

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

UNSTARRED QUESTION NO:4381
ANSWERED ON:21.12.2011
RESERVATION FOR SCS STS IN PROMOTIONS
Meghwal Shri Arjun Ram

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

- (a) whether any reports have been received from various States with regard to right to reservation in promotion for Scheduled Castes/Scheduled Tribes as provided in the Article 16(4) A of the Constitution;
- (b) if so, the details thereof;
- (c) the action taken by the Government in this regard;
- (d) whether reservation in promotion has been discontinued in many States and if so, the details thereof; and
- (e) the action proposed to be taken in this regard by the Government?

Answer

Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Prime Minister's Office.
(SHRI V. NARAYANASAMY)

(a) to (e): Employment in the services of the State is governed by individual States. Government of India has received no reference from any State Government in regard to reservation in promotion for Scheduled Castes/Scheduled Tribes as enabled by the Article 16(4A) of the Constitution. The Central Government is, however, aware that the Hon'ble Supreme Court in the matter of M.Nagaraj Vs. UOI and Others has laid down certain conditions, which are required to be complied with while framing schemes to provide reservation in promotion for Scheduled Castes and Scheduled Tribes in Government employment as enabled by Article 16(4A) of the Constitution. The Central Government is also aware that schemes of some State Governments providing for reservation in promotion for Scheduled Castes and Scheduled Tribes have not been upheld by the Courts on the ground that conditions laid down in the case of M.Nagaraj have not been fulfilled. As per legal opinion received by the Government of India in this regard, it is primarily for the State Governments to act in this behalf.