

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

UNSTARRED QUESTION NO:3940
ANSWERED ON:19.12.2011
RESERVATION QUOTA FOR BACKWARD CLASSES
Swamygowda Shri N Cheluvarya Swamy

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

- (a) whether the current reservation quota is far less in view of the increasing population of the SC category;
- (b) if so, whether the Government proposes to increase the reservation quota for SC category;
- (c) if so, the details thereof; and
- (d) if not, the reasons therefore ?

Answer

MINISTER OF STATE FOR SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON)

(a) to (d) As per information furnished by the Department of Personnel and Training (DoPT), there is no proposal under consideration to increase the percentage of reservation for Scheduled Castes (SCs), Scheduled Tribes (STs) and Other Backward Classes (OBCs). The Supreme Court in the matter of Indra Sawhney v/s. Union of India observed that clause (4) of Article 16 speaks of adequate representation and not proportionate representation. The Apex Court further observed that it is not possible to accept the theory of proportionate representation though the proportion of population of Backward Classes to the total population would certainly be relevant and held that the power conferred by clause (4) of Article 16 should be exercise in a fair manner and within reasonable limits so that reservation should not exceed 50%. Presently, reservation in case of direct recruitment on all India basis by open competition is 49.5% (i.e. 15% for SCs, 7.5% for STs and 27% for OBCs) and reservation in case of direct recruitment on all India basis otherwise than by open competition is 50% (i.e. 16.66% for SCs, 7.5% for STs and 25.84% for OBCs). in case of Direct Recruitment to Group 'C' and 'D' post normally attracting candidates from locality or region, the percentage of reservation is generally fixed in proportion to the population of the reserved categories as per DoPTs O.M. dated 5th July, 2005.