



GOVERNMENT OF MAHARASHTRA

LAW AND JUDICIARY DEPARTMENT

MAHARASHTRA ACT NO. VIII OF 2004

**THE MAHARASHTRA STATE PUBLIC SERVICES
(RESERVATION FOR SCHEDULED CASTES,
SCHEDULED TRIBES, DENOTIFIED TRIBES (*VIMUKTA
JATIS*), NOMADIC TRIBES, SPECIAL BACKWARD
CATEGORY AND OTHER BACKWARD CLASSES) ACT,
2001.**

(As modified upto the 29th October 2012)



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Principal
Rural Foundation Nandurbar Sanchalita
Senior Science College
Akkalkuwa, Dist. Nandurbar

**THE MAHARASHTRA STATE PUBLIC SERVICES
(RESERVATION FOR SCHEDULED CASTES,
SCHEDULED TRIBES, DE-NOTIFIED TRIBES
(*VIMUKTA JATIS*), NOMADIC TRIBES, SPECIAL
BACKWARD CATEGORY AND OTHER BACKWARD
CLASSES) ACT, 2001.**

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2004 : Mah. VIII]

MAHARASHTRA ACT No. VIII OF 2004¹.

[THE MAHARASHTRA STATE PUBLIC SERVICES (RESERVATION FOR SCHEDULED CASTES, SCHEDULED TRIBES, DE-NOTIFIED TRIBES (*VIMUKTA JATIS*), NOMADIC TRIBES, SPECIAL BACKWARD CATEGORY AND OTHER BACKWARD CLASSES) ACT, 2001.]

(This Act received the assent of the Governor on the 20th January 2004 ; assent was first published in the *Maharashtra Government Gazette*, Part IV, on the 22nd January 2004.)

An Act to provide for the reservation of vacancies in a public services and posts in favour of the persons belonging to the Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes, Special Backward Category and Other Backward Classes of Citizens and for matters connected therewith or incidental thereto.

WHEREAS it is expedient to provide for the reservation of vacancies in public services and posts in favour of the persons belonging to the Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes, Special Backward Category and Other Backward Classes of Citizens and for matters connected therewith or incidental thereto ; it is hereby enacted in the Fifty-second Year of the Republic of India as follows :—

1. (1) This Act may be called the Maharashtra State Public Services (Reservation for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes, Special Backward Category and Other Backward Classes) Act, 2001.

Short title, extent and commencement.

(2) It shall extend to the whole of the State of Maharashtra.

(3) It shall come into force on such* date as the State Government may, by notification in the *Official Gazette*, appoint.

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) " appointing authority" in relation to public services and posts means the authority empowered to make appointment to such services or posts ;

(b) " De-notified Tribes (*Vimukta Jatis*) " means the Tribes declared as such by the Government from time to time ;

(c) " establishment" means any office of the Government or of a local authority or statutory authority constituted under any Act of the State Legislature for the time being in force, or a University or a Company, a Corporation or a Co-operative Society in which share capital is held by the Government or any Government aided Institutions.

¹ For Statement of Objects and Reasons, see *Maharashtra Government Gazette*, dated the 20th July 2001, Extra-ordinary, Part V, page 326.

* 29th January 2004 vide G.N., General Administration Department, No. BCC.-2001/107/C.R. No. 64/2001/16-B, dated the 29th January 2004.

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*Maharashtra State Public Services (Reservation for [2004 : Mah. VIII
Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jatis),
Nomadic Tribes, Special Backward Category and Other Backward Classes) Act, 2001*

Explanation.—For the purposes of this clause the expression “ Government aided institutions ” shall also include institutions or industries which have been given either prior to coming into force of this Act or thereafter, aid in the form of Government land at concessional rates or any other monetary concessions by Government, or is recognised, licenced, supervised or controlled by Government ;

(d) " Government" means the Government of Maharashtra ;

(e) “ Group ' A', ' B ', ' C ' or ' D ' ” means the posts falling within the Group ' A', ' B', ' C ' or ' D ', as the case may be, as classified by Government by issuing general or special orders issued in this behalf, from time to time ;

(f) " Nomadic Tribes " means the Tribes wandering from place to place in search of their livelihood as declared by Government from time to time ;

(g) " Other Backward Classes" means any socially and educationally backward classes of citizens as declared by the Government and includes Other Backward Classes declared by the Government of India in relation to the State of Maharashtra ;

(h) " prescribed " means prescribed by rules framed by the Government under this Act ;

(i) " public services and posts" means the services and posts in connection with the affairs of the State and includes services and posts in,—

(i) a local authority ;

(ii) a co-operative society established under the Maharashtra Co-operative Societies Act, 1960, in which Government is a shareholder. Mah. XXIV of 1961.

