

GOVERNMENT OF INDIA  
(MINISTRY OF TRIBAL AFFAIRS)  
**LOK SABHA**  
**UNSTARRED No. 3178**  
TO BE ANSWERED ON 06.08.2018  
**RESERVATION FOR STs**

3178. SHRI BALABHADRA MAJHI:  
PROF. A.S.R. NAIK:

Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) whether the Constitution of India guarantees proportionate representation in respect of Scheduled Tribes (STs) in Government services on which there is no maximum ceiling;
- (b) whether the Government of Telangana has requested the Union Government for enhancement of ST reservation as per their population; and
- (c) the stand of Union Government on enhancement of STs reservation?

**ANSWER**

MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS  
(SHRI JASWANTSINH BHABHOR)

(a) Department of Personnel & Training, Ministry of Personnel, Public Grievances and Pensions is the nodal agency for framing policy for reservation of Scheduled Tribes. Department of Personnel & Training has stated that as per the 9 judge Bench Constitutional judgment of the Hon'ble Supreme Court in Indira Sawhney case, total reservation cannot exceed the limit of 50%. In the same judgment, the Hon'ble Supreme Court has also observed that clause (4) of Article 16 of Constitution speaks of adequate representation and not proportionate representation.

(b) & (c) Telangana submitted a proposal to Department of Personnel & Training for enhancement of percentage of reservation for Scheduled Tribes in State of Telangana from the existing 7% to 9 % (based on Census 2011) for the purpose of direct recruitment to Group C and D post normally attracting candidates from a locality or a region. In reference of this letter DoPT vide letter No 36017/1/2004-Estt.(Res.) dated 31.03.2017 has sought comments from State Government of Telangana in the matter.

Further, a Bill viz The Telangana Backward Classes, SCs and STs (Reservation of seats in Educational Institutions and of appointments of posts in the Services under the State) Bill, 2017 was received in the Ministry of Home Affairs on 27-09-2017. As per the Statement of Object and Reasons of the Bill:

“The State Government have, after careful consideration of the study reports along with the recommendations, keeping in view the population of the Backward Classes of citizens and the persons belonging to the Scheduled Castes and Scheduled Tribes in the State, their social and educational backwardness, inadequate representation in proportion to their population, come to a conclusion that there is every need for revision of the existing level of reservation in admission to educational institutions in the State and in the services under the State for them from 50% and accordingly decided to revise the percentage of reservation from 50% to 62% for the Backward Classes of citizens and for the persons belonging to the Scheduled Castes and the Scheduled Tribes, in admission to educational institutions in the State and in the services under the State for their amelioration and ensuring their advancement in the State of Telangana”

As per Ministry of Home Affairs, the Bill is under examination in consultation with the Department of Legal Affairs, Ministry of Law & Justice and other Ministries.