

Bill Summary

The Central Educational Institutions (Reservation in Admission) Amendment Bill, 2010

- The Central Educational Institutions (Reservation in Admission) Amendment Bill, 2010 was introduced in the Rajya Sabha on August 6, 2010 to amend the Central Educational Institutions (Reservation in Admission) Act, 2006 (Principal Act).
- There are two key amendments. Reservation for Other Backward Classes (OBCs) in tribal areas under the Sixth Schedule is being amended. Second, the time-frame for full implementation of the Act is being extended.

Tribal areas

- The Principal Act provides for reservation of seats for students belonging to the Scheduled Castes (SCs), Scheduled Tribes (STs) and OBCs in certain central educational institutions. It states that out of the annual permitted seats for a branch of study or faculty, 15% seats shall be reserved for SCs, 7.5% seats for STs and 27% for OBCs.
- The Bill seeks to add a proviso that if there are central educational institutions in a tribal area under the Sixth Schedule of the Constitution, the state seats in those institutions shall have reservation for SCs, STs and OBCs. The quantum of reservation shall be prescribed by the state government. State seats refer to seats allocated for eligible students of the state in which the central educational institution is situated.
- The Bill has a provision for cases where the central educational institutions in tribal areas do not have state seats and the seats reserved for SCs and STs exceeds the

percentage specified in the Act. In such cases, the number of seats for the OBCs would be such that the total reserved seats is 50% of all seats.

- If the total number of seats reserved for SCs and STs exceed 50%, there shall be no reservation for OBCs and the total percentage of reserved seats shall be reduced to 50% in all areas except the specified north-east region (Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Tripura, and tribal areas of Assam).

Time-frame

- The Principal Act requires institutions to increase the total number of seats in such a manner that the number of unreserved seats (general category) is not reduced due to reservation for OBCs. This was based on the number of seats available for general category before the Act was passed. The Bill modifies this to the lower of (a) number of seats available; (b) number of seats filled.
- The Principal Act states that in case the central government decides that a central educational institution is not able to increase the seats to its annual permitted strength due to financial, physical or academic limitation, it may allow such institutions to increase the seats within three years. The Bill increases the time period to six years.
- The Principal Act states that reservation of seats shall begin in 2007. The Bill amends this to 2008. Thus, the time-frame has been extended to 2014 (from 2010).

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