed all other castes in terms of English literacy. In 1901, 1911 and 1921, their English literacy rates were roughly 18%, 22%, and 28% respectively. During first two decades of twentieth century, there was a progressive increase in general literacy as well as English literacy among various non-Brahmin castes. Educated individuals among them quickly realised that education was primarily responsible for the rise of Brahmins in government service and other areas of public and private life. By twentieth century, non-Brahmins literacy rate increased and they possessed required qualities to compete with Brahmins. They ultimately rose in revolt against Brahmins' exclusive control of government services and public life.

Even in politics, Brahmins remained strongly unified and solely backed their own community. There were 14 of the 16 elected Brahmin delegates in the Indian National Congress in the year 1914. The Minto-Morley Scheme of 1909 granted two seats Muslim community among the 19 elected members of Madras Legislature. However, the Indian Council Act of 1909 (as part of Minto-Morley reform scheme) did not provide sufficient representation to counterbalance Brahmin supremacy. Out of 9 members nominated to the council, 8 were Brahmins. Brahmins made up one fifth of the non-official council members. So, they accumulated a numerical superiority and had a consolidated control over all affairs. Non-Brahmins were suspicious of Indian National Congress as it was a Brahmin controlled organisation and their biased and inflexible communal outlook. When Mrs. Annie Besant joined Congress in September 1916 and began organising Home Rule Movement, their suspicions grew were even more stronger. She was a key figure in raising Hindu religious nationalism among Madras Brahmin politicians and defended four-caste system (Varna Dharma), using Sanskrit literature to back up her claims (Wake UP, India, 1913).

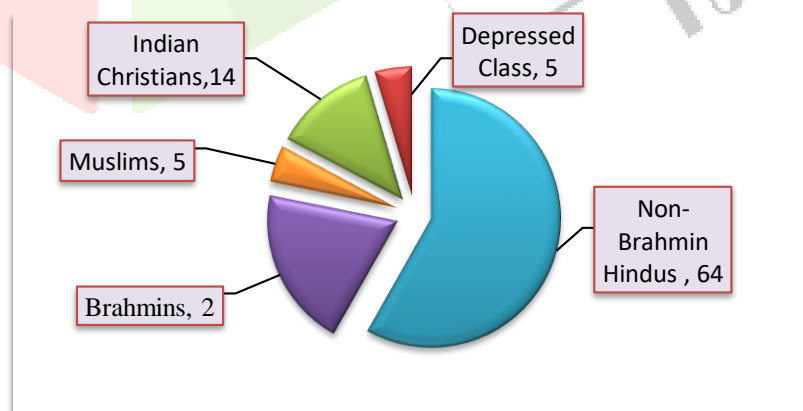
Justice Party- Forerunner of Reservation:

Under these circumstances, non-Brahmin leaders such as Sir Pitty Theagaraya, Dr. T.M.Nair and Dr. C. Natesan, as well as other prominent people, decided to work together to protect and promote interests of all communities other than Brahmins, who were bent upon retaining and exploiting their top position in the socio-religious hierarchy to oppress others. They founded the South Indian Liberal Association, which published daily publications in order to help non-Brahmins establish, articulate and publicise their opinions on public issues. In 1916, South Indian Liberal Federation (S.I.L.F.) a political organisation, was created and transformed into Justice Party in 1917.¹⁴ On the 26th of February 1917, the inaugural edition of Association's English newspaper Justice was published. In June 1917, Tamil newspaper *Diravidan* was founded and popular weekly *Andhraprakasikaw* was purchased and converted into a Telugu daily. They consider it as crucial to print these newspapers in three languages in order to counterbalance Brahmin-controlled press's which published misleading campaign against other people's interests.

In December 1916, the S.I.L.F published Non-Brahmin Manifesto, highlighting approach of non-Brahmin communities to demand for self-government. The Non-Brahmin Manifesto was signed by Association's secretary, Rao Bahadur P. Theagaraya, which said that after World War II, Indian Constitution should be rewritten and there should be a gradual political evolution toward self-government. To ensure communal representation for non-Brahmins in public service recruitment, to achieve social justice through an equal treatment of all people irrespective of caste and creed and to expose injustice done to non-Brahmins in all public offices and societies, and work to eliminate such evil were the main intensions of the Justice party.¹⁵

The Justice Party was formed in Madras Presidency by a diverse non-brahmin populace. As a result, anti-Brahmin resentment aided for the formation of Justice Party. On August 20, 1917, Edwin Montague, Secretary of State for India, unveiled outlines of reform plans in London, simultaneously on the same day non-Brahmins convened their first conference in Coimbatore. Since August 1917, a number of non-Brahmin conferences have been conducted in districts, with local leaders playing an active role throughout creating non-Brahmin awareness. All of these conferences passed resolutions requiring that any reform scheme have appropriate representation of non-Brahmins in the legislative and executive branches.

