

**GOVERNMENT OF TELANGANA
ABSTRACT**

Scheduled Tribes - Reservation in Admissions to Educational Institutions and in the matter of appointments to the services under the State for the persons belonging to Scheduled Tribes – Orders - Issued.

TRIBAL WELFARE DEPARTMENT

G.O.Ms.No.33

Dated: 30.09.2022

Read:

G.O.Ms.No.167, SW(P) Dept., dated 15.07.1986.

ORDER:-

1. The State of Telangana was formed on 2nd June, 2014 after a long and dedicated struggle to fulfil the aspirations of the people of Telangana. The very formation of the new State of Telangana in 2014 brought about certain special circumstances, inasmuch as the share of Scheduled Tribes population in the Telangana State significantly increased, as compared to their share in the undivided State of Andhra Pradesh.
2. After formation of the new State of Telangana, in furtherance of the commitment to protect the interest of Scheduled Tribes, the Scheduled Castes and Scheduled Tribes Special Development Fund Act, 2017 was enacted by the State Legislature, to ensure fund allocation on par with the Scheduled Tribe population. According to the Act, the unspent funds in a financial year will not lapse, and will be carried forward to the next financial year. This special provision has been made for the socio-economic upliftment of the Scheduled Tribes. This measure clearly establishes the imperative need for socio-economic development, and for enhancing the reservations for Scheduled Tribes in the State and also for providing them adequate opportunities in education and employment.
3. Keeping the above in view, the State Government constituted a Commission of Inquiry to study and prepare a comprehensive report on the relative increase of Scheduled Tribes population in the State and their social and economic backwardness.
4.
 - i. The Commission of Inquiry for Scheduled Tribes constituted under the Chairmanship of Sri S.Chellappa, I.A.S. (Retd.) issued public notifications for hearings in all Districts of Telangana, conducted many public hearings, received several representations from the public and interacted with all stakeholders, including elected representatives, academicians, journalists and Civil Society Organizations.
 - ii. The Commission extensively toured all the Districts and Tribal habitations, apart from studying the 2011 general census. The Commission gathered information from 30 Line Departments in State Government and the Samagra Kutumba Survey data to study the development of Tribal communities, their economic and social backwardness, and their representation in posts in Services. Thereafter, the Commission has submitted its detailed report together with its recommendations to the Government.
 - iii. The Commission, after elaborate study, observed that the population of Scheduled Tribes has significantly increased since 1986 when 6% reservation was implemented for the community, as subsequent to formation of Telangana State encompassing areas with higher Tribal population, the Scheduled Tribe population comprises 9.08% of the total population of Telangana State according to the 2011 census.

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- iv. The Commission also observed that the disproportionately low reservation benefits for Scheduled Tribes in fields of employment in Government services and admission into educational institutions has been a major factor contributing to lack of access to various rights guaranteed under the Constitution of India.
- v. The Commission reported that the social and economic backwardness of the Scheduled Tribe community continues on several fronts. The social and economic backwardness vis-a-vis high proportion of Tribal marginal farmers and agricultural workers quantifies the economic backwardness of Scheduled Tribes. The isolation of Tribes apart from linguistic and cultural barriers is found contributory to a literacy gap of 17% and higher dropout rates among Tribals, and a resultant social backwardness, which may lead to disintegration from main society.
- vi. The inadequate representation of Scheduled Tribes in employment has also been studied by the Commission, with a nominal presence of Tribes in Government services, owing to several disadvantageous factors.
- vii. The Commission, in conclusion, inter-alia, categorically recommended to consider enhancement of the percentage of reservations for Scheduled Tribes.

5. The Hon'ble Supreme Court of India in their judgment in Indra Sawhney Vs. Union of India reported in AIR 1993 SC 477 inter-alia observed that relaxation in the strict rule of 50% ceiling is permissible under certain special circumstances. The findings of the Commission mentioned above, based on sound and relevant reasoning, clearly establish such special circumstances and emphasize the need for enhancement of reservations for Scheduled Tribes.

6. It is pertinent to mention that a legislation was made by the State of Tamil Nadu, namely The Tamil Nadu Backward Classes, Scheduled Castes and Scheduled Tribes (Reservation of seats in Educational Institutions and of Appointments or Posts in the Services under the State) Act, 1993 which provides reservations to the extent of 69%, thereby doing justice to the poor people of Tamil Nadu. The Government of India has included it in the IX Schedule of the Constitution of India, and allowed the Tamil Nadu Government to implement 69% reservations for the past twenty eight years.

7. On the lines of legislation enacted by Tamil Nadu, a Bill was passed by the Telangana State Legislature on 16-04-2017 unanimously to enhance the reservation for Scheduled Tribes up to 10% in educational institutions and in State Government services. The Bill has been sent to the Government of India for obtaining the assent of the President in 2017. During these close to six years, the State Government sent several representations in this regard, but the same is still pending. Therefore, in these circumstances, it is expedient to enhance the percentage of Scheduled Tribe reservations, without any further loss of time.

8. The Government of Telangana, after careful consideration of the above special circumstances, hereby orders enhancement of the reservations for Scheduled Tribes from 6% to 10% in educational institutions and in State Government services.

9. These orders shall come into force with immediate effect.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**Dr. CHRISTINA Z. CHONGTHU,
SECRETARY TO GOVERNMENT.**

To
All the Departments of the Secretariat.
All the Head of Departments.

(Contd...3)

The Commissioner of Printing, Stationary and Stores Purchase Dept., Hyderabad
(with a request to publish in Telangana Gazatte).

The General Administration (Services), Health, Medical and Family Welfare,
Labour and Employment, Higher Education and School Education
Departments, for making necessary amendments to the rules and regulations
in this regard.

Copy to:-

All the District Collectors.

PS to Chief Secretary.

PS to Secretary to CM.

PS to M(TW).

PS to Secretary(TW).

The Law Department.

Sc/Sf.

//FORWARDED::BY ORDER//


SECTION OFFICER.