

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

UNSTARRED QUESTION NO:4982

ANSWERED ON:13.08.2014

RESERVATION POLICY

Kataria Shri Rattan Lal;Lokhande Shri Sadashiv Kisan

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

(a) whether any proposal to bring reservation policy for SCs, STs and OBCs in the Ninth Schedule of the Constitution is under the consideration of the Government;

(b) if so, the details thereof and if not, the reasons therefor;

(c) whether the reservation policy for SCs, STs and OBCs is governed by the executive directions issued by the Government from time to time; and

(d) if so, the details thereof and the reasons therefor?

Answer

Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Prime Minister's Office.
(DR. JITENDRA SINGH)

(a) & (b): No Madam. There is no legislation on the subject, which could be included in the Ninth Schedule.

(c) & (d): The policy on reservation for the Scheduled Castes, Scheduled Tribes and Other Backward Classes in Government services is administered through executive instructions. The Supreme Court in the case of Indra Sawhney v/s. Union of India has held that these instructions have the force of law.