

waker sections. I am sure that the Government will take immediate action to revive the Kutir Jyoti Scheme.

[English]

#### **Reservations In Employment**

\*245. SHRI SYED SHAHABUDDIN: Will the Minister of WELFARE be pleased to state:

(a) the States/Union Territories which have introduced reservation in public employment;

(b) the brief particulars of the scheme of reservation, statewise and Union Territory-wise;

(c) the names of States/Union Territories which have not introduced any such scheme; and

(d) whether the Government have drawn the attention of such States/Union Territories to introduce such scheme?

THE DEPUTY MINISTER IN THE MINISTRY OF WELFARE (SHRIMATI KJAMALA KUMARI): (a) and (b). A statement is laid on the Table of the House.

(c) Nil

(d) In regard to reservation in services for Socially & Educationally Backward and Other Economically Backward Sections the matter is sub-judice before the Supreme Court.

## STATEMENT

| Sl. No. | Name of State/<br>Union Territory | S.C.                             | S.T.                     | Backward<br>Classes    | Physically<br>Handicapped | Ex-servicemen               | Sportsmen | Other           |
|---------|-----------------------------------|----------------------------------|--------------------------|------------------------|---------------------------|-----------------------------|-----------|-----------------|
| 1       | 2                                 | 3                                | 4                        | 5                      | 6                         | 7                           | 8         | 9               |
| 1.      | Andhra Pradesh                    | 15                               | 6                        | 25                     | 3                         | 2                           | 1         | ...             |
| 2.      | Assam                             | 7                                | 10 (Plains)<br>5 (Hills) | 15                     | 3 (Class<br>III & IV)     | 2 (Class<br>III & IV)       |           |                 |
| 3.      | Arunachal Pradesh                 | ...                              | 80*                      | ...                    | ...                       | ...                         |           | ...             |
| 4.      | Bihar                             | 14                               | 10                       | 20                     | ...                       | ...                         |           | 6 a             |
| 5.      | Goa                               | 15 (Gr. A & B)<br>2 (Gr. C & D)  | 7.5<br>1.0               | 2<br>2                 | 3<br>3                    |                             |           | ...             |
| 6.      | Gujarat                           | 7 (Class<br>II & III)            | 14 (Class<br>II & III)   | 5 for class<br>I & II) |                           |                             |           |                 |
|         |                                   |                                  |                          | 10 (Cl<br>III & IV)    | 4 (Cl. III<br>& IV)       | 10 (Cl. III)<br>20 (Cl. IV) | ...       | ...             |
| 7.      | Haryana                           | 20                               | ...                      | 10                     | 3 (Cl. III)               | 5 (cl. I & II)              | ...       | ...             |
| 8.      | Himachal Pradesh                  | 15 (Gr. A & B)<br>22 (Gr. C & D) | 7.5<br>5.0               | 5                      | ...                       | 15<br>15                    | ...       | 2 b<br>2 b      |
| 9.      | Jammu & Kashmir                   | 8                                | ...                      | ...                    | 3 (Other than<br>Cl. IV)  | 5 (Non-gaz)                 | ...       | 5-10<br>(Women) |

| Sl. No. | Name of State/<br>Union Territory | S.C.                             | S.T.  | Backward<br>Classes | Physically<br>Handicapped | Ex-servicemen   | Sportsmen | Other  |
|---------|-----------------------------------|----------------------------------|---|---------------------|---------------------------|---|-----------|--|
| 1       | 2                                 | 3                                | 4   | 5                   | 6                         | 7   | 8         | 9  |
| 10.     | Karnataka                         | 15                               | 3   | 48                  | 4 (Gr. C & D)             | 10  | ...       | 5 a  |
| 11.     | Kerala                            | 8                                | 2   | 40                  | ...                       | ...   | ...       | d  |
| 12.     | Madhya Pradesh                    | 15 (Gr. A & B)<br>16 (Gr. C & D) | 18<br>20  | ...                 | 3 (Gr. C & D)<br>3 (-do-) | 9 (Gr. C)<br>14 (Gr. D)   | ...       | ...  |
| 13.     | Maharashtra                       | 13                               | 7   | 10                  | 3                         | 15 (C1, III & IV)   | ...       | 4 e.f.   |
| 14.     | Manipur                           | 2                                | 31  | ...                 | 3 (Cl. III & IV)          | 2 (in posts of<br>Asstt. Commandants<br>level in all para<br>military forces) | ...       | ...  |
| 15.     | Meghalaya                         | ...                              | 80  | ...                 | ...                       | 3 (Cl. III)<br>5 (Cl. IV)   | ...       | 5  |
| 16.     | Mizoram                           | ...                              | 45  | ...                 | 3 (Gr. C & D)             | 10 (Gr. C)<br>29 (Gr. D)  | ...       | ...  |
| 17.     | Nagaland                          | ...                              | 100 (non-technical<br>class III & IV)<br>80 (All other gaze-<br>tted & non-gaze-<br>tted posts) | ...                 | ...                       | ...   | ...       | 5 (Class III<br>& IV in Police<br>and physical<br>Education<br>Department) |

