

**GOVERNMENT OF INDIA
MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT
LOK SABHA**

**UNSTARRED QUESTION NO. 4474
TO BE ANSWERED ON 08.01.2019**

RESERVATION PROVISIONS FOR SC/ST/OBC

4474. DR. BHAGIRATH PRASAD:

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

- (a) whether Constitutional provisions are enforced through laws and rules made by the Parliament and if so, the details thereof;
- (b) whether there is any Act to enforce the reservation provisions for SC/ST/OBC as provided under Article 16 of the Constitution and if so, the details thereof;
- (c) whether the Government is considering to enact a legislation to implement the provisions of the Constitution in regard to reservation provisions effectively; and
- (d) if so, the details thereof?

ANSWER

**MINISTER OF STATE FOR SOCIAL JUSTICE AND EMPOWERMENT
(SHRI VIJAY SAMPLA)**

(a) to (d) : Reservation in admission of students belonging to Scheduled Castes (SCs), Scheduled Tribes (STs) and Other Backward Classes (OBCs) in Central Educational Institutions established, maintained or aided by the Central Government is enforced through the Central Educational Institutions (Reservation in Admissions) Act, 2006 as amended from time to time. At present there is no proposal under consideration of Government to enact legislation for implementing reservation in services under the Central Government and its Public Sector Undertakings. The policy of reservation in services is administered through executive instructions. The Hon'ble Supreme Court in the case of Indira Sawhney Vs. Union of India (W.P. No. 930 of 1990) has held that these instructions have the force of law.
