

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

**UNSTARRED QUESTION NO.3628  
TO BE ANSWERED ON 10.08.2021**

**MARATHA QUOTA JUDGEMENT**

**3628. SHRI RAVIKUMAR D.:**

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

- (a) whether the Government has taken note of the recent Supreme Court decision in the case regarding quota for Marathis;
- (b) if so, whether the Government has assessed the likely impact of the said decision on the OBC status of communities identified as OBC by the State, but are not included in the OBC list of Union Government;
- (c) if so, the details thereof; and
- (d) whether the Government has any plan to make changes to laws/rules including an amendment in the Constitution to again empower States to identify OBCs and if so, the details thereof?

**ANSWER**

**MINISTER OF STATE FOR SOCIAL JUSTICE AND EMPOWERMENT  
(SUSHRI PRATIMA BHOUMIK)**

(a) to (c): Yes Sir. The Supreme Court in its judgment in Civil Appeal No.3123/2020 dated 5<sup>th</sup> May 2021, not only struck down the reservation given to the Maratha Community by the State Government of Maharashtra but also interpreted the Constitution (one hundred and two) Amendment Act 2018 to state that there should be only one Central List of SEBCs and States are not empowered to maintain a separate State List of SEBCs. Since this not only goes against the legislative intent but would also adversely affect the reservations currently provided to such SEBCs who are only in the State List, Government has decided to bring The Constitution (one hundred and twenty seven) Amendment Bill 2021 before the Parliament to amend the Articles 342A, 338B and 336(26C) of the Constitution to restore the power of the States to maintain their State List of SEBCs.

\*\*\*\*\*