

**GOVERNMENT OF INDIA
MINORITY AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:95

ANSWERED ON:22.11.2012

RESERVATION FOR MINORITIES

Ganpatrao Shri Jadhav Prataprao; Rama Devi Smt.

Will the Minister of MINORITY AFFAIRS be pleased to state:

- (a) whether the Court has ruled the 4.5 percent reservation to minorities as illegal and unconstitutional;
- (b) if so, the details thereof; and
- (c) the reaction of the Government thereto alongwith the corrective measures adopted by the Government in the regard?

Answer

MINISTER OF MINORITY AFFAIRS (SHRI K. RAHAMAN KHAN)

(a)to(c): The Hon'ble High Court of Andhra Pradesh in its judgement dated 28-05-2012 set aside the carving out of a sub-quota of 4.5% reservation to minorities out of the 27% reservation for Other Backward Classes (OBCs). A Special Leave Petition was filed against the above judgement and the Hon'ble Supreme Court of India in its judgement declined to grant stay of the High Court judgement and application for impleadment was allowed. Further, Hon'ble Supreme Court observed that since similar issues were pending consideration before the Constitution Bench, the matters concerning the 4.5% reservation for minorities be tagged along with those matters. The matter is presently sub-judice.