| Sl. No. | Name of State/<br>Union Territory | S.C. | S.T. | Backward<br>Classes                     | Physically<br>Handicapped                    | Ex-servicemen   | Sportsmen | Other                                    |
|---------|-----------------------------------|------|------|---|--|---|-----------|--|
| 1       | 2                                 | 3    | 4    | 5                                       | 6  | 7   | 8         | 9  |
| 18.     | Orissa                            | 15   | 23   | ...                                     | 3 (Class II, III & IV posts)                 | ...   | ..        | ...                                      |
| 19.     | Punjab                            | 25   | ...  | 5                                       | 3 (Class III & IV posts)                     | 15  |           |  |
| 20.     | Rajasthan                         | 16   | 12   |   | 3 (Subordinate & Ministerial Class IV Posts) | 12.5 (Subordinate & Ministerial services)                                     |           |  |
|         |                                   |      |      |   |  | 15 (Class IV)   |           |  |
|         |                                   |      |      |   |  | 15 (Class III & IV)   |           |  |
| 21.     | Sikkim                            | 8    | 8    | 8                                       |  | 15 (Class III & IV)   |           |  |
| 22.     | Tamil Nadu                        | SCs  | 18   | 50                                      |  |   |           |  |
|         |                                   |      |      |   |  | Out of quota of 32% for open competition three cut of every hundred vacancies |           |  |
| 23.     | Tripura                           | 15   | 29   | ...                                     | 2  | 2   | ...       | ...                                      |
| 24.     | Uttar Pradesh                     | 18   | 2    | 15 (Class I, II & III)<br>10 (Class IV) | 2  | 8 (Cl. I & II)  |           | Freedom Fighters 5(6)<br>3(6) dependents |
|         |                                   |      |      |   |  | 3 (Cl. III & IV)  |           |  |

| Sl. No.         | Name of State/<br>Union Territory | S.C.                        | S.T.                      | Backward<br>Classes | Physically<br>Handicapped | Ex-servicemen               | Sportsmen | Other   |
|-----------------|-----------------------------------|-----------------------------|---------------------------|---------------------|---------------------------|-----------------------------|-----------|---|
| 1               | 2                                 | 3                           | 4                         | 5                   | 6                         | 7                           | 8         | 9   |
| 25.             | West Bengal                       | 22                          | 6                         | ...                 | 2                         | 5 (Gr. C)<br>10 (Gr. D)     |           | In addition, 30% of the vacancies that arise in a year are kept reserved under the "Exempted Category which includes ex-census personnel etc. |
| Union Territory |                                   |                             |                           |                     |                           |                             |           |   |
| 1.              | Andaman & Nicobar                 | 15 (A & B)<br>16 (C & D)    | 7.5 (A & B)<br>16 (C & D) | ...                 | 3                         | 10 (Gr. C)                  |           |   |
| 2.              | Chandigarh                        | 15<br>14 (C & D)            | 7.5 (A & B)               | ...                 | 3                         | 10 (Cl. III)<br>20 (Cl. IV) |           |   |
| 3.              | Dadra and<br>Nagar Haveli         | 15 (A & B)<br>2 (C & D)     | 7.5 (A & B)<br>43 (C & D) | ...                 | ...                       | ...                         |           |   |
| 4.              | Delhi                             | 15 (A & B)<br>16.66 (C & D) | 7.5                       | ...                 | 3                         | 10 (Gr. C)<br>20 (Gr. D)    |           |   |
| 5.              | Daman & Diu                       | 15 (Gr. A & B)              | 7.5                       | ...                 | 3                         | ...                         |           |   |
| 6.              | Lakshadweep                       | 15 (Gr. A & B)              | 7.5 (A & B)<br>45 (C & D) | ...                 | 3 (Grd. C & D)            | 10 (Grd. C)                 |           |   |

