

ಕರ್ನಾಟಕ ವಿಧಾನ ಸಭೆ, ಸಂಶೋಧನಾ ಹಾಗೂ ಉಲ್ಲೇಖನಾ ಶಾಖೆ
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ಇಲಾಖೆ / ವಿಷಯ : DEPARTMENT / SUBJECT: ^{೨೨} Court Matter - Social Welfare

ಪತ್ರಿಕೆಯ ಹೆಸರು : NAME OF THE NEWS PAPER: Deccan Herald ದಿನಾಂಕ : DATE: 19/1/21

SC asks A-G to frame issues in matter of quota in promotion

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The Supreme Court on Monday asked Attorney General K K Venugopal to frame issues for adjudication in cases related to reservation in promotion to the SC/ST employees in different states and the Union government.

A bench of Chief Justice S A Bobde and Justices L Nageswara Rao and Vineet Saran asked counsel from different states to "furnish a note clearly stating the issues involved in that particular state to the attorney general in two weeks".

Dealing with over hundred cases from different states and the Union government, the bench said, "the issues in this batch of matters pertain to the application of the decision of this court in case of M Nagaraj vs Union of India (2006) to various promotions". The Nagaraj judgement had enjoined states to undertake an exercise on collection of data on inadequacy

of representation and the effect on overall efficiency of administration before granting reservation in promotion.

"It was accepted by the parties that the promotions ...proposed to be made in several states are in question in these matters. The issues are not common in all the cases which have arisen from several states," the bench said.

After receiving notes, the attorney general may hold a conference of the counsel appearing in the case in all these matters and finalise the issues for the determination of this court, the bench.

The court earlier refused to consider a plea by the Union government for clarification on an order, passed on April 15, 2019, to maintain status quo on reservation in promotion to the SC/ST employees.

Senior advocate Rajeev Dhavan, along with advocate Kumar Parimal, appearing for general category of employees, opposed the plea for passing any interim order.