

**GOVERNMENT OF INDIA
PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA**

UNSTARRED QUESTION NO:5530
ANSWERED ON:29.04.2003
EXCHANGE OF VACANCIES BETWEEN SCS AND STS
BUTA SINGH

Will the Minister of PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

(a) whether the instructions of the Government regarding the exchange of reservation between Scheduled Castes and Scheduled Tribes in the same year, in case of promotion by selection from Group `B` to the lowest rung of Group `A` has not been withdrawn/rescinded with the issuance of DoP&T's O.M. No. 36012/2/96-Estt. (Res.) dated 2.7.1997; and

(b) if so, the reasons therefor?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS. (SHRI HARIN PATHAK)

(a): After introduction of post based reservation, it is not possible to fill up a vacancy reserved for Scheduled Tribes by a Scheduled Castes candidate and vice versa.

(b): Filling up of a vacancy reserved for Scheduled Tribes by a Scheduled Caste candidate by exchange would result into excessive reservation for Scheduled Castes which is not permissible as per the Supreme Court judgement in the case of R.K. Sabharwal versus State of Punjab.