| Sl. No. | Name of State/<br>Union Territory | S.C.                              | S.T.        | Backward<br>Classes | Physically<br>Handicapped | Ex-servicemen              | Sportsmen | Other |
|---------|-----------------------------------|-----------------------------------|-------------|---------------------|---------------------------|----------------------------|-----------|-------|
| 1       | 2                                 | 3                                 | 4           | 5                   | 6                         | 7                          | 8         | 9     |
| 7.      | Pondicherry                       | 15 (A)<br>16.66 (B)<br>16 (C & D) | 7.5 (A & B) | ...                 | 3                         | 10 (Grd. C)<br>20 (Grd. D) |           |       |

- No Scheduled Caste population in the State of Arunachal Pradesh. Reservation for STs in different Departments/ categories is different. Reservation for STs in categories C & D varies between 75% and 100%.
  - a Women - 3%  
Economically Backward Classes 3%
  - b Wards of Freedom Fighters
  - c Gazetted posts - 5% - In Junior wing of Kashmir Administrative Services, Engineering, Agricultural, Animal Husbandary Horticulture, Industries, Accounts and Statistics departments.  
Tourism and Tawaza - 10% - In Tourism and Protocol Departments.  
Non-Gazetted  
(i) Stenographers/Typists/Accnts Clerks - 10%  
(ii) For remaining Cadres
  - d 50 Physically handicapped appointments in all in one year in Subordinate services. Last grade services & part time contingent services.
  - e Denotified Tribes and Nomadi Tribes and Vimukta Jatis
  - f Certain concessions/priority at the time of recruitment in Class III & IV services is given to Freedom Fighters dependants.
  - g The State Government has not adopted reservation in services for any categories except ex-servicement.
  - h Backward Special Group
  - i 80% is for specified tribes. 5% for other STs and SCs

**SHRI SYED SHAHABUDDIN:** Mr. Speaker, Sir, I regret to say that the information given in the reply is incomplete primarily because the social groups which have been included in various States under the 'Other Backward Class' category have not been named. The point I am making is that the Indian society, as you know, Mr. Speaker, is a plural and segmented society and there is no social group in the country, whatever may be the basis of its identity, which does not have a backward section and which therefore, is not entitled to protection, protective discrimination and affirmative action under article 15(4) and 16(4)... (*Interruptions*).

**MR. SPEAKER:** No your point is getting submerged in the words.

**SHRI SYED SHAHABUDDIN:** I am just coming to the question. In some States, I find from the statement, the total of the reservation sometimes exceed 80 per cent as, for example, in Tamil Nadu. The social groups which are not included are, therefore much more handicapped and, therefore, the Central scheme of ten per cent reservation for orhus does not cover the legitimate claim of those who are not included under the present total scheme of 59.5 per cent.

Therefore, I would like to know from the hon. Minister the basis of 10 per cent reservation rather than any other figure which he has introduced for the category "others".

[*Translation*]

**THE MINISTER OF WELFARE (SHRI SITARAM KESRI):** Sir, the issue of 10 per cent reservation raised by the hon. Member will be decided by taking into account the economic factors. As regards reservation in respect of other castes who are educationally and socially backward, one of the criterion is, of course, economic. Besides, castes is another criterion. Thus, ten per cent reservation would be given on economic

criterion. The States have been issued instructions to the effect that such cases will be decided on economic criterion.

**SHRI SYED SHAHABUDDIN:** My question was that you have provided 59.5 per cent reservation whereas the total percentage of these sections of population is 74.5. For the remaining 26.5 per cent you have decide to give 10 per cent reservation. In that case what is the rationale of this ten per cent? The hon. Minister has not replied to this part of the question.

**SHRI SITARAM KESARI:** So far as population is concerned, no criteria has been fixed till date. The Mandal Commission has also assessed that the population of backward castes is 52%. According to you, minorities and S.Cs/S.Ts taken together constitute 74 per cent of the total population and the remaining 26 per cent belong to other communities. So far as I understand, caste will not be a criterion for this 10 per cent reservation for the remaining 26 per cent population. As such, it has been kept at 10 per cent. This ten per cent is for all communities irrespective of whether they belong to the upper community or the backward class. However, this facility will be given to all those who are living below poverty line.

**SHRI SYED SHAHABUDDIN:** Even this answer is not satisfactory. I understand that this has been said merely to console the people.

