

ಪತ್ರಿಕಾ ತುಣುಕುಗಳು
PAPER CLIPPINGSಬಾಕಿ / ವಿಷಯ: DEPARTMENT / SUBJECT: Court matterಪತ್ರಿಕಾ ಹೆಸರು : NAME OF THE NEWS PAPER: Deccan Heraldದಿನಾಂಕ : DATE: 11/05/2019

Top court ruling gives huge relief to 40K SC/ST employees

DPAR orally instructed to start the process for promotions

BENGALURU: The state government on Friday issued an oral direction to Department of Personnel and Administrative Reforms (DPAR) to start making preparations for restoring consequential promotions to its Scheduled Castes/Scheduled Tribes employees following the Supreme Court upholding the Karnataka law that grants the benefit to those employees.

"We have got the judgement copy. The Law Department is examining it. Appropriate steps will be taken in this regard soon. At the same time, directions have been issued orally to start the process of restoring the promotion and other benefits to the SC/ST employees," a senior State government official said.

As many as 40,000 SC/ST employees heaved a sigh of relief due to the apex court ruling. Hundreds of these employees, from group 'A' to 'C,' were badly affected as they either faced demotion or were deprived of promotions in the past few months. This was because the government had implemented the earlier ruling of SC which struck down the promotion policy, citing absence of data that determines inadequacy in representation, backwardness and overall efficiency.

As per data obtained from the DPAR, about 3,700 SC and

The case trail

B K Pavitra, an engineer with the Bangalore Development Authority challenged promotion policy in Supreme Court.

The government set up a committee under then Additional Chief Secretary K Ratna Prabha to study the status of SC/ST government staff.

Government came up with a special bill (the Karnataka Extension of Consequential Seniority to Government Servants Promoted on the Basis of Reservation (To the Posts in the Civil Services of the State) Bill, 2017) to circumvent the apex court's order.

SC upheld the law

2017 Feb 2017 March 2017 April 2017 Nov 2017 June 2018 May 10 2019

The SC struck down the policy, gave the government three months to prepare a revised list. The court observed that a proper exercise for determining "inadequacy of representation," "backwardness" and "overall efficiency" was a must for exercise of powers under Article 16 (4A) of the Constitution.

Ratna Prabha's report endorsed the government's stand that the promotions were in line with the efficiency, backwardness and inadequacy of the SC/ST backlog in the state. Government filed review petition in SC.

The President of India gave his assent to the Bill.



Petitioner plans to file review plea

B K Pavitra, the original petitioner in the case is likely to file a review application against the verdict of the top court. "This is a setback for us. After receiving a copy of the judgement we will consult our advocates and file a review petition," she said. She said that the judgement will result restoration of demoted SC/ST employees to their original rank and the general category employees being demoted.

ST employees were demoted from their posts and promotion of about 5,000 employees was put on hold since 2017. Besides, financial benefits of hundreds of retired SC/ST employees were cut because of the earlier ruling.

This had caused serious resentment among a section of Cabinet ministers, especially those belonging to SC/ST communities.

munities.

Deputy Chief Minister G Parameshwara and Social Welfare Minister Priyanka Kharge had taken up the cause of the employees and even threatened to resign if the government went ahead with the process of demotion.

The H D Kumaraswamy government was in a quandary: It was legally bound to com-

The genesis

It is a 40-year-old policy introduced by then chief minister Devaraj Urs in 1978. It fast-tracked promotions for SC/ST government employees. Reservation in promotion in the state civil services was provided in pursuance of Article 16(4A) of the Constitution.

ply with the SC order (to roll back the promotion), while, on the other end, pressure was mounting from a section of ministers to protect the affected employees.

Parameshwara and Kharge were arguing that the court had not stayed the implementation of the Karnataka Extension of Consequential Seniority to Government Servants Promoted on the Basis of Reservation (to the posts in

the Civil Services of the State) Act, 2018.

The then Congress government in 2018 had enacted the law to circumvent the SC order. The government was, however, shying away from implementing the law as its review petition (seeking review of the order annulling the reservation in promotion policy) was still before the Supreme Court.

DH News Service

I welcome the Supreme Court judgement and the government is committed to protect the interest of the employees within the framework laid by the Constitution of India. The state government's intention of inclusiveness has been reiterated by this judgement.

— H D Kumaraswamy,
Chief Minister



I welcome the decision of Supreme Court for upholding our govt's act, when I was @CMofKarnataka, on providing quota for SC/ST promotions for government employees. This will promote social justice as ppl from marginalized sections gets to lead imp posts & reduce discrimination

— Siddaramanai
Tweet by former chief minister

