

**GOVERNMENT OF INDIA**  
**MINISTRY OF HUMAN RESOURCE DEVELOPMENT**  
**RAJYA SABHA**  
**QUESTION NO 06.08.2010**  
**ANSWERED ON**  
**IMPLEMENTATION OF RESERVATION IN EDUCATIONAL INSTITUTIONS .**

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Shri Ali Anwar Ansari

Will the Minister of RURAL DEVELOPMENT HUMAN RESOURCE DEVELOPMENT be pleased to state :-

- (a) whether all private and Government educational institutions of the country are bound to follow the official provisions for granting reservation under Article 15(5) of the Constitution of India; and
- (b) the steps taken by Government so far for implementation of reservation in private educational institutions of the country under the 93rd Constitution Amendment Act?

**ANSWER**

MINISTER OF HUMAN RESOURCE DEVELOPMENT

(SHRI KAPIL SIBAL)

(a) & (b) : A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (b) OF RAJYA SABHA STARRED QUESTION NO.197 FOR 06.08.2010 ASKED BY THE HON'ABLE MEMBER OF PARLIAMENT SHRI ALI ANWAR ANSARI REGARDING IMPLEMENTATION OF RESERVATION IN EDUCATIONAL INSTITUTIONS.

(a) & (b) : Under Article 15(5) of the Constitution, Parliament as well as State Legislatures are competent to make laws with special provisions for the advancement of the weaker sections of society – the Scheduled Castes, the Scheduled Tribes and the Socially and Educationally Backward Classes – in matters of access to educational institutions, whether aided or unaided by the State, other than the minority educational institutions referred to in clause (1) of article 30. A Central Act, namely, the Central Educational Institutions (Reservation in Admission) Act, 2006 has already come into force in respect of publicly funded institutions coming under the purview of the Central Government.

Wider consultations are required to evolve consensus or a workable mechanism for drafting an appropriate legislation for other institutions coming under the purview of the Central Government.