[*English*]

My second supplementary is this.

I have stated that there is no social group in the country which does not have a backward segment. In this sense, there is an identifiable community into the country the Muslim community which has been regarded as backward educationally, economically and socially. In some States, it has been recognised as a backward class under the meaning of the Constitution such as in Kerala, Karnataka and in Tamil Nadu.

I would like to know from the hon. Minister whether he proposes to recognise the Muslim community as a community as such as a backward class. He has already stated before the House that some segments of the Muslim community are to benefit under the 27 per cent and also under the 10 per cent reservation quota.

But my question is, does he propose to recognise the Muslim community, as such, as a backward class when it has already been so recognised in some States of the country.

[Translation]

SHRI SITARAM KESRI: The Muslim community as whole can't be recognised as backward. . . (Interruptions) We would not consider any community backward on this ground whether they are Christians or Buddhists or people belonging to any other community. So, the economic criterion covers only those castes in Muslims mentioned in the Mandal Commission. There is a provision for the Muslims in it and only these cases have been considered to be covered under this criterion by now. Like the high castes in Hindus, there are high castes in the Sikhs, the Sayyads, the pathans and the Muslims also. The provision for reservation into the Constitution is for those who are socially, educationally and economically backward... (Interruptions)...

[English]

SHRI SYED SHAHABUDDIN: If in Kerala, they can be recognised as backward class as such, then why cannot they be recognised as backward class in other State also? (Interruptions)

[Translation]

SHRI SITARAM KESRI: Mr. Speaker, Sir, I would like to state that all the States have directions to provide for a particular percentage of reservation to backward classes. Under article 16(4) of the Constitution. it is their right. As far as Kerala,

Karnataka and Tamil Nadu are concerned, the backward classes there come under their jurisdiction..... (Interruptions).... Listen to me what I am saying. Mr. Speaker, Sir, I seek you protection... (Interruptions)... We have no difference of opinion on the reservation issue. I would like to reply only this about the question asked by Syed Shahabuddin regarding minorities that there are socially and economically backward people in minorities also. All the States have the directions to provide for reservation for the people belonging to backward classes of the State under Article 16(4) as is provided in Article 15(4) ... (Interruptions)

[English]

SHRIMATI MARAGATHAM CHANDRASEKHAR: May I know from the hon. Minister the existing backlog in the Central institutions, banks and insurance and other organisations and if any steps are being taken to reduce the backlog and, if so, what is the result?

MR. SPEAKER: If you have this information, you can give it or you can send it in writing also.

[Translation]

SHRI SITARAM KESRI: Mr. Speaker, Sir, as far as backlog is concerned, I have requested the Ministry of Personnel to submit complete list. As far the question of clearing the backlog is concerned... (Interruptions)... it is expected to be cleared by 31st of March.... (Interruptions)....

SHRI RAM VILAS PASWAN: Mr. Speaker, Sir, I want to ask a question from the hon. Minister in which services this reservation is not implemented. According to the Government statistics, in judiciary out of five hundred High Court Judges only nine judges belong to Scheduled Castes and Scheduled Tribes. When late Shri Rajiv Gandhi was the Prime Ministers, he said one good thing when we were talking about Mandal Commission. He said that unless we implemented it in educational institutions,



how would it be implemented in Government jobs. I would like to remind the Government that it was our commitment to provide reservation facility to the people belonging to Scheduled Castes and Scheduled Tribes in educational institutions, judiciary, army, Legislative Councils and Rajya Sabha. I would like to know from the hon. Minister whether the Government is considering it or not.

**SHRI SITARAM KESRI:** Mr. Speaker, Sir, there are delays in clearing the reservation backlog. It is expected to be cleared by 31st March and you want further commitments..... (*Interruptions*)

**AN HON. MEMBER:** It will take you twenty years more... (*Interruptions*)...

**SHRI SITARAM KESRI:** He is right... (*Interruptions*)... we do not avoid commitments. The reservation granted to you is already taking a long time to cover all and even then you want another commitment.... (*Interruptions*)

[*English*]

**SHRI RAM VILAS PASWAN:** Sir, the hon. Minister has not replied to by question.

**MR. SPEAKER:** The hon. Minister has replied to your question.

**SHRI RAM VILAS PASWAN:** No. The hon. Minister has not replied.

**MR. SPEAKER:** The hon. Minister's answer to your question is not positive.

(*Interruptions*)

[*Translation*]

**SHRI RAM VILAS PASWAN:** I would like to know from the hon. Minister whether the Government is considering to provide reservation in the services that are not covered so far or not?