In order to bring about social justice, Thantai Periyar insisted on reservation of seats for non-Brahmin communities in the legislature and public services.¹⁶The provision of communal representation to Muslims set a precedent for non-Brahmins seeking special representation in provincial Legislative Council as an underprivileged group. "Increased authority granted on people without communal demarcation will lead to more concentration in the hands of few and larger gap between few and many, the Justice Party wrote in a memorandum to the Madras Government in September 1918. This is exactly what had transpired in southern India since the Minto-Morley reforms, necessitating the beginning of non-Brahmin movement."Under the Montague-Chelmsford reforms, the Government of India Act of 1919 provided for reservation of seats in general non-Mahammadan constituencies to non-Brahmins in the Madras Presidency. This was Justice Party's 1st electoral triumph. Lord Meston determined on the proportion of communal representation: out of 63 seats available in non-Mohammadan constituencies, 28 seats were allocated for non-Brahmins in multiple member constituencies. Under the 1919 Act, 1st elections for Madras Legislative Council were held in December 1920. The Justice Party was elected with a majority and the Council held its first meeting in February 1921. The Council was divided into following castes:

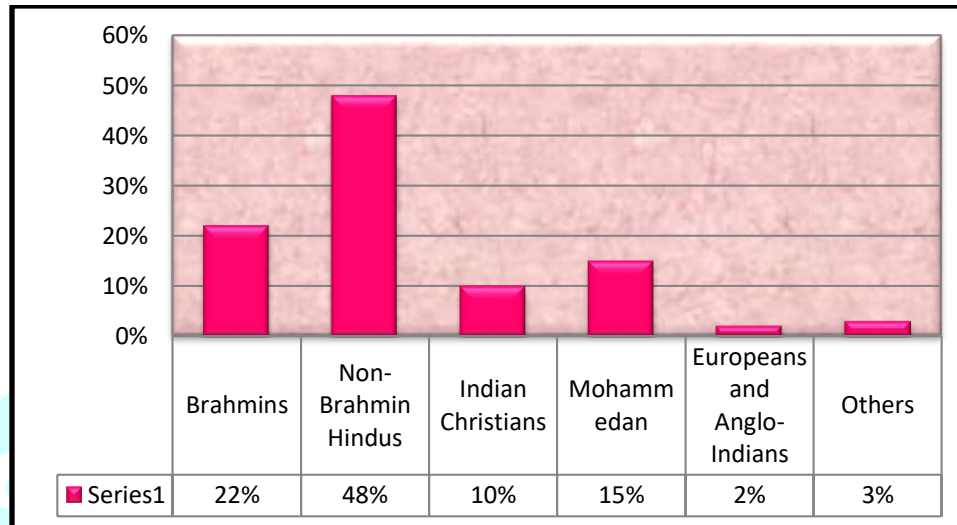


III. Communal G.O.:

Following its success in achieving communal representation for various communities in politics, the Justice Party set out to do the same in areas of administration, including appointments to government ministries, and education, including student admissions.¹⁷In 1921, the Justice Party issued Communal G.O., which for the first time expanded scope of the 1854 Standing Order of the Board of Revenue. All heads of departments were obligated to disperse appointments of all grades throughout various communities. Finally,

the Party had a substantial influence on reservation scheme's statutory formulation.¹⁸ On September 16, 1921, the government published first Communal Government Order, this attempted to increase the number of non-Brahmins in government appointments at all levels and to fill vacancies according to a set of principles.¹⁹ It expanded the principle of appointment distribution to all other government agencies among various castes and groups, which had hitherto been observed only in the Revenue Department.²⁰ The proportion of new appointments from different communities in the half-year ending December 31st, 1921, according to the processes of half-year returns presented as per Communal G.O., as follows:

