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Dalits welcome HC's quota verdict

CHENNAI: The recent judgment of the Madras High Court reaffirming reservations in promotion for SCs/STs in Central Government services till the level of General Manager has gladdened the hearts of the many who had for long been deprived of this benefit.

Even though this was a constitutional right granted to them by Article 16 (4-A) of the 77th Constitutional Amendment Act 1995, this was not implemented anywhere in India.

Justice Elipe Dharma Rao passed this judgment on December 9 on a petition filed by E Kandeegan, Employee of Union Bank of India, in 1997 and along with SC/ST unions of four other banks (UCO Bank, Canara Bank, Syndicate Bank and Central Bank). This is a long-drawn battle of 12 years with appeals and writs. Even when the Constitution bench of the Supreme Court upheld the validity of Article 16(A-4) in 2006, it remained only on paper.

The government had failed to implement the ruling by passing an office memorandum to this effect.

Speaking at the meeting of the All India Confederation of SC/ST Organization - Tamil Nadu Branch, Kanbeedan, a petitioner in this case said, "At present reservation in promotion for SCs/STs is only from peon to clerk and to entry level officer. Now this judgement takes the reservation in promotion till scale 7, that it is up General Manager (GM) in any government organization that includes both State and Central government."

Christu Das Gandhi, IAS, Chairman of Tamil Nadu Energy Development Agency (TEDA), and also a vocal voice for Dalits, said, "All this while those who were supposed to implement were citing the 1991 Mandal judgment that reservation for SC/ST ends with appointment and Article 16(4-A) is only an enabling Article not a mandatory provision, but this judgment categorically changes all that, making it mandatory." Though statistics were not available there were scores of Scheduled Caste/Scheduled Tribe vacancies kept unfilled in all sectors, was the strong voice that emerged at the meeting.

feedback@expressbuzz.com

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