**MR. SPEAKER:** He has replied to it.

**SHRI RAM VILAS PASWAN:** Mr. Speaker, Sir, he has not replied to it... (*Interruptions*)...

[*English*]

**MR. SPEAKER:** He has not said 'yes'.

**SHRI RAM VILAS PASWAN:** I have asked him. But he has not taken it seriously. What has he said?

**MR. SPEAKER:** That is a different thing. You wanted to know whether he is going to do it. He has not said 'yes'.

(*Interruptions*)

[*Translation*]

**SHRIMATI KESHARCAI SONAJI KSHIRSAGAR:** Mr. Speaker, Sir, the number of backward women is the largest in the country. Has the Government any plan to provide at least 30 per cent job reservation for women?

**SHRI SITARAM KESRI:** Mr. Speaker, Sir, as far as the reservation for women is concerned, 27 per cent and 10 per cent are included automatically... (*Interruptions*)

**MR. SPEAKER:** You are doing wrong by speaking while sitting there. I am giving an opportunity to all. Don't do like that.

(*Interruptions*)

**SHRI RABI RAY:** Mr. Speaker, Sir, as the hon. Minister has admitted it himself that there are delays in clearing backlog reservation though the Government of India has accepted the reservation policy in theory. I level charge against the Government of India that it is avoiding its implementation. I would like to know from the hon. Minister the names of States which are not following the directions given to them under the provisions of the Constitution for the implementation. I would like to know from the hon. Minister whether it is a fact that the Administration has become more efficient after providing

reservation to backward classes in four States of the South. Keeping in view the efficiency, whether Government would try to have a talk with the Chief Ministers to implement reservation where it has not been implemented to make the administration more efficient?

SHRI SITARAM KESRI: Mr. Speaker, Sir, the suggestion made by the hon. Member is constructive.. (*Interruptions*)

[*English*]

MR. SPEAKER: This is a sort of assurance given to you.

[*Translation*]

SHRI RABIRAY: He has not mentioned the names of those States.

SHRI SITARAM KESRI: I am telling you-Arunachal Pradesh, Jammu and Kashmir, Manipur, Meghalaya, Mizoram, Nagaland, Orissa, Sikkim, Tripura and West Bengal. (*Interruptions*)

MR. SPEAKER: As the time is short, you please sit down.

[*English*]

SHRI ANBARASU ERA: I would like to pose a very very important question. At present, the benefit of a certain percentage of reservation is given to the Backward Class, Scheduled Castes and Scheduled Tribes etc. But they do not get employment for a very long time. The number of registered persons in the Employment Exchange goes to some lakhs. But there are also some restrictions to get employment. For example, an age-limit of 25 years has been fixed for the general candidates; 35 years has been fixed for the Scheduled Castes and the Scheduled Tribes. I feel that these restrictions have no meaning. Therefore, I would like to know from the hon. Minister whether he is prepared to consider to abolish the age-restriction totally or to relax it because

it is very difficult to get employment within that period before crossing the age-limit.

[*Translation*]

SHRI SITARAM KESRI: Mr. Speaker, Sir, there is no fact behind his apprehension. Efforts are being made and that it would be done definitely. Reservation has also been provided to the handicapped in the society to make them capable. Our Government is committed to it.

SHRI RAM NAGINA MISHRA: Mr. Speaker, Sir, hundreds of people have committed self-immolation on reservation issue. A petition was filed in the Supreme Court and stay order was given for not implementing it. I would like to know from the hon. Minister the decision the Government of India has taken. There are reports that the reservation will be given to economically backward people in backward classes or other classes. Will the reservation be given only to these people or will it be given to the poor in high castes also? Are you contemplating to submit an affidavit in the Supreme Court after thinking on these lines?

SHRI SITARAM KESRI: Mr. Speaker, Sir, the first priority will be given to the poor among socially and educationally backward classes. If suitable candidates are not available, the benefits of reservation would be given to people belonging to high caste people who are socially or educationally backward. The same provision is also there in 10 per cent reservation for economically backwards.

#### WRITTEN ANSWERS TO QUESTIONS

[*Translation*]

#### Max-C-Dot Facility in ujjain, Madhya Pradesh

\*246. SHRI SATYANARAYAN JATIYA: Will the Minister of COMMUNICATIONS be pleased to state: