

Reservation for members of
Backward Classes in Government
Service -

GOVERNMENT OF MAHARASHTRA
General Administration Department.
Resolution No. BCC/1070/ECR/J.

Sachivalaya, Bombay-400 032, Dated the 27th June 1974.

- LEAD :- 1) Government Resolution, General Administration
Department, No. BCC/1064/III/J, dated the
9th April 1965.
- 2) Government Resolution, General Administration
Department, No. BCC-1070/ECR/J, dated the
9th March 1971.

RESOLUTION : By Government Resolution, General Administration
Department, No. BCC/1064/III/J, dated the 9th April 1965, the
percentage of vacancies occurring in each of the various services
under Government which are filled by direct recruitment is
reserved for members of the Sections as follows :-

(a) Scheduled Castes and Scheduled Castes converts to Buddhism	13%
(b) Scheduled Tribes including those living outside the specified areas	7%
(c) Denotified Tribes and Nomadic Tribes	14%
(d) Other Backward Communities	10%
	<hr/>
	34%

Government has, however, noticed that the above percentages
have not been reached and that there is a consistent shortfall
in filling up the reserved vacancies, especially in the first
three categories.

2. The Backward Class Employment Committee had recommended
that recruitment to 66% general posts, which is on merit, should
include Backward Class candidates selected on merit, and that in
addition 34% should be reserved for Backward Class candidates
subject to the proviso that the number of Backward Class candi-
dates selected on merit and those appointed against reserved
quota of 34% should not exceed 50%.

3. Government has carefully considered the recommendation of
the Backward Class Employment Committee, and is pleased to direct
that in order to make up the consistent shortfall in filling up
the reserved vacancies, henceforth recruitment of Backward Class
candidates belonging to the following three categories mentioned
at (a), (b) & (c) only on merit should be counted against the general
(unreserved) posts and that in addition 24% vacancies as
specified below should be reserved for them subject to the proviso
that the number of candidates from these categories selected on
merit and those appointed against reserved quota of 24% should
not exceed 40% of the total vacancies to be filled up on any
occasion of recruitment. The limit of 40% specified above
also includes the element of carry forward, if any, in respect
of the categories of Backward Classes mentioned below :-

Prescribed Percentage

- | | |
|--|-----|
| (a) Scheduled Castes and Scheduled
Castes, converts to Buddhism | 13% |
|--|-----|

: 2 :

(b) Scheduled Tribes including those living outside the specified areas

7%

(c) Denotified Tribes and Nomadic Tribes

4%

24%

Two specimen examples have been worked out and *appended hereto.

These orders should take effect from the date of issue and be applicable throughout the State and should remain in force for a period of 3 years.

4. Government is also pleased to direct that the orders issued in Government Resolution, General Administration Department No.BCC-1070/ECR-J, dated the 9th March 1971, should be treated as cancelled and that henceforth vacancies reserved for the particular sections of the Backward Classes should be filled in by appointing candidates of only those sections of the Backward Classes for whom they have been reserved. If the vacancies cannot be filled in the case of Scheduled Castes, Scheduled Tribes and Denotified Tribes and Nomadic Tribes, they should be kept unfilled and carried forward till they are filled by members of the particular section for whom they are reserved upto a period of five years. Under Government Resolution, General Administration Department, No.BCC-1070/(ECR)-J, dated the 28th May 1971, orders have already been issued for the carry forward of reserved vacancies belonging to all categories of Backward Classes upto 50% of the total vacancies on any occasion of recruitment, for a period of 5 years. Those orders will remain unaffected.

5. These orders issue in supersession of orders issued in Government Resolution, General Administration Department No.BCC-1072(ECR)-J, dated the 15th January 1974.

All appointing authorities should take particular care to see that these orders are followed scrupulously.

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

K.G. PAHANJPE,
Secretary to the Government of Maharashtra.

