

**GOVERNMENT OF INDIA
MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT
LOK SABHA**

**STARRED QUESTION NO.32
TO BE ANSWERED ON 05.12.2023**

RESERVATIONS TO SCS

***32. SHRI S. MUNISWAMY:**

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:-

- (a) the current status of the internal reservations to the Scheduled Castes (SCs) in the State of Karnataka;
- (b) whether the Union Government has consented the new form of reservations brought out by the erstwhile Government in the State of Karnataka and if so, the details thereof;
- (c) whether any of the Supreme Court rulings on reservations impact the new form of the internal reservations in the State of Karnataka and if so, the details thereof;
- (d) whether the Government has also consented the hike in reservations to the Scheduled Tribes in the State of Karnataka and if so, the details thereof; and
- (e) whether such reservations are being implemented and if not, the time by which the said reservations are likely to be implemented?

ANSWER

**MINISTER OF SOCIAL JUSTICE AND EMPOWERMENT
(DR. VIRENDRA KUMAR)**

(a) to (e): A Statement is laid on the Table of the House.

Statement referred in reply to Lok Sabha Starred Question No. 32 for 05.12.2023 by Shri S. Muniswamy, M.P. regarding reservations to SCs.

(a): At present, there is no internal reservation in Karnataka for Scheduled Castes.

(b) & (c): The Government of Karnataka vide their letter dated 28.03.2023 requested the Ministry of Social Justice and Empowerment to take necessary action including constitutional amendment for creation of internal reservation of their 101 Scheduled Castes into four categories. The Apex Court in its order dated 05.11.2004 in the case of E.V. Chinnaiah vs. the State of Andhra Pradesh held that Scheduled Castes cannot be further sub-categorized. However, a Constitutional Bench of Supreme Court in its order dated 27.08.2020 in the case of the State of Punjab & Ors. Vs Davinder Singh & Ors. (Civil Appeal No. 2317 of 2011) inter-alia observed that judgment in E.V. Chinnaiah case is required to be revisited by a Bench comprising of 7 Judges or more. The matter would be listed for hearing on 17th January, 2024 before an appropriate Bench.

(d) & (e): The State of Karnataka vide the Karnataka Scheduled Castes and Scheduled Tribes (Reservation of Seats in Educational Institutions and of Appointments or Posts in the Services under the State) Act, 2022 has enhanced reservation for Scheduled Castes and Scheduled Tribes from 15% and 3% to 17% and 7% respectively for Admissions into Educational Institutions and of Appointments or Posts in the Services under the State. The State Government of Karnataka vide their letter dated 29.11.2023 has informed that the State is empowered to raise the reservation.
