

**GOVERNMENT OF INDIA  
LAW AND JUSTICE  
LOK SABHA**

UNSTARRED QUESTION NO:1761  
ANSWERED ON:07.03.2013  
RESERVATION FOR SC ST  
Sainuji Shri Kowase Marotrao

**Will the Minister of LAW AND JUSTICE be pleased to state:**

(a) the steps being taken by the Union Government to make necessary provisions for giving reservation to the people belonging to Scheduled Castes/Scheduled Tribes as per percentage of their population in the Lok Sabha, Legislative Assemblies, Supreme Court, High Court and various services including education institutions, other organisations and corporations;

(b) the details of the requests so far received by the Government from the people's representatives and other organisations in this regard till date; and

(c) the action taken or proposed to be taken by the Government in the matter?

**Answer**

MINISTER OF THE STATE IN THE MINISTRY OF LAW AND JUSTICE (DR. ASHWANI KUMAR)

(a) to (c) As per the provisions contained in articles 330 and 332 of the Constitution, seats are reserved for the Scheduled Castes and Scheduled Tribes, in proportion to their population of the State or Union territories, in the House of the People and the State Legislative Assemblies and notified vide the Delimitation of Parliamentary and Assembly Constituencies Order, 2008. A Writ Petition (Civil) No. 540 of 2011, Virendra Pratap and another vs. Union of India and others was filed in the Supreme Court contending that by virtue of the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 2002 (No.10 of 2003), several castes, which had not been included in the list of Scheduled Tribes, were included as Scheduled Tribes and despite such inclusion their representation in the Delimitation of Parliamentary and Assembly Constituencies Order, 2008 was not done. The Supreme Court vide its judgment dated the 10th January, 2012 directed the Election Commission of India to consider the case of the Scheduled Tribes which had been included in the list of the Scheduled Tribes by virtue of the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 2002 (No. 10 of 2003) and to take appropriate steps for their representation in the House of the People as well as in the State Legislative Assembly. Pursuant thereto, the Readjustment of Representation of Scheduled Castes and Scheduled Tribes in Parliamentary and Assembly Constituencies Ordinance, 2013 has been promulgated on the 30th January, 2013. Thereafter, a replacement Bill has been introduced in the Rajya Sabha on the 26th February, 2013.

Appointment of Judges of the Supreme Court and High Courts are made under articles 124 and 217 of the Constitution of India respectively, which do not provide for reservation for any caste or class of persons. The information regarding reservation to the people belonging to Scheduled Castes and Scheduled Tribes as per percentage of their population in various services including education institutions, other organisations and corporations is available with the concerned Ministries/Departments.