

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

LOK SABHA
UNSTARRED QUESTION NO. 936
(TO BE ANSWERED ON 02.03.2016)

RESERVATION IN PROMOTION

936. SHRI KAUSHAL KISHORE:

Will the PRIME MINISTER be pleased to state:

- (a) whether the Government proposes to provide reservation in promotion to the employees and officers belonging to the Scheduled Castes (SCs)/Scheduled Tribes (STs) as per the seniority list in the Government and Semi-Government Services;
- (b) if so, the details thereof and if not, the reasons therefor; and
- (c) the steps taken by the Government in this regard?

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) to (c): The instructions issued by Department of Personnel & Training provide for reservation in promotion to persons belonging to Scheduled Castes(SCs) and Scheduled Tribes(STs) in posts in the Central Government upto the lowest rung of Group 'A'. These instructions are also being implemented by Central Public Sector Undertakings, wherever reservation in promotion is applicable.

The Hon'ble Supreme Court in its judgment dated 19.10.2006 in the matter of M. Nagaraj & Others vs. Union of India and Ors., while upholding the validity of some of the Constitutional Amendments, observed that the concerned State will have to show in each case the existence of compelling reasons, namely, backwardness, inadequacy of representation and overall efficiency of administration before providing reservation in promotion. In order to provide impediment free reservation in promotion to SCs and STs, the Constitution (One Hundred and Seventeenth Amendment) Bill, 2012 was introduced in Rajya Sabha in September, 2012. The Bill was passed by the Rajya Sabha on 17.12.2012 and transmitted to the Lok Sabha for consideration and passing. The Bill could not be considered in the Lok Sabha and lapsed on the dissolution of 15th Lok Sabha. The issues emanating from the Hon'ble Supreme Court judgment in M. Nagaraj case are under examination.
