

Government Service,
Retrenchment in Concessions
to members of the Backward Class.

GOVERNMENT OF BOMBAY
Political & Services Department,
Resolution No. 490/46,
Bombay Castle, 2nd April, 1953.

Letter No. AM/I/SR.20/215, dt. the 15th December, 1952 from the Director of Backward Class Welfare, Bombay State, Poona, to the Secretary to Government, Education Department:-

"According to Government Resolution, Political and Services Department No. 490/46 of 1st November 1950, the following percentage of vacancies which are filled by direct recruitment is to be reserved for members of the Backward Classes:-

<u>Class of service</u>	<u>Percentage of vacancies to be reserved.</u>
All Class I and II services and posts	12½ percent
All Class-III services and posts	20 percent
All Class IV services and posts	25 percent.

2. In view of the above Govt. orders, a large number of Backward Classes are likely to be appointed in course of time in Class-III and IV services, in almost all the Govt. offices. Apparently the Govt. orders referred to above relate only to the question of recruitment of Backward Classes to Govt. service. They do not assure of maintaining a certain reasonable percentage of Backward Classes in the cadre at all times. In the absence of any such assurance, the Backward Classes will be the first to suffer from retrenchment or partial reductions of the establishments or the like, for their being junior most recruits, in the cadre. Thus better results cannot be anticipated by the Govt. policy of affording fullest benefits of Government Service to Backward Classes, merely by prescribing percentages of recruitment, without guarantee of their retention in service against retrenchments or reductions of establishment and the like.

I, therefore, would submit in the interest of the Backward Classes that no Backward Class person of Class-III Service of Govt. should be retrenched unless the percentage of such persons in the cadre, does exceed 20 percent. Similarly, no Backward Class person of Class IV service, be retrenched unless the percentage of such persons in the cadre does exceed 25 percent.

3. If any above suggestions are accepted, Government may kindly be moved to issue necessary general orders to all the Departments of Government.

4. Early orders are solicited.

Endorsement No. RBC-11052/3706-J, dt. the 3rd February, 1953, from the Education Department:-

"Transferred to the political and services Department accordingly".

RESOLUTION.....

RESOLUTION:- Government is pleased to direct that when any retrenchment is effected, members of the Backward Class already in service are not retrenched through they may be liable to retrenchment, according to their seniority, provided their strength in the Class-III or Class IV cadre of any particular office or Department does not exceed the percentage of reservation prescribed for purposes of recruitment in Government Resolution, Political and Services Department No.490/46, dated the 1st November, 1950, read with Government Resolution, Political and Services Department, No.490/46, dated the 24th January, 1953. In their place an equal number of others may be retrenched, subject however to the provision that as between a permanent and a temporary Govt. servant, the temporary Govt. servant should be retrenched irrespective of the fact that he belongs to the Backward Class.

2. It is not intended that these orders should affect the retrenchment that has already been effected or that members of the Backward Class already retrenched from service, should be reinstated in terms of these orders. Members of the Backward Class who might have been discharged from service should however be given preference over others in respect of a absorption in alternative vacancies in Government service. Cases requiring relaxation of the prescribed age-limits, if any, should be referred to Government.

By order and in the name of the Governor of Bombay,

Sd/-
M. D. Bhansali,
Chief Secretary to the Govt. of Bombay,
Political and Service Department.

G.R.No.490/46, P.& S.D., dated the 2nd April, 1953.

To
The Secretary to the Governor,
The Secretary to the Chief Minister,
The Secretary, Bombay Public Service Commission,
The Accountant General, Bombay,
The Prothonotary and Senior Master, High Court, Bombay (by letter)
The Registrar, High Court, Appellate Side, Bombay (by letter)
The Director of Backward Class Welfare, Bombay State, Poona,
The Director Publicity Bombay,
All other heads of Departments and Heads of Offices under the
Several Departments of the Secretariat,
All Departments of the Secretariat,
The Regional Director of Resettlement and Employment, Bombay,
(by letter).