To

The Secretary to the Governor,
The Secretary to the Chief Minister,
*The Secretary, Maharashtra Public Service Commission, Bombay,
*The Commissioner for Scheduled Tribes and Scheduled Castes,
West Block No.1, Wing No.7, 1st Floor, Kamakrishnapuram,
New Delhi-110022,
*The Prothonotary and Senior Master, High Court, Bombay,
*The Registrar, High Court (Appellate Side), Bombay,
The Accountant General, Maharashtra I, Bombay,
The Accountant General, Maharashtra II, Nagpur,
The Resident Audit Officer, Bombay,
The Pay and Accounts Officer, Bombay,

The Director of Social Welfare, Maharashtra State, Poona,
 The Commissioner of Labour and Director of Employment,
 Bombay,
 All other Heads of Departments and Heads of Offices under
 the several Departments of the Secretariat,
 The Social Welfare, Cultural Affairs, Sports and Tourism
 Department,
 All other Departments of the Secretariat.

* By letter.

No.

of 1974.

Copy forwarded for information and guidance to -

.....
 ACCOMPANIMENT TO GOVERNMENT RESOLUTION, GENERAL ADMINISTRATION
 DEPARTMENT No. BCC/1072/ECR/J, DATED THE 27TH JUNE 1974.

A P P E N D I X.

EXAMPLE 1:

100 vacancies are to be filled. No element of
 carry forward. Reservation according to prescribed
 percentages will be as follows :-

Scheduled Castes	13
Scheduled Tribes	7
Denotified Tribes/Notified Tribes	4
Other Backward Class	10
	<u>34</u>

First all candidates including Backward Classes should be
 arranged in order of merit. In the first 100, there are
 5 Scheduled Castes, 2 Scheduled Tribes and 1 Denotified
 Tribes/Notified Tribes who come on merit; and they will,
 therefore, be counted against 66% general (unreserved) posts.
 The position will then be as follows :

	<u>On merit</u>	<u>With relaxed standard</u>	<u>Total</u>
Scheduled Castes	5	13	18
Scheduled Tribes	2	7	9
Denotified Tribes/ Notified Tribes	1	4	5
			<u>32</u>

Since the number of candidates in the above 3 categories
 selected on merit and those appointed against reserved quota of
 2% does not exceed 40% of the total vacancies to be filled on
 this occasion, besides 8 candidates selected on merit, all the
 24 candidates with relaxed standard, if available will have to
 be appointed against the reserved quota.

...4/-.

EXAMPLE 2 :-

100 vacancies are to be filled. Reservation including the element of carry forward for the first three categories is as follows :-

	<u>Carry forward</u>	<u>Current reservation</u>	<u>Total reservation</u>
Scheduled Castes	3	13	16
Scheduled Tribes	2	7	9
Denotified Tribes/ Notified Tribes	1	4	5
	<u>6</u>	<u>24</u>	<u>30</u>

In the first 100 candidates arranged in the order of merit, there are 9 Scheduled Castes, 5 Scheduled Tribes and 3 Denotified Tribes/Notified Tribes who come on merit and they will therefore, be counted against 66% general (unreserved) posts. The position will then be as follows :-

	<u>Selected on merit</u>	<u>With relaxed standard against reserved quota including carry forward.</u>	<u>Total</u>
Scheduled Castes	9	16	25
Scheduled Tribes	5	9	14
Denotified Tribes/ Notified Tribes	3	5	8
	<u>17</u>	<u>30</u>	<u>47</u>

In this case, the number of candidates selected on merit and those appointed against reserved quota including carry forward exceeds 40% of the total vacancies to be filled on this occasion. All the 17 candidates selected on merit are eligible for appointment. In order to adhere to the 40% limit, the number of candidates to be taken against reserved vacancies with relaxed standard will work out as follows on pro-rata basis applicable to prescribed percentage of reservation.

	<u>Selected on merit.</u>	<u>To be taken against reserved quota.</u>	<u>Total</u>
Scheduled Castes	9	12 (16-4)	21
Scheduled Tribes	5	7 (9-2)	12
Denotified Tribes/ Notified Tribes	3	4 (5-1)	7
			<u>40</u>