

Government of Rajasthan towards increased cost of cooking gas to prepare food under the mid-day meal scheme, if so, by when, if not, the reasons therefor?

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRIMATI SMRITI ZUBIN IRANI): The Government of India has decided that additional expenditure to be incurred by the States/UTs for procurement of unsubsidized LPG cylinders will not be separately reimbursed to the States/UTs *w.e.f.* 1st April, 2015, but the cost would form part of the cooking cost. The States/UTs have been informed accordingly. Thus, the State Government of Rajasthan is not eligible for any additional funds for procurement of unsubsidized LPG cylinders.

Reservation in higher educational institutions

2119. SHRI DEVENDER GOUD T.: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) the details of reservation presently been provided in higher educational institutions;

(b) in what manner Ministry proposed to take action on Supreme Court's directive to scrap quota in higher educational institutions in the national interest; and

(c) whether it is a fact that Supreme Court has also ruled to this effect in two cases in 1988; and if so, the details thereof?

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRIMATI SMRITI ZUBIN IRANI): (a) The Central Educational Institutions (CEIs) (Reservation in Admission) Act, 2006 Act provides for the reservation of students belonging to the Scheduled Castes (SCs)/ Scheduled Tribes (STs) and Other Backward Classes (OBCs) of citizens to the extent of 15%, 7.5% and 27%, respectively, in Central Educational Institutions (CEIs) established, maintained or aided by the Central Government subject to exceptions provided under Section 4 of the Act and subject to special provisions for regions specified in the amendment to the Act in 2012.

The policy of reservation in teaching posts in Central Educational Institutions is laid down by the Department of Personnel and Training and the Department of Higher Education. The University Grants Commission (UGC) has laid down that reservation to the extent of 15% and 7.5% respectively is applicable to all teaching posts in all Central Universities and grant-in-aid institutions funded by the Central Government, through it, except Minority Institutions under Article 30(1) of the Constitution. It has issued instructions to these institutions for OBC reservations in direct recruitment at the Assistant Professor/Lecturer level as per the percentage of reservation stipulated by Department of Personnel and Training for OBCs.

Reservation in faculty positions is also applicable in Centrally Funded Technical Institutions (CFTIs) like Indian Institutes of Technology (IITs). In recruitment to the posts of Assistant Professors and Lecturers in Science and Technology subjects in IITs, 15%, 7.5% and 27% reservation for SCs, STs and OBCs, respectively, is applicable. Reservation in these subjects is not applicable to the post of Associate Professor and Professors in accordance with Department of Personnel and Training guidelines. However, in recruitment of faculty posts in subjects other than science and technology *viz.* Humanities, Social Science and Management, 15%, 7.5% and 27% reservation for SCs, STs and OBCs is applicable in full including for the posts of Associate Professors and Professors.

Reservation in non-teaching positions for OBCs, in Central Educational Institutions, is implemented as per the reservation policy laid down by the Department of Personnel and Training.

Reservation in admissions and in teaching and non-teaching positions in State controlled and State funded institutions are guided and regulated by respective State Governments. At present, there are no reservations in purely private, self financing higher educational institutions.

(b) Various news items have come out with reports of a Judgment by the Hon'ble Supreme Court on 27th October, 2015 in WP(Civil) NO.444 of 2015 referring to entrance examination conducted in various States regarding super-specialty courses in the field of medical science. These are regulated by the Ministry of Health and Family Welfare.

The judgment is on the matter of restraints imposed by some States in the nature of confining the eligibility only to the candidates having domicile in their respective States. This has been challenged as amounting to reservation. This Ministry does not lay down the reservation policy for State Higher Educational Institutions. This Ministry also does not regulate super-specialty courses in medical science and the ratio of all India: State seats in medical entrance examinations.

(c) Such details are not available. Moreover, the CEI (Reservation in admission) Act, 2006 was enacted pursuant to Article 15(5) of the Constitution. This Article was challenged in the Hon'ble Supreme Court in Ashoka Kumar Thakur v/s Union of India (Writ Petition(Civil) 265 of 2006). In its judgement dated 10/4/2008, the Hon'ble Court upheld the constitutional validity of Article 15(5) of the Constitution.