(iii) a Board or a Corporation or a statutory body established by or under a Central or a State Act which is owned and controlled by the Government or a Government Companies as defined in section 617 of the Companies Act, 1956 ; 1 of 1956.

(iv) an educational institution owned and controlled by the Government, which receives grant-in-aid from the Government including a university established by or under a Maharashtra Act ;

(v) any establishment ; and

(vi) respect of which reservation was applicable by Government orders on the date of commencement of this Act and which are not covered under sub-clauses (i) to (v) ;




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(j) "recruitment year" means the English calendar year during which the recruitment is actually made ;

(k) "reservation" means the reservation of post in the services for the members of Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Special Backward Category and Other Backward Classes;

(l) " Scheduled Castes " and " Scheduled Tribes " shall have the meanings, respectively assigned to them in the clauses (24) and (25) of Article 366 of the Constitution of India ;

(m) " Special Backward Category" means socially and educationally backward classes of citizens declared as a Special Backward Category by the Government.

3. (1) This Act shall apply to all the appointments made in public services and posts except,—

Applicability.

(a) the super specialised posts in Medical, Technical and Educational field ;

(b) the posts to be filled by transfer or deputation ;

(c) the temporary appointments of less than forty-five days duration ; and

(d) the posts which is single (isolated) in any cadre or grade.

(2) The State Government shall, while entering into or renewing an agreement with any establishment for the grant of any aid as provided in the explanation to clause (c) of section 2, incorporate a condition for compliance with the provisions of this Act, by such establishment.

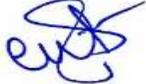
4. (1) Unless otherwise provided by or under this Act, the posts reserved for the Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Special Backward Category and Other Backward Classes shall not be filled in by the candidates not belonging to that caste, tribe, category or class for which the posts are reserved.

Reservation and percentage.

(2) Subject to other provisions of this Act, there shall be posts reserved for the persons belonging to the Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Special Backward Category and Other Backward Classes, at the stage of direct recruitment

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in public services and posts specified under clause (j) of section 2, as provided below :—

Description of Caste/Tribe/ Category/Class	Percentage of vacancies or seats to be reserved
(1) Scheduled Castes . .	13 per cent.
(2) Scheduled Tribes . .	7 per cent.
(3) De-notified Tribes (A) . .	3 per cent.
(4) Nomadic Tribes (B) . .	2.5 per cent.
(5) Nomadic Tribes (C) . .	3.5 per cent.
(6) Nomadic Tribes (D) . .	2 per cent.
(7) Special Backward Category . .	2 per cent.
(8) Other Backward Classes . .	19 per cent.
Total . .	52 per cent :

Provided that, Government may, by an order in the *Official Gazette*, provide that the percentage of reservation for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes, Special Backward Categories and Other Backward Classes, in all posts, shall be on the basis of latest census record of population of the,—

(i) State, in the case of State cadre posts, and

(ii) concerned district, in the case of district cadre posts :

Provided further that, the principle of " Creamy Layer" shall be applicable to all categories mentioned above except Scheduled Castes and Scheduled Tribes.

Explanation I.—For the purposes of this sub-section, the expressions " De-notified Tribes (A) ", " Nomadic Tribes (B)", " Nomadic Tribes (C) " and " Nomadic Tribes (D)" shall mean such Tribes or sub-Tribes, declared by Government, by general or special orders issued in this behalf, from time to time, to be "the De-notified Tribes (A)", "Nomadic Tribes (B)", " Nomadic Tribes (C)" and " Nomadic Tribes (D)".

Explanation II.—For the purposes of this sub-section, the expression " Creamy Layer" means the persons falling in the category of " Creamy Layer" as declared by Government in the Social Justice, Cultural Affairs and Sports Department by general or special orders issued in this behalf, from time to time :




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Provided also that, if on the date of coming into force of this Act, if any additional reservation is in force for the Scheduled Tribes in Thane, Nashik, Dhule, Nandurbar, Raigad, Yavatmal, Chandrapur and Gadchiroli districts for direct recruitment in Groups C and D posts, under any Government orders, such reservation shall continue to be in force till such orders are modified or revoked.

(3) The reservation specified for the categories mentioned at serial numbers (3) to (6) (both inclusive) in the table under sub-section (2) shall be inter transferable. If suitable candidates for the posts reserved for any of the said categories are not available in the same recruitment year, the posts shall be filled by appointing suitable candidates from any of the other said categories.

(4) In all posts at the divisional level or district level the percentage of reservation occurring in a recruitment year in such categories of Group-C and Group-D posts as may be notified by the Government in this behalf, shall be maintained at such divisional or district level only.

5. (1) The reservation in promotion shall be at all stages of promotions. Reservation in promotion.