Table 1.2



By the 1st Communal G.O., non-Brahmins were guaranteed entry into public services. This necessitated providing them with educational resources. Therefore, by July 1922, the Justice Party ministry established a selection board for each government institution "to ensure that there was no majority of pupils belonging to any one particular community in the question of admission." The Board of Presidency College in Madras discovered that Brahmin students submitted a bulk of admission applications in 1922-23, and after considerable deliberation, decided to provide 50% of available seats to Brahmin students and remaining to students from other communities. On the 15th of August 1922, the government published its second Communal G.O., which expanded the notion of proportionate representation in appointments for distinct communities to the sphere of promotions as well. The Justice Party won the majority of seats in the second general election, held on December 31st, 1923, and Panagal Raja, a prominent member of Justice Party, was elected as Chief Minister. The Madras Presidency's Justice Party government established a Staff Selection Board in 1924 to regulate appointment procedures. In 1925, a committee was formed to investigate and report on the operation of community representation system, but it did not produce a report. The Justice Party established the Ministry again in 1926 election.

The table below illustrates the Legislative Council members chosen by the several municipalities from 1920 to 1926.²¹

Table 1.3

Caste Groups	1920	1923	1926
Brahmins	17	13	18
Non-Brahmins	57	61	56
Others	24	24	24

IV. Extension of Reservation in stages:

In 1928, the 3rd G.O. was enacted, establishing order in each village. Out of every 12 positions, qualified and appropriate candidates were assigned in the following proportion:

Table 1.4

Communities	Out of 12 Posts	Reservation Percentage	Approximate Percentage in Population
Non-Brahmin (Hindus)	5	41.67	72
Brahmins	2	16.67	3
Mohammadans	2	16.67	4
Anglo-Indians & Christians (including Europeans)	2	16.67	7
Others (Including Depressed Class)	1	8.33	14

Communal Rotation and Communal Proportion were the two sets of regulations in this system wherein an officer was implemented to a form of roster system. Until 1947, the G.O. was in use and due to their numerical weakness, Brahmins were unable to fight this scheme. Following the adoption of this G.O., the Brahmin Community was only able to fill the 5th and 12th vacancies and therefore, they relocated themselves to other Indian metropolises, particularly Bombay. The reservation scheme, which provided representation to all communities, remained in place until 1947. Immediately after independence, the provincial congress ministry, led by O.P. Ramaswami Reddiar, issued a G.O. that altered the existing arrangement – G.O.No.3437, Public (services), dated November 21, 1947. The 20-point roster system superseded the 14-point roster system after 1947. For the first time, this order provided distinct representation for backward Hindus, as well as enhancing representation for depressed classes. SCs requested two vacancies in 14 appointments only for them. Reservations were formed on a population basis in 1942, with 12% of population earmarked for them. The following table shows the number of SCs employed in government services.²²

Table 1.5

Year	Gazetted in Provincial Services	Non-Gazetted over Rs. 100/- p.m.	Above Rs.35/- and below 100/- p.m.	Less than Rs.35/-
1930 -31	2	7	103	1818
1940-41	11	39	144	2161

The issue of tribal recruitment was also discussed by Indian government in 1947, with further regulations being made in 1949 to provide tribal and SC age and fee concessions. It should be noted that, at the same time as the freedom movement and constitutional developments were underway, there was a parallel movement for representation of members of various communities in legislative bodies and public sectors. Thus, the social movement was used as a key path for the reservation scheme in the struggle against inequalities among people. While Reservation registers and roster registers is only a tool for ensuring that quotas are reserved for Scheduled Castes, Scheduled Tribes and Other Backward Classes, seniority was not determined by these registers/rosters.²³

V. Constitutional Amendment: The Indian Constitution came into effect on January 26, 1950. In this framework, the Indian Constitution aspires to reduce inequities between persons of high and low socio-economic position and to promote an equitable social structure. The Constitution's Preamble guarantees social, economic, and political fairness.²⁴ In addition to reservations, arrangements are made to eliminate social limitations and promote their welfare and interests. Reservations of seats are a dominant and superseding technique for upliftment measures such as abolition of un-touchability, protection from social injustice, temple entry access in public

places, right to receive state funds, special representation in all opportunities, separate representation in all opportunities, prohibition of bonded labour and special provisions for administration and control of scheduled areas.²⁵

