

GOVERNMENT OF INDIA
MINISTRY OF HUMAN RESOURCE DEVELOPMENT
DEPARTMENT OF HIGHER EDUCATION
LOK SABHA
UNSTARRED QUESTION No.1536
TO BE ANSWERED ON 01.07.2019

Implementation of Reservation Roster

†1536.SHRI GANESH SINGH:

Will the Minister of HUMANRESOURCE DEVELOPMENT be pleased to state:

(a) whether a cadre or unit 'University/college' should have been constituted to ensure the implementation of reservation roster points under section (6c) and section8(a) (v) of the UGC guidelines 2006 pertaining to implementation of reservation in various teaching posts in Central Universities;

(b) if so, the details thereof;

(c) the details of appointments made till 28th February, 2019, university-wise;

(d) whether the Government had directed to institutions to postpone the recruitment process;

(e) if so, the details thereof;

(f) whether the Government has undertaken any study pertaining to appointments to the reserved posts for various teaching posts following implementation of 13 point roster; and

(g) if so, the details thereof?

ANSWER

MINISTER OF HUMAN RESOURCE DEVELOPMENT
(SHRI RAMESH POKHRIYAL 'NISHANK')

(a) & (b): Under Articles 15 and 16 of the Constitution, the Government is required to make special provisions for protecting the rights of Scheduled Castes (SCs), Scheduled Tribes (STs), Socially and Educationally Backward Classes (SEBC) for safeguarding their interests.

Vide order dated 07.04.2017 in W.P. No.43260 of 2016, Hon'ble Allahabad High Court had directed that the reservation rosters should be prepared considering the Department/Subject as a unit instead of the University as a whole. Implementation of this judgement would have amounted to grave miscarriage of justice for the SCs/STs and

OBCs. Hence, SLP Nos. 14318 dated 16.04.2018 and 14099 dated 12.4.2018 were filed by Ministry of Human Resource Development (MHRD) and University Grants Commission (UGC) respectively in the Hon'ble Supreme Court. These SLPs were dismissed on 22.01.2019. Subsequently both MHRD and UGC had filed review petitions, which were dismissed on 27.02.2019.

(c): The details of the appointment made till 01.04.2019 in the Central Universities are available at https://www.ugc.ac.in/pdfnews/4526671_LSPQ-No-1536-Annexure-1-TEACHING-POSITION-IN-CU-AS-ON-01-04-2019.pdf.

(d) & (e): Directives were issued by the University Grants Commission on 19.7.2018, to the Universities to postpone the recruitment process, if it is already underway, till further orders.

Subsequently based upon the analysis of the result of preparing the roster by considering the Department/ College as a unit and dismissal of the review petition, to protect the rights of the SCs, STs and SEBCs, the Central Educational Institutions (Reservation in Teachers' Cadre) Ordinance, 2019 was promulgated on 7th March, 2019 by the Hon'ble President to ensure preparation of the reservation roster considering the University/ Department as a Unit. On 7th March, 2019, the Ministry of Human Resource Development has issued directives to the University Grants Commission to start the recruitment with immediate effect. The University Grants Commission has reiterated the instructions to all the University on 8th March, 2019 to implement the reservation of posts in direct recruitment by considering the University/ Colleges/ Institution as one unit.

The Notice for replacement of the Ordinance by the Bill has already been given in the Lok Sabha.

(f) & (g): An analysis was done of the impact of changing the roster from the university to the department in 21 Central Universities. The study conducted by the UGC show that the implementation of the reservation policy by taking each department as a unit will impede the chances of fair selection of SCs/STs as well as SEBCs and seats will reduce drastically in the cadre of Assistant Professors to even nil in some cadres. In order to safeguard the interest of these categories, an Ordinance was promulgated on 7th March, 2019 which is now placed for replacement as a Bill.