(2) On the date of coming into force of this Act, if any Government orders providing for reservation for any posts to be filled by promotion, are in force, the same shall continue to be in force unless modified or revoked, by Government.

6. (1) If in respect of any recruitment year, any vacancy reserved for any category of persons under sub-section (2) of section 4 remains unfilled, such vacancy shall be carried forward upto five years in case of direct recruitment and three years in case of promotion : Carrying forward of reserved vacancies.

Provided that, on the date of commencement of this Act, if any Government order regarding filling up the posts, in case of non availability of Backward Class candidates are in force, such Government orders shall continue to be in force unless modified or revoked, by Government.

(2) When a vacancy is carried forward as provided in sub-section (1) it shall not be counted against the quota of the vacancies reserved for the concerned category of persons for the recruitment year to which it is carried forward :

Provided that, the appointing authority may, at any time undertake a special recruitment drive to fill up such unfilled vacancies and if such vacancies remain unfilled even after such special recruitment drive then, it shall be filled up in the manner prescribed by Government.




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Responsibility and powers of compliance of Act.

(1) The Government may, by order in writing, entrust upon every appointing authority or any officer under such authority, with the responsibility of ensuring the compliance with the provisions of this Act.

(2) The Government may, in the like manner, invest the appointing authority or officer referred to in sub-section (1), with such powers or authority as may be necessary for such authority or officer to effectively discharge such duty assigned to such authority or officer, under sub-section (1).

Penalty.

8. (1) Any appointing authority or officer or employee entrusted with the duty or responsibility under sub-section (1) of section 7 who willfully acts in a manner intended to contravene or defeat the purposes of this Act shall, on conviction, be punished with imprisonment for a term which may extend to ninety days or fine which may extend to five thousand rupees, or with both.

(2) No court shall take cognizance of an offence punishable under this section except with the previous sanction of the Government or officer authorized in this behalf by the Government.

Powers to call for records.

9. When it comes to the notice of the Government or is brought to its notice, that any person belonging to any of the categories specified in sub-section (2) of section 4 is adversely affected, on account of non-compliance with the provisions of this Act or the rules made thereunder or the Government orders in this behalf, by any appointing authority, it may call for such records and pass such appropriate order as deemed fit.

Representation in selection committee.

10. (1) The Government may, by order, provide for nomination of officers belonging to Scheduled Castes, Scheduled Tribes and Other Backward Classes in the selections, screening and departmental promotion committee for the purpose of selecting persons for appointment or promotions, as the case may be, to public services and posts.

(2) The Government may, by order, grant such concession in respect of fees for any competitive examination or such other similar examinations or interviews, and relaxation in upper age limit as it may be considered necessary in favour of the categories of persons specified in sub-section (2) of section 4.

(3) The Government orders in force on the date of the commencement of this Act, in respect of concessions and relaxation including concession in fees for any competitive examinations or such other similar examinations or interview and relaxation in the upper age limit shall continue to be applicable, unless modified or revoked, by Government.

Irregular appointments void. Protection of action taken in good faith.

11. Any appointments made, in contravention of the provisions of this Act shall be void.

12. No suit, prosecution or other legal proceedings shall lie against any authority or person for anything done or purported to have been done in good faith in pursuance of the provisions of this Act or the rules made thereunder.




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13. (1) The Government may, by notification in the *Official Gazette*, make rules to carry out the purposes of this Act. Power to make rules.

(2) Every rule made under this Act shall be laid, as soon as may be, after it is made, before each House of the State Legislature, while it is in session for a total period of thirty days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in rule or both Houses agree that the rule should not be made, and notify their decision to that effect in the *Official Gazette*, the rule shall, from the date of publication of such decision in the *Official Gazette*, have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

14. The provisions of this Act shall be in addition to and not in derogation of the provisions contained in any other Act, for the time being in force. Provisions of this Act to be in addition to any other law for the time being in force.

15. The provisions of this Act shall not apply to cases in which selection process has already been initiated before the commencement of this Act, and such cases shall be dealt with in accordance with the provisions of law and Government orders as they stood before such commencement. Savings.

Explanation.—For the purposes of this section, the selection process shall be deemed to have been initiated where, under the relevant service rules,—

(i) recruitment is to be made on the basis of written test or interview only, and such written test or the interview, as the case may be, has started, or

(ii) recruitment is to be made on the basis of both, the written test and interview and such written test has started.

16. (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, on occasion arises, by an order published in the *Official Gazette*, do anything not inconsistent with the provisions of this Act, which appears to it to be necessary or expedient for removing the difficulty : Power to remove difficulties.

Provided that, no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be, after it is made, before each House of the State Legislature.




