

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

UNSTARRED QUESTION NO:4465  
ANSWERED ON:21.12.2011  
RESERVATION TO SCS STS  
Verma Shri Sajjan Singh

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

- (a) whether persons who have been residing in other States particularly in Delhi for the last several years can avail the benefit of reservation in various departments of the State concerned;
- (b) if so, whether persons born in Delhi who have got their education in Delhi and are the holders of ration card, voter identity card of Delhi and also having the Scheduled Caste/ Scheduled Tribe certificates can avail benefit of reservation facility in Delhi Government;
- (c) if not, the reasons therefor;
- (d) whether in the light of the facts mentioned above, the persons who have been residing in Delhi for the last several years after migrating from other States can avail the benefit of reservation in the State of their origin; and
- (e) if so, the basis of issuing Scheduled Caste/Scheduled Tribe certificate by such States in the absence of any proof of birth which is essential for issuing such certificate?

**Answer**

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

(a) to (c): The subject matter of the question pertains to the NCT of Delhi. As per information received from the Govt. of NCT of Delhi (GNCTD) and the Ministry of Home Affairs, Govt of India in pursuance of the Supreme Court Judgment in the case of S Pushpa, GNCTD issued instructions to Delhi State Subordinate Selection Board (DSSSB) to the effect that all the SC/ST candidates irrespective of their nativity were eligible for reservation for appointment to the civil posts in GNCTD, which were reserved for SC/ST candidates.

However, in light of judgment of Hon'ble Supreme Court dated 04.08.2009 in W.P.(C) No. 507 of 2006 and civil appeal No. 5092 of 2009 arising out of Petition(s) for Special Leave to appeal (Civil) No. 24327/2005, benefit of reservation in civil posts under GNCTD is presently being made available by the DSSSB only to such candidates of the reserved categories who are native to Delhi and whose castes are covered under the relevant notification in respect of Delhi.

The Ministry of Home Affairs, Government of India has informed that matter is presently sub-judice.

(d): Yes Madam.

(e): As per instructions contained in O.M. No. 36012/6/88-Estt (SCT) dated 24.04.1990, the Matriculation or School leaving Certificate or Birth Certificate giving the caste/community of the candidate and the place of residence are not accepted as proof of caste. As per the instructions on the subject, the caste certificate has to be issued only by the designated authorities pertaining to area of permanent residence of the candidate.