Table 1.6

14 Point Roster -1947		20 Point Roster – 1951		25 Point Roster -1954	
Non-Brahmin Hindus	6	Open Competition	12	Open Competition	15
Harijans	2				
Backward Hindus	2	Scheduled Casts/ Scheduled Tribes	3	Scheduled Casts/ Scheduled Tribes	4
Brahmins	2				
Muslims	1				
Anglo-Indians/Christians	1	Backward Classes	5	Backward Classes	6

Clause (4), Articles 1512 and 1613, provide state governments, the power to make reservations in educational institutions and employment possibilities. Article 46 makes it easier to advance the educational and economic interests of SCs, STs and other oppressed groups once again. In the House of People, Article 330 provides for reservations for SCs and STs, while in the Legislative Assembly of States, Article 332 provides for reservations for SCs and STs.²⁶ The President is empowered under Articles 340, 341 and 342 to evaluate elevation of weaker sectors of the population. Provisions in the Constitution are supplemented to achieve social justice, including seat reservations in educational institutions, public job possibilities and legislative bodies.

(Article 14): Equality before law, (Article 15 & 16): Prohibition of discrimination on grounds of religion, race, caste, sex, place of birth, (Article 17): Abolition of untouchability, (Article 21): Protection of life and personal liberty, (Article 23): Prohibition of traffic in human beings and forced labour, (Article 29): Protection of interests of minority, (Article 38): State to secure a social order for the promotion of welfare of the people, (Article 39): Certain principles to secure equal economic opportunities by the State, (Article 39 A): Equal justice and free legal aid, (Article 41): Right to work, to education, and to public assistance in certain cases, (Article 334): Reservation of seats and special representation to cease after thirty years, (Article 335): Claims of SCs/STs to services and posts, (Article 337): Special provision with respect to educational grants for the benefit of Anglo-Indian community, (Article 338): Special Officers for SCs/STs, etc., (Article 339): Control of the union over the administration of Scheduled Areas and (Article 366) the welfare of SCs and the people of SCs/STs. These are enshrined in the Constitution to achieve social Justice. Among other rights, reservation has been regarded as the most important factor in progress.

The Brahmins opposed the reservation policy once the Indian Constitution was enacted. SrimathiChempakamDorairajan, a Brahmin widow, petitioned the High Court of Judicature in Madras on June 7, 1950, for protection of her fundamental rights under Article 15 (1) and Article 29 (2) of the Constitution. She said that owing to adoption of the Communal G.O., she was denied admittance to medical college which application was granted by the High Court on July 27, 1950, by thier decision. Madras filed an appeal with the Supreme Court. It was decided that Communal G.O. was adamant about requirements of Article 29 (2) of Part III of the constitution (which deals with Fundamental Rights) and hence, it was void. The Supreme Court issued this decision against the Communal G.O. in September 1950. Even before the Supreme Court's decision and immediately after the Madras High Court's adverse verdict, Periyar began to organise the people of Tamil Nadu, requesting for an amendment in the Constitution to legitimate the reservation scheme and achieve social justice. He had serious discussions on the matter with people from all non-Brahmin castes, Muslims, and Christians and forced them all to seek the reinstatement of Communal G.O.

On December 3rd, 1950, Periyar called an All-Party Conference at Thiruchirappalli and explained the history and significance of Communal G.O. He stated that the state's 3% Brahmins should not repress the state's 97 % non-Brahmins. When Union Ministers visited Tamil Nadu, Periyar and C.N.Annadurai planned to hold a "black flag demonstration".²⁷C.N.Annaduari announced the decision to include newly founded DravidaMunnetraKazhagam (DMK) in the movement to protect the quota policy,

which was instituted to help the most disadvantaged parts of society. Sensing the strong feelings of people of Tamil Nadu and with good advice of Vallabai Patel, Dr. Ambedkar, and Jawaharlal Nehru, the government decided to change the Constitution.²⁸The First Amendment Act of 1951 added a new clause to Article 15, namely clause 4. The application of Article 15 Clause 4 prepared the door for creating of a new quota programme in Tamil Nadu where 15% reserve was made for SC/STs, 25% reservation for BCs and 60% reservation for others. Social and educational backwardness became the criteria for setting up reservation in Public Services.²⁹