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महाराष्ट्र शासन राजपत्र

असाधारण
प्राधिकृत प्रकाशन

मंगळवार, ऑगस्ट १, २००६/श्रावण १०, शके १९२८

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत.

भाग आठ

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Private Professional Educational Institutions [Reservation of seats for admission for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes and Other Backward Classes] Act, 2006 (Mah. XXX of 2006), is hereby published under the authority of the Governor.

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

A. M. SHINDEKAR,
Secretary to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XXX OF 2006.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 1st August 2006).

An Act to make special provisions for reservation of seats for admission for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes and Other Backward Classes in Private Professional Educational Institutions; and for matters connected therewith or incidental thereto.

WHEREAS the Supreme Court, in the case of P. A. Inamdar and Others *versus* State of Maharashtra (reported in (2005) 6 SCC 537), has held that neither can the policy of reservation be enforced by the State nor can any quota or percentage of admission be carved out to be appropriated by the State in Private Professional Educational Institutions;

AND WHEREAS in order to protect the interests of any socially and educationally backward classes of citizens or the Scheduled Castes or the Scheduled Tribes, article 15 of the Constitution of India has

(५९५)

भाग आठ—१२१

[किंमत : रुपये ९.००]



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been amended by the Constitution (Ninety-third Amendment) Act, 2005, by adding clause (5) thereto, which empowers the State to make, by law, a special provision for the advancement of those classes, castes and tribes, in so far as such special provisions relate to their admission to educational institutions, including private educational institutions, whether aided by the State or not, other than the minority educational institutions referred to in clause (1) of article 30 of the Constitution ;

AND WHEREAS both Houses of the State Legislature were not in session ;

AND WHEREAS the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action to make, by law, special provisions for reservation of seats for admission for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes and Other Backward Classes in Private Professional Educational Institutions ; and for matters connected therewith or incidental thereto ; and, therefore, promulgated the Maharashtra Private Professional Educational Institutions (Reservation of seats for admission for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes and Other Backward Classes) Ordinance, 2006, on the 16th June 2006 ;

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of
2006.

AND WHEREAS it is expedient to replace the said Ordinance by an Act of the State Legislature ; it is hereby enacted in the Fifty-seventh Year of the Republic of India as follows :—

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the Maharashtra Private Professional Educational Institutions (Reservation of seats for admission for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes and Other Backward Classes) Act, 2006.

(2) It shall extend to the whole of the State of Maharashtra.

(3) It shall be deemed to have come into force on the 16th June 2006.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "Aided Private Professional Educational Institution" means a Private Professional Educational Institution, excluding a Minority Educational Institution referred to in clause (1) of article 30 of the Constitution, receiving recurring financial aid or assistance in whole or in part from the Government, or from any body under the control of the Government ;

(b) "Appropriate Authority" means, the Medical Council of India, the Dental Council of India, the Central Council of Indian Medicine, the All India Council of Technical Education, and includes any other authority established by law that governs or controls the conduct of a particular professional course or educational discipline ;



(c) "Creamy Layer" means the category of 'Creamy Layer' as declared by the Social Justice, Cultural Affairs and Special Assistance Department of the Government, on the basis of income, by general or special orders, issued from time to time;

(d) "De-notified Tribes (*Vimukta Jatis*)" means the Tribes declared as such by the Government, from time to time;

(e) "Government" means the Government of Maharashtra;

(f) "Minority Educational Institution" means a Private Professional Educational Institution administered, managed and controlled by a minority, and shall include any such educational institution declared by the Government to be an institution entitled to enjoy the protection granted under clause (1) of article 30 of the Constitution;

(g) "Nomadic Tribes" means the Tribes wandering from place to place in search of their livelihood, as declared by the Government, from time to time;

(h) "Other Backward Classes" means any socially and educationally backward classes of citizens as declared by the Government and includes Other Backward Classes declared by the Government of India in relation to the State of Maharashtra;

(i) "Private Professional Educational Institution" means any College, School, Institute, Institution or other body, by whatever name called, conducting any professional course or courses approved or recognized by the Appropriate Authority and affiliated to any University, but shall not include any such institution established, maintained or administered by the Central Government, any State Government, any local authority or institution declared to be Deemed University under section 3 of the University Grants Commission Act, 1956;

(j) "Professional Course" means any educational course of study notified as such, from time to time, by the Government in the *Official Gazette*;

(k) "prescribed" means prescribed by the rules framed by the Government under this Act;

(l) "Reserved Category" means the category of candidates belonging to—

(i) the Scheduled Castes and the Scheduled Tribes;

(ii) the De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes, and Other Backward Classes and who are not falling in Creamy Layer;



(m) "Sanctioned Intake" means the total number of seats sanctioned or approved by the Appropriate Authority for admitting candidates in a single academic year in each Professional Course of study or discipline in a Private Professional Educational Institution ;

(n) "Scheduled Castes" and "Scheduled Tribes" shall have the meanings respectively assigned to them in clauses (24) and (25) of article 366 of the Constitution ;

(o) "Unaided Private Professional Educational Institution" means a Private Professional Educational Institution, not being an Aided Private Professional Educational Institution ;

(p) "University" means the Maharashtra University of Health Sciences constituted under the Maharashtra University of Health Sciences Act, 1998, or any other University constituted or deemed to have been constituted under the Maharashtra Universities Act, 1994, but does not include any institution declared to be Deemed University under section 3 of the University Grants Commission Act, 1956. Mah. X of 1998. Mah. XXXV of 1994. 3 of 1956.

Applicability. 3. This Act shall apply to all Private Professional Educational Institutions in the State, excluding the Minority Educational Institutions.

Reservation in Aided Private Professional Educational Institutions. 4. (1) In every Aided Private Professional Educational Institution, seats equal to fifty per cent. of the Sanctioned Intake of each Professional Course shall be reserved for candidates belonging to the Reserved Category.

(2) The seats reserved for candidates belonging to the Reserved Category under sub-section (1) shall be filled in by admitting candidates belonging to the Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes and Other Backward Classes, respectively, in the proportion specified in the Table below :—

TABLE

Description of Caste/Tribe/Category/ Class of Reserved Category	Percentage of reservation
(1) Scheduled Castes and Scheduled Castes converts to Buddhism	13 %
(2) Scheduled Tribes	7 %
(3) De-notified Tribes (A)	3 %
(4) Nomadic Tribes (B)	2.5 %
(5) Nomadic Tribes (C)	3.5 %
(6) Nomadic Tribes (D)	2 %
(7) Other Backward Classes	19 %
Total . .	50 %




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Note.—The candidates belonging to the Special Backward Category shall be considered from and out of their respective original/parent Reserved Category such as Other Backward Classes :

Provided that, if candidates belonging to the Scheduled Castes, Scheduled Tribes, De-notified Tribes (A), Nomadic Tribes (B), Nomadic Tribes (C), Nomadic Tribes (D) or Other Backward Classes are not available to fill in the seats reserved for the said Castes, Tribes or Classes, in the same academic year, the seats shall be filled in, in such manner as may be specified, by Government by issuing an Order in the *Official Gazette*, from time to time.

Explanation.—For the purposes of this section,—

(i) “De-notified Tribes (A)”, “Nomadic Tribes (B)”, “Nomadic Tribes (C)” and “Nomadic Tribes (D)” shall mean such Tribes or sub-Tribes, declared by Government, by general or special orders issued in this behalf, from time to time, to be “the De-notified Tribes (A)”, “Nomadic Tribes (B)”, “Nomadic Tribes (C)” and “Nomadic Tribes (D)”;

(ii) “Special Backward Category” means socially and educationally backward classes of citizens declared as “Special Backward Category” by the Government.

5. (1) In every Unaided Private Professional Educational Institutions, the seats to be reserved for candidates belonging to the Reserved Category shall be such as may be notified by the Government from time to time in the *Official Gazette*, but shall not exceed fifty per cent. of the Sanctioned Intake of any particular Professional Course.

Reservation in Unaided Private Professional Educational Institutions.

(2) Out of the seats reserved under sub-section (1) for the candidates belonging to the Reserved Category, the seats to be filled in by admitting candidates belonging to the Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes and Other Backward Classes, respectively, shall be in the same *inter se* proportion, and in the manner, specified in sub-section (2) of section 4.

6. Any admission made in contravention of the provisions of this Act shall be void.

Irregular admissions void.

7. Whoever contravenes the provisions of this Act or the rules made thereunder shall, on conviction, be punished with an imprisonment which may extend to three years and with a fine which shall not be less than twenty lakh rupees but which may extend to one crore rupees.

Penalty.




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Protection of action taken in good faith. **8.** No suit, prosecution or other legal proceedings shall lie against any authority or person for anything done or purported to have been done in good faith in pursuance of the provisions of this Act or the rules made thereunder.

Power to make rules. **9.** (1) The Government may, by notification in the *Official Gazette*, make rules to carry out the purposes of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be, after it is made, before each House of the State Legislature, while it is in session for a total period of thirty days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the sessions immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, and notify their decision to that effect in the *Official Gazette*, the rule shall, from the date of publication of such decision in the *Official Gazette*, have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

Provisions of the Act to be in addition to any other law. **10.** The provisions of this Act shall be in addition to and not in derogation of the provisions contained in any other law for the time being in force.

Provisions not to prohibit Minority Educational Institutions from making reservations. **11.** Notwithstanding anything contained in any other provisions of this Act, any Minority Educational Institution, whether aided or not, may provide for reservation in admissions to Professional Courses for candidates belonging to the Reserved Category.

Power to remove difficulty. **12.** (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, as occasion arises, by an order published in the *Official Gazette*, do anything not inconsistent with the provisions of this Act, which appears to it to be necessary or expedient for removing the difficulty :

Provided that, no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be, after it is made, before each House of the State Legislature.

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Mah. 13. (1) The Maharashtra Private Professional Educational Repeal of
Ord. Institutions (Reservation of seats for admission for Scheduled Castes, Mah. Ord.
V of Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes V of 2006
2006. and Other Backward Classes) Ordinance, 2006, is hereby repealed. and
saving.

(2) Notwithstanding such repeal anything done or any action taken (including any notification or order issued), under the said Ordinance, shall be deemed to have been done, taken or issued, as the case may be, under the corresponding provisions of this Act.



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The Maharashtra State Reservation (of seats for admission in educational institutions in the State and for appointments or posts in the public services under the State) for Educationally and Socially Backward Category (ESBC) Act, 2014

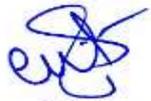
Act 1 of 2015

Keyword(s):

Admission Authority, Establishment, Public Services and Posts, Reservation

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महाराष्ट्र शासन राजपत्र असाधारण भाग आठ

पृष्ठ ६, अंक ४९]

शुक्रवार, जानेवारी ९, २०१५/पोष १९, गके १९१६

[पृष्ठ ९, किंमत : रुपये २७.००

असाधारण क्रमांक ९

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि
किंवा व न्याय विभागाकडून जालेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra State Reservation (of seats for admission in educational institutions in the State and for appointments or posts in the public services under the State) for Educationally and Socially Backward Category (ESBC) Act, 2014 (Mah. Act No. I of 2015), is hereby published under the authority of the Governor.

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

Dr. MANGALA THOMBARE,
Dy. Draftsman-cum-Joint Secretary
to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. I OF 2015.

(First published, after having received the assent of the Governor in the
"Maharashtra Government Gazette", on the 9th January 2015).

An Act to provide for reservation of seats for admission in educational institutions in the State and of appointments or posts in public services under the State to Educationally and Socially Backward Category (ESBC) in the State of Maharashtra for their advancement and for matters connected therewith or incidental thereto.

WHEREAS the policy of reservation for the educational and social advancement of people belonging to the backward classes of citizens in admissions to educational institutions in the State and for reservation of appointments or posts in public services under the State has been under implementation in the State of Maharashtra since formation of the Maharashtra State;

(1)

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Maharashtra State:

(1)

AND WHEREAS the two notifications, providing for reservation of seats in public employment were issued in the Karveer State (Kolhapur) in the year 1902, on the 26th July 1902 and the 2nd August 1902, respectively, by Rajarshi Shahu Maharaj, who is known as the father of the concept of reservation in India, and from whom Dr. Babasaheb Ambedkar got inspiration to make provisions for reservation in the Constitution of India, and in the said two notifications of 1902, reservation was provided to Backward Classes wherein Maratha community was also included;

AND WHEREAS by Resolution of the then Government of Bombay, dated the 23rd April 1942, about 228 communities including Maratha and other castes were declared as intermediate and Backward community and Maratha community is shown at serial number 149 in the list annexed to the said Resolution;

AND WHEREAS the matter of Maratha reservation was referred to the Maharashtra State Commission for Backward Classes for their recommendations in the year 2004 and the State Backward Classes Commission had submitted its 22nd Report on the 28th July 2008 stating therein that such reservation cannot be given to the Maratha community in the category of "Other Backward Classes";

AND WHEREAS the Cabinet Sub-Committee after detailed discussion referred the matter back to the State Backward Classes Commission asking for its report on inadequacy of the quantifiable data on educational and social backwardness of the Maratha community and also was requested to give its opinion on whether Maratha community could be given reservation without touching the present structure of reservation;

AND WHEREAS after repeated request to submit the report, the State Backward Classes Commission insisted only on taking decision as per sub-section (2) of section 9 of the Maharashtra State Commission for Backward Classes Act, 2005 on the 22nd Report of the State Backward Classes Commission;

AND WHEREAS the Government appointed the Rane Committee who had submitted adequate quantifiable data pertaining to the backwardness of Maratha community and thereafter the State Backward Classes Commission was again requested to offer its remarks on the issue of providing reservation to Educationally, Socially and Economically Backward Maratha community without affecting the present reservation of Other Backward Classes;

AND WHEREAS the State Backward Classes Commission by its letter dated the 20th May 2014 requested the Government to take decision on the 22nd Report of the Commission;

AND WHEREAS on the above backdrop there was a scope to believe that the State Backward Classes Commission was reluctant to take decision in the matter and hence, the Government decided to take decision after waiting for almost a decade and the Government, in its Cabinet meeting held on the 25th June 2014 decided, to partly reject the 22nd report of the Commission and with certain modifications accepted that Maratha community is Educationally and Socially Backward and hence, eligible for reservation, by virtue of sub-section (2) of section 9 of the Maharashtra State Commission for Backward Classes Act, 2005;

AND WHEREAS the Government of Maharashtra was of the view on the basis of material and data collected by the Rane Committee that Maratha community is Socially, Educationally and Economically Backward and inadequately represented in services under the State, hence, require reservation in employment and reservation for admissions in the educational institutions.;

Mah.
XXXIV of
2006.

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XXXIV of
2006.



AND WHEREAS clause (4) of Article 15 of the Constitution of India enables the State to make any special provision for the advancement of any socially and educationally backward classes of citizens:

AND WHEREAS clause (5) of Article 15 of the Constitution of India enables the State to make any special provision, by law, for the advancement of any socially and educationally backward classes of citizens in so far as such special provision relate to their admission to educational institutions including private educational institutions, whether aided or un- aided by the State, other than the minority educational institutions referred to in clause (1) of Article 30 of the Constitution of India:

AND WHEREAS clause (4) of Article 16 of the Constitution of India enables the State to make any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State:

AND WHEREAS even otherwise Articles 15(4), 15(5), 16(4) and 46 of the Constitution of India enable the State to provide reservation to a separate class:

Mah.
VIII of
2004.

AND WHEREAS the State of Maharashtra has enacted the Maharashtra State Public Services (Reservation for Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Special Backward Category and Other Backward Classes) Act, 2001 in pursuance of clause (4) of Article 16 of the Constitution:

AND WHEREAS the Maharashtra State was of the view that on the basis of material and data collected by the Rane Committee that Maratha community is Socially, Educationally and Economically Backward and inadequately represented in services under the State, hence, require special provision for their advancement:

AND WHEREAS the State Government had, after careful consideration, taken a policy decision to create a new category namely Educationally and Socially Backward Category (ESBC) and, there should be a separate sixteen percent reservation for such newly created Educationally and Socially Backward Category (ESBC) and, the Maratha community was included in the said category, without affecting the then existing fifty-two percent reservation applicable in the State, in admissions to educational institutions including private educational institutions, whether aided or un-aided by the State, other than minority educational institutions referred to in clause (1) of Article 30 of the Constitution of India, and in appointments or posts in public services under the State, excluding reserved in favour of the Scheduled Tribes candidates in the Scheduled Areas of the State under the Fifth Schedule to the Constitution of India, as per the notification issued on the 9th June 2014 in this behalf :

AND WHEREAS both Houses of the State Legislature were not in session:

AND WHEREAS the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action to make a law to create a new Educationally and Socially Backward Category (ESBC) and to provide sixteen percent separate reservation for Educationally and Socially Backward Category (ESBC) in which Maratha community is included under this category, without affecting the then existing fifty-two percent reservation applicable in the State, in admissions to educational institutions including private educational institutions, whether aided or un-aided by the State, other than minority educational institutions referred to in clause (1) of Article 30 of the Constitution of India.




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and in appointments or posts in public services under the State, excluding reservation in favour of the Scheduled Tribes candidates in the Scheduled Areas of the State under the Fifth Schedule to the Constitution of India, as per the notification issued on the 9th June 2014 in this behalf, for their advancement and for the matters connected therewith or incidental thereto; and, therefore, promulgated the Maharashtra State Reservation (of seats for admission in educational institutions in the State and for appointments or posts in the public services under the State) for Educationally and Socially Backward Category (ESBC) Ordinance, 2014, on the 9th July 2014
i

Mah. Ord.
XIII of 2014.

AND WHEREAS, it is expedient to replace the said Ordinance by an Act of the State Legislature; it is hereby enacted in the Sixty-fifth Year of the Republic of India as follows :—

Short title,
extent and
commencement.

1. (1) This Act may be called the Maharashtra State Reservation (of seats for admission in educational institutions in the State and for appointments or posts in the public services under the State) for Educationally and Socially Backward Category (ESBC) Act, 2014.

(2) It extends to the whole of the State of Maharashtra.

(3) It shall be deemed to have come into force on the 9th July 2014.

Definitions.

