



## Bill Summary

### The Scheduled Castes and Scheduled Tribes (Reservation in Posts and Services) Bill, 2008

- The Scheduled Castes and Scheduled Tribes (Reservation in Posts and Services) Bill, 2008 was introduced in the Rajya Sabha on December 22, 2008 after the 2004 Bill was withdrawn. The 2004 Bill was referred to the departmentally related Standing Committee on Personnel, Public Grievances, Law and Justice (Chairperson: Shri E.M. Sudarsana Natchiappan), which submitted its report on July 26, 2005. While the Bill was passed by the Rajya Sabha on December 23, 2008, it is still pending in the Lok Sabha.
- The Bill seeks to reserve a prescribed percentage of posts in the civil services for members of the Scheduled Castes (SC) and Scheduled Tribes (ST) in certain establishments. The establishments include any government department, any public sector undertaking or statutory authority constituted by a Central Act, a university established by a Central Act, government owned or aided primary, secondary schools and other educational institutions, any business owned or managed by the government, or any autonomous body receiving money from the Consolidated Fund of India.
- A prescribed percentage of posts shall be reserved in the civil services to be filled by promotion of SCs and STs.
- There shall be no reservation for certain cases of appointment such as if the period of appointment is for less than 45 days, the posts require any type of emergency relief work, and for posts classified as scientific or technical.
- The Bill increases the maximum age limit for direct recruitment to a post by 5 years for SC/STs. Qualifications regarding experience required for SC/STs, the qualifying standard on examinations, and any general standard of suitability for direct recruitment are all lowered if sufficient numbers of candidates from these communities are not available on the basis of general standards. Examination and application fees are reduced for SC/STs.
- Vacancies reserved for direct recruitment of SC/ST may not be filled by anyone not belonging to these communities. If anyone knowingly falsely claims to be a member of the SC/ST community, he will be punished with imprisonment of up to 3 years and/or a fine of Rs 50,000.
- If a post is to be abolished, an SC/ST employee shall not be surrendered if it lowers the representation of the community in relation to the percentage of reservation fixed for them.
- There shall be a Liaison Officer in every ministry or government department to ensure the instructions issued by the government with regards to reservations are not violated. An appointed officer will submit an annual documentation of records to the central government.

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