VI. Dravidian Movement and Social Justice:

While the Dravidar Kazhagam was a powerful force for social reform, a breakaway party led by C.N. Annadurai wished to become actively involved in the politics of a new independent country. The Dravida Munnetra Kazhagam (DMK) was founded in 1949 with the goal of implementing social reforms, a centre of the state's governance since the DMK formed a government in Tamil Nadu in 1967. The DMK legalised self-respect weddings in 1967 devoid of caste and religious conventions. In 1989, women were granted same rights as men when it came to succession. In 1998, the government established inter-caste housing communities (*Samathuvapuram*),³⁰ this formation of *Samathuvapuram* is yet another significant milestone in the path of a more equal social structure. In 2006, legislation was introduced to break down caste restrictions within the clergy. Midday meals, maternity benefits and women's self-help organisations may all be linked back to the Dravidian movement's early policy platforms.³¹

In 1951, the reserved system was implemented, with three positions held for SCs and STs, five reserved for BCs and the rest were filled by open competition. Among the backward classes were some Muslims, Anglo Indians and Christians. This equates to a reserve of the following amount such as SCs and STs (15 %), Backward Classes (25%) and Open Competition (60 %). Kumaraswamy Raja became a Chief Minister of Tamil Nadu in 1951. After Andhra Pradesh was split from the composite Madras State in 1954 and taking into consideration, the number of SCs and STs, reservation method was slightly adjusted as follows: SCs and STs (16 %), Backward Classes (25%) and Open Competition (59 %). Kalaignar Karunanidhi was elected Chief Minister of Tamil Nadu in 1969 who, formed state's first Backward Class Commission, which delivered its findings in 1970. Accepting the proposals, government increased the proportion of reserves as follows, under G.O. dated June 7, 1971: SCs and STs (18 %) and Backward Classes (31%).³²

"Where a candidate belonging to BC, SC, or ST is selected on the basis of merit against any of the seats in the aforementioned 51 % of unreserved seats, the number of seats reserved for BCs, SCs, or STs, as the case may be, shall not be impacted in any manner," the G.O. clarified. So, overall reservations amounted to 49%, leaving 51% accessible to candidates from all communities, including those who fell into the reserved category. In 1969, Kalaignar Karunanidhi became India's first Chief Minister to establish a dedicated Backward Classes Welfare Department. As a result of his initiative, a meritorious SC candidate (Thiru.Varadarajan) was able to become a judge of the High Court and elevated to the Supreme Court for the first time in India. In 1977, M.G.Ramachandran was elected Chief Minister of Tamil Nadu and on July 2, 1979, his government issued a G.O. stating -only backward class people whose parents total gross yearly income from all sources did not exceed Rs.9,000 would be eligible for reservation benefits, according to the law. It was a measure that alarmed all proponents of the social justice ideal. His government's endeavour was in direct opposition to the constitution's long-established principle of reservation for socially and educationally inferior sections. The decision that set an income ceiling for B.C.s to qualify for reserve benefits was met with fierce criticism by Muslim League movement agitating against the G.O. and also by DK groups founded on Periyar's Self-Respect concept. Despite the fact that the Madras High Court approved the M.G.R. government's measure by a two-thirds majority, the AIADMK party was defeated in the 1980 Lok Sabha election. The Government lifted the income cap fixation after taking into account the objections received and the views stated by leaders of social groups and political parties. On February 1, 1980, the M.G.R. government issued another G.O. Ms.No.73, which increased reserve for BCs which compounded the confusion.

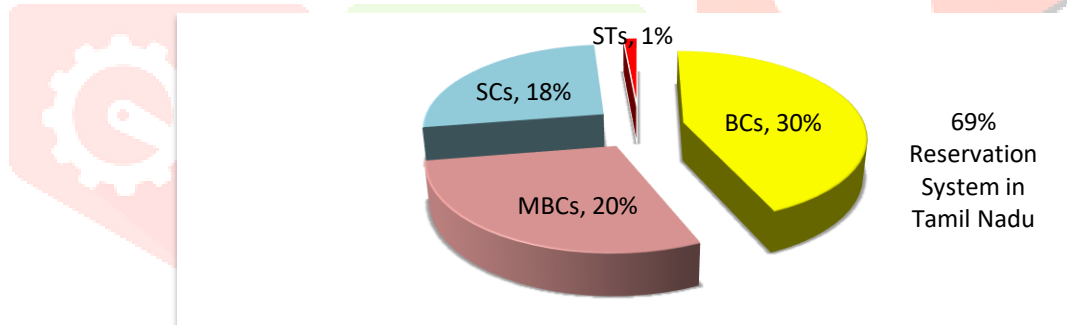
When Kalaignar Karunanidhi was elected Chief Minister of Tamil Nadu for the third time in 1989, he forced the Legislative Assembly to approve a resolution on May 12, 1989, demanding that the India Government follow the Mandal Commission's recommendations. In light of the legitimate charter of the demand, DMK issued a G.O. It was decided that out of 50% reservation

available for BCs, 20% should be set aside for MBCs and denotified tribes. Later, his administration set aside 1% of the reservation for the SCs. As a result, Tamil Nadu's Reservation Scheme is currently as follows: SCs (1%), STs (18%), Backward Classes (30%), Most Backward Classes (20%) and Open Competition (31%).³³ Thus, prominent Dravidian parties like Dravida Munnetra Kazhagam (DMK), (AIADMK) and their ideological parent organisation, Dravida Kazhagam (DK), have advocated for reservation as a measure of social justice. The reservation policy had been in existence since 1920, with late chief minister J. Jayalalitha playing a key role in securing parliamentary support for the 69 percent quota in the 1990s. She also gave the measure special legal protection by enacting a constitutional modification under the 9th Schedule, which meant that its legitimacy could not be contested in court (for violating Articles 14 and 19 of the Constitution). In a 2007 decision (*IR Coelho v State of Tamil Nadu*), the Supreme Court declared that the court has the authority to examine any legislation added to the Ninth Schedule of the Constitution, and so the Tamil Nadu statute increasing reservation to 69 percent is subject to review.

Table 1.7

Category	1950s %	1970s %	1980 -89 %	1989%	1990s %
SCs/STs	16	18	18	18	19 [18+1]
BCs	25	31	50	50	50
OCs	59	51	32	32	31

The table above illustrates the reservation patterns in Tamil Nadu over the decades. Tamil Nadu's 69 % reservation is distributed as follows: Backward Castes (BC) is entitled for 30% reservation (26.5 % + 3.5 % internal reserve for Muslims). BC Muslims were included in the BCs list in the 1990s, but were again separated as a sub-category during the DMK rule in 2007. Most Backward Castes (MBCs) are eligible for 20% reservations, with 10.5 % reserved for Vanniyars, 7% reserved for Denotified Communities (which include 28 castes) and 2.5 % reserved for others (41 castes). The state has 18 % reservations for Scheduled Castes and 1% reserve for Scheduled Tribes, bringing the total to 69 %.³⁴



In the event of direct recruitment, there is a general prohibition on de-reservation of reserved vacancies. In rare and extraordinary situations, a vacancy in a Group 'A' service cannot be permitted to stay vacant in the public interest. If a sufficient number of SC/ST candidates are not available to fill reserved posts, such openings may be de-reserved and replaced by candidates from other groups. In such circumstances, the administrative Ministries and Departments have the authority to approve de-reservation of reserved vacancies.³⁵

VII. Reservation in Contemporary Scenario

Thus, the Tamil Nadu government's Reservation Act of 1993 and its inclusion in the 9th schedule have been a source of contention for the state's 69 percent reservation for over 27 years. K. Veeramani as stated that "the 69% reservation prevailing in Tamil Nadu will continue despite challenges in the Supreme Court. No power on earth can snatch away the right of 69% reservation extended to the OBCs, SCs and STs. Any attempt to scuttle the reservation policy will be resisted by the collective efforts of the people".³⁶ Tamil Nadu's Roster Point System is unique in its features, a 200-point roster was being followed, resulting in required 69 percent vertical reservation on a community basis.³⁷ Reservation comprises of both horizontal and internal reservations, with a

reservation rate of 69 percent. Vertical Reservation referred to sufficient representation on the basis of community, but Horizontal Reservation would include sub-sects and special groups such as women, indigent widows, ex-servicemen, physically disabled and students studying in Tamil Medium, among others.³⁸ According to a G.O. published in 2015, transgender were entitled to reservations in education and employment based on the community to which they belonged, and those who did not have community credentials might be deemed Most Backward Class (MBC) candidates. Transgender who desired to identify as females were entitled to compete under the 30% special quota for women candidates as well as the remaining 70% quota for both men and women.³⁹ The Dravidian Movement has to be thanked for today, in its centennial year. In terms of human development metrics all over India, Tamil Nadu remains among the top states in the country. But, the next 100 years of Dravidian Movement will face more hurdles in the shape of caste and 'honour'-based crimes, religious prejudice and socio-economic inequities, all of which have recently resurfaced. The Dravidian Movement's upcoming depends on how its modern-day heirs find common cause in a society where identities have come to outweigh ideologies.

VIII. Impact of Reservation

The reservation of election seats for the oppressed classes enabled them to participate in the country's political activities. Politicians control reservation policy and during election period, they use this approach as a tool to obtain votes. The constitution's reservation clauses are designed to ensure social justice and equality.⁴⁰ Political power is essential for all types of social reform. The government's actions provide them power to seek proper place and position in working for society's peace. They improve their social prestige and self-esteem in order to assess their status as elite.

Reservation is primarily a historical reparation programme, it is neither an economic reform or poverty reduction policy that incorporates social programmes and specific protective measures. To ensure an efficient execution of the reservation programme, the administration offered all additional concessions such as scholarships, educational loans, age limit relaxation, eligible marks relaxation, specific recruitment drive and interview on a specific day for SCs and STs. It has to be highlighted that a significant amount of money has been budgeted for their improvement in the five-year plans.

The countryside is progressively transforming for many centuries, numerous communities which coexisted peacefully, are weapons of war today. Many caste organisations and groups arose to function as key outlets for political action. In the last 100 years, the 2000-year-old caste differences had lost their significance and traditional character. Reservation is critical to converting Tamil Nadu's hierarchical social order into a participative and pluralistic society. However, caste discrimination has an impact on socio-political beliefs, aspirations and ambitions besides, integration of quality and equality has become an important component in the evolution of reservation strategy.

The advanced portions of the BCs are excluded from the advantage of reservation under concept of creamy layer, and only educated persons are eligible to compete for reserved vacancies. From 1960 onwards, Courts have played an increasingly important role in the development of reserve legislation. On social and political grounds, Courts laid the path for a peaceful resolution. Legislation and executive orders will not be enough to bring about social transformation, but only through bureaucracy such desirable improvements can be achieved.⁴¹ For the upliftment of weaker parts and facts pertaining to ownership of land tenancy rights, structural modifications should be made. The inclusion of people with disabilities in government professions has had a good influence and reservations are essential to fight monopolists malpractices in all areas of government activity.

The above facts apparently demonstrate that reservation programme has left an enduring influence on diverse communities. The Constitution and Government have selected reservation policy to eliminate inequities and provide equal opportunity for everyone in diverse professions.

IX. Conclusion

Reservation has undoubtedly improved structural transformations in the Tamil society in the few decades. Over the time, communal participation in public sector has resulted in reasonable societal development. It can be observed from the past state that social and communal justice for all communities can be achieved only by allocating proportional representation of all groups in government services. It is a long way ahead toward, attaining social integration, equality and justice for the poor. Further, reservation is a legislative measure that aids in social reform is a one of a kind and much needed solution to eradicate different societal inequities. When equality is attained through reservation policy, social unity is built stronger and people of all castes are elevated to a greater pedestal.

