

GOVERNMENT OF INDIA
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
(DEPARTMENT OF PERSONNEL & TRAINING)

LOK SABHA
UNSTARRED QUESTION NO. 1265
(TO BE ANSWERED ON 09.02.2022)

RESERVATION FOR EWS

1265. SHRI KUMBAKUDI SUDHAKARAN:
DR. SHASHI THAROOR:

Will the **PRIME MINISTER** be pleased to state:

- (a) whether the Government has introduced reservation for Economically Weaker Sections (EWS) for direct recruitment in civil posts and services in the Government since 1.02.2019 and if so, the details thereof;
- (b) whether the Government notification 36039/1/ 2019-Estt. (Res) dated 19.01.2019 on EWS recruitment stipulates that the family of the candidate cannot own a residential plot (other than in notified municipalities) of 200 square yards or more and if so, the details thereof;
- (c) whether residential plots situated adjacent to/ within the agricultural land shall be considered as part of the agricultural land;
- (d) if so, whether the Government is aware that in several States including Kerala, the residential plots are part of agricultural land and no clear distinction between agricultural plot and residential plot has been made;
- (e) if so, whether the Government is considering to issue a clarification on the aforesaid criteria, as many applicants are not able to get EWS certificates issued as a result thereof; and
- (f) if so, the details thereof and if not, the reasons therefor?

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES
AND PENSIONS AND MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE
(DR. JITENDRA SINGH)**

(a): In pursuance of Article 16(6) of the Constitution and in order to enable the EWSs, who are not covered under the existing scheme of reservations for the Scheduled Castes, the Scheduled Tribes and the Socially and Educationally Backward Classes, to receive the benefit of reservation in civil posts and services in the Government of India, Department of Personnel and Training, vide Office Memorandum dated 19.1.2019, has notified that 10% reservation would be provided for EWSs in Central Government posts and services and would be effective in respect of all direct recruitment vacancies to be notified on or after 01.02.2019.

(b): As per OM, dated 19.1.2019, persons who are not covered under the existing scheme of reservations for the Scheduled Castes, the Scheduled Tribes and the Socially and Educationally Backward Classes and whose family has gross annual income below Rs.8.00 lakh are to be identified as EWSs for the benefit of reservation. Also persons whose family owns or possesses any of the following assets shall be excluded from being identified as EWSs, irrespective of the family income: -

- i) 5 acres of Agricultural Land and above;
- ii) Residential flat of 1000 sq. ft. and above;
- iii) Residential plot of 100 sq. yards and above in notified municipalities;
- iv) Residential plot of 200 sq. yards and above in areas other than the notified municipalities.

(c): As the issue falls in the domain of the concerned State Government, it is considered in terms of the relevant State Government guidelines.

(d): The State Government of Kerala has intimated this position.

(e) & (f): As per the directions of the Supreme Court in Writ Petition (Civil) No.961 of 2021 – Neil Aurelio Nunes vs. Union of India, a Committee was constituted by the Government under the Chairmanship of Shri Ajay Bhushan Pandey, Former Finance Secretary, Government of India, on 30th November, 2021 with following terms of reference:

1. To re-visit the criterion given for determining EWS category keeping in view the observations of the Supreme Court in their Order dated 21.10.2021.
2. To examine various approaches, so far, followed in the country for identifying EWSs, and;
3. Recommend criteria that may be adopted for identifying EWS category in future.

The Committee submitted its report to the Government on 30th December, 2021, which has immediately been submitted before the Supreme Court.
