

Reservation for Backward Classes  
in Government Service -  
Implementation of in respect of  
Small Cadre and isolated posts -

GOVERNMENT OF MAHARASHTRA  
General Administration Department,  
Circular No. BCC-1079/155/XVI-B.  
Mantralaya, Bombay-400 032, Dated the 19th December, 1979.

READ:- Government Resolution, General Administration  
Department No. BCC-1070/ECR-J, dated the 28th  
May 1971.

CIRCULAR:- According to Government orders issued in the  
Government Resolution, General Administration Department,  
No. BCC-1070/ECR-J, dated the 28th May, 1971, if any of the  
vacancies reserved for the members of a particular section  
of the Backward Classes cannot be filled in by appointment  
of members of that section for want of suitable candidates,  
they should be carried forward for five years subject to  
the proviso that the reserved vacancies and the vacancies  
carried forward together should not exceed 50% of the total  
number of vacancies on any occasion of recruitment. To  
facilitate implementation of these orders it was clarified  
that if there be only two vacancies, one of them should be  
treated as a reserved vacancy but if there be only one  
vacancy it should be treated as unreserved. Similar  
clarification also appears in chapter 5 relating to "promotions"  
in the booklet containing orders regarding reservations  
and other concessions in Government Service for  
Backward Classes.

2. It has come to the notice of Government that the  
clarifications given in the booklet that if there be only  
one vacancy, it should be treated as unreserved, if there  
be two vacancies one of them should be treated as reserved  
and so on has been misinterpreted at all levels so as to  
mean that in any year if only one vacancy occurs it is to  
be treated as unreserved and also that the orders regarding  
reservation for Backward Classes in recruitment and promotion  
as well, would not be applicable to isolated posts and small  
cadres wherein only one vacancy occurs at a time. The above  
interpretation is not correct for the obvious reason that both  
100 points roster for recruitment and 50 point roster for  
promotion are year to year running accounts and the vacancies  
occurring after the date of introduction of these rosters have  
to be based on progressive number each time. In order to  
remove the misunderstanding in this regard the entire matter  
has been again thoroughly examined and the Government is  
pleased to clarify that in cases where only one vacancy occurs  
in the initial recruitment year and the corresponding roster  
point happens to be reserved for any of the Backward Classes,  
it should be treated as unreserved and filled in accordingly  
and the reservation carried forward to subsequent recruitment  
year (s), but in the subsequent recruitment year (s), even  
if there be only one vacancy, it should be treated as  
reserved against the carried forward reservation from the  
initial recruitment year and should be filled in by the  
candidate belonging to Backward Class for whom the carried  
forward vacancy was reserved. Similar procedure should be  
followed in respect of the subsequent vacancies, and  
reservation for various sections of Backward.

Classes should be made strictly in accordance with the roster points by rotation. It is only when two or more vacancies occur at a time and where there are any carried forward vacancies, the principle of not more than 50% reservation shall apply and the balance of the carried forward vacancies both from carried forward and/or current reservation will be further carried forward to subsequent five years in the case of direct recruitment and 3 years in the case of posts filled by promotion. In view of above position the clarification given in the para 1.6 on page 2 and in sub-para (1) of para 5.3 on page 23 of the booklet containing orders regarding reservation and other concession in Government Service for Backward Classes as brought out vide Government Circular, General Administration Department, No. BCC 1078/XVI-B, dated the 31st May 1979, be treated as deleted.

2. All the appointing authorities are, therefore, requested to note the correct interpretation of the orders issued in this circular and ensure that the above Government Orders are followed scrupulously while implementing the various orders regarding reservation for Backward Classes at the stage of recruitment and promotion as well.

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

A.N. BATABYAL

Secretary to Government.

TO

The Secretary to Governor,  
The Private Secretary to the Chief Minister,  
The Secretary, Maharashtra Public Service Commission, Bombay,  
\*The Commissioner for Scheduled Castes and Scheduled Tribes,  
New Delhi.  
\*The Prothonotary and Senior Master, High Court, Bombay,  
\*The Registrar, High Court, Appellate Side, Bombay,  
The Director of Social Welfare, Maharashtra State, Pune,  
All heads of Departments and heads of Offices under the  
several Departments of Mantralaya  
The Social Welfare, Cultural Affairs, Sports and Tourism  
Department,  
All other Departments of the Mantralaya.

My letter.

ggp/11.12.