REFERENCES

- ¹Dube, M.P., 2017, "*Social Justice: Distributive Principles and Beyond*", Rawat Publications, New Delhi, p.2.
- ²Agarwal, S.P. & Agarwal, J.C., 1991, "*Educational and social uplift of Backward Classes at what Cost and How? Mandal Commission and After*", New Delhi, p.23.
- ³Anirudh Prasad, 1991, "*Reservation Policy and Practice in India: A means to an End*", New Delhi, p.33
- ⁴Glyn Richards, 1985, "*A source-Book of Modern Hinduism*", London, p.13.
- ⁵Kamble, J.R., 1985, "*Pursuit of Equality in Indian History*", New Delhi, p.43.
- ⁶Dikshit, S., 1966, "*Nationalism and Indian Education*", Jullender, p.14.
- ⁷Pushpalatha, S., 2012, "*History of Reservation Policy in Tamil Nadu 1916 - 1991*", Sarup Book Publishers Pvt. Ltd., New Delhi, p.36.
- ⁸Mattison Mines, 1977, "*Social stratification among Muslim Tamils in Tamil Nadu: South India – Caste Among Non-Hindus in India*", New Delhi, p.29.
- ⁹Eashwari Prasad, 1986, "*Reservation, Action for social Equality*", Criterion Publications, New Delhi, p.46.
- ¹⁰Radhakrishnan, K.S., "*D.M.K. and Social Justice*", Pustaka Digital Media, Pp. 3-4.
- ¹¹Royal Commission Into The Public Services in India 1912 – Report, August 13, 1912.
- ¹²Engene F. Irschick, 1969, "*Politics and Social Conflict in South India: the Non –Brahmin Movement and Tamil Separation 1916 - 1929*", Bombay, Pp.24-27.
- ¹³Veeramani, K., 1996, "*Vaguppurimai Varalaru (Tamil)*", Dravida kazhaganm, Chennai.
- ¹⁴Tamil Arasu, September 1979, "*Periyar Centenary Celebration Special Number*", p.9.
- ¹⁵Pushpalatha, S., 2012, "*History of Reservation Policy in Tamil Nadu 1916-1991*", Sarup Book Publishers Pvt. Ltd., New Delhi, p.76.
- ¹⁶Op.Cit., Tamil Arasu, p.23.
- ¹⁷Radhakrishnan, K.S., "*D.M.K. and Social Justice*", Pustaka Digital Media, p.6.
- ¹⁸S.Pushpalatha, 2012, "*History of Reservation Policy in Tamil Nadu 1916-1991*", Sarup Book Publishers Pvt. Ltd., New Delhi, p.63
- ¹⁹Ibit., Pushpalatha, p.85
- ²⁰Anirudh Prasad, 1991, "*Reservation Policy and Practice in India: A means to an End*", New Delhi, p.37.
- ²¹Op.Cit., p.89.
- ²²Administrative Report of the Madras Presidency, 1930-31 and 1940-41, Madras, 1932 and 1942, pp.108, 147.
- ²³Op.Cit., S.Pushpalatha, p.257.
- ²⁴Ghurye, G.S., 1969, "*Caste and Race in India*", Bombay, p.73
- ²⁵Ram Ahuja, 1992, "*Social Problems in India*", New Delhi, p.132.
- ²⁶Anirudh Prasad, 1991, "*Reservation Policy and Practice in India: A means to an End*", New Delhi, pp.423-424.
- ²⁷Viduthalai, 15 August, 1950.
- ²⁸Kailash Pandey, 1965, "*The Constitution of India: As Amended Up to Date*", New Delhi, p.111.
- ²⁹Kalagam (ed.), *Mandal Kulu Parinthuraiyal, Utcha Needhimandra Theerppu Arasanaigal* (Tamil), Chennai, P.11.
- ³⁰The Indian Express, **A century of reform: The Dravidian movement has left its progressive imprint on Tamil Nadu**, ManurajShanmugasundara, November 22, 2016.
- ³¹Tamil Arasu, October 1979, "Harijan Welfare Number", p. 4.
- ³²<https://thewire.in/uncategorised/tamil-nadu-reservation-quota>
- ³³Rajalakshmi, K., & Yoganathan, G., 2020, "*Dalit Empowerment In Tamil Nadu – A Historical Perspectives*", Lulu Press, p.139.
- ³⁴Manual Under Right to Information Act (2005), p.40.
- ³⁵Brochure on Reservation for SCs/STs and OBCs – reg., Pp.53-54.
- ³⁶Dube, M.P., 2017, "*Social Justice: Distributive Principles and Beyond*", Rawat Publications, New Delhi, p.158.
- ³⁷https://tnvelaivaaiippu.gov.in/pdf/go/01.GO_Ms_No_55_Rule_of_Reservation.pdf
- ³⁸<https://www.deccanchronicle.com/nation/current-affairs/161119/madras-high-court-throws-out-tn-quota-in-promotions.html>
- ³⁹https://tnvelaivaaiippu.gov.in/pdf/go/01.GO_Ms_No_55_Rule_of_Reservation.pdf
- ⁴⁰Report of the Commissioner for Scheduled Castes and Scheduled Tribes (July 1978 – March 1979), 1980, New Delhi, p.113.
- ⁴¹Periyar E.V. Ramasami, 1983, "Why Brahmins Hate Reservation?", Dravida Kazhagam, Madras, p.20.