2. (1) In this Act, unless the context otherwise requires,—

(a) “admission authority” in relation to admissions to educational institutions means the authority having supervisory and controlling powers over the educational institutions responsible for admissions to particular educational institutions;

(b) “appointing authority” in relation to public services and posts means the authority empowered to make appointment to such services or posts;

(c) “Competent Authority” means the Competent Authority appointed under section 6;

(d) “educational institutions” means the educational institutions in the State of Maharashtra owned and controlled by the Government, which receives grant-in-aid from the Government including a University established by or under the relevant Maharashtra Acts, including private educational institutions, whether aided or un-aided by the State, other than the minority educational institutions referred to in clause (1) of Article 30 of the Constitution of India.

Explanation.—For the purposes of this clause, the expression “private educational institutions” means institutions which have been given either prior to coming into force of this Act or thereafter, aid in the form of Government land at concessional rates or any other monetary concessions by the Government, or are recognized, licensed, supervised or controlled by the Government;

(e) “Educationally and Socially Backward Category (ESBC)” means such category or categories of citizens who are Educationally and Socially Backward Class of citizens and declared by the Government as Educationally and Socially Backward Category (ESBC), from time to time;

(f) “establishment” means any office of the Government or of a local authority or statutory authority constituted under any Act of the State Legislature for the time being in force, or a University or a Company or a Corporation or a Co-operative Society in which share capital is held by the Government or any Government aided institutions.




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Explanation.—For the purposes of this clause, the expression “Government aided institutions” shall also include institutions or industries which have been given either prior to coming into force of this Act or thereafter, aid in the form of Government land at concessional rates or any other monetary concessions by the Government or is recognized, licensed, supervised or controlled by the Government:

(g) “Government” or “State Government” means the Government of Maharashtra;

(h) “prescribed” means prescribed by rules made under this

Act:

(i) “public services and posts” means the services and posts in **connection with the affairs of the State and includes services and posts in—**

(i) a local authority;

(ii) a co-operative society established under the Maharashtra Co-operative Societies Act, 1960, in which the Government is a share holder;

(iii) a Board or a Corporation or a statutory body established by or under a Central or a State Act which is owned and controlled by the Government, or a Government company as defined in the Companies Act, 1956 or the Companies Act, 2013;

(iv) an educational institution owned and controlled by the Government, which receives grant-in-aid from the Government including a University established by or under a Maharashtra Act; and

(v) any other establishment in respect of which reservation was applicable by Government orders on the date of commencement of this Act and which are not covered under sub-clauses (i) to (iv);

(j) “reservation” means the reservation of seats for the members of Educationally and Socially Backward Category (ESBC) for admission in educational institutions in the State and for appointments or posts in the services under the State.

(2) The words and expressions used in this Act, but not defined, shall have the same meanings respectively assigned to them in the Maharashtra State Public Services (Reservation for Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Special Backward Category and Other Backward Classes) Act, 2001 and in any other relevant Act.

3. (1) This Act shall apply to all the direct recruitments, appointments or posts made in public services under the State except,—

Applicability.

(a) the super specialized posts in Medical, Technical and Educational field;

(b) the posts to be filled by transfer or deputation;

(c) the temporary appointments of less than forty-five days duration;

and

(d) the post which is single (isolated) in any cadre or grade.

Mah.
XXIV of
1961.

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1956.
18 of
2013.

Mah.
VIII of
2004.




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(2) This Act shall also apply, for the Educationally and Socially Backward Category (ESBC), for admission in educational institutions including private educational institutions, whether aided or un-aided by the State, other than the minority educational institutions referred to in clause (1) of Article 30 of the Constitution of India.

(3) The State Government shall, while entering into or renewing an agreement with any educational institution or any establishment for the grant of any aid as provided in the explanation to clauses (d) and (f) of section 2 respectively, incorporate a condition for compliance with the provisions of this Act, by such educational institution or establishment.

Reservation of
seats for
admission in
educational
institutions,
appointments or
posts in public
services under
State
for
Educationally
and Socially
Backward
Category
(ESBC).

4. (1) Notwithstanding anything contained in the Maharashtra State Public Services (Reservation for Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Special Backward Category and Other Backward Classes) Act, 2001 and notwithstanding anything contained in any judgment, decree or order of any Court or other authority, and subject to the other provisions of this Act, sixteen percent of the total seats in educational institutions including private educational institutions, whether aided or un-aided by the State, other than minority educational institutions referred to in clause (1) of Article 30 of the Constitution of India, and sixteen percent of the total appointments or posts in direct recruitment in public services under the State, shall be separately reserved for the Educationally and Socially Backward Category (ESBC) in which the Maratha community is included:

Mah.VIII
of 2004.

Provided that, the above reservation shall not be applicable to posts reserved in favour of the Scheduled Tribes candidates in the Scheduled Areas of the State under the Fifth Schedule to the Constitution of India as per the notification issued on the 9th June 2014 in this behalf.

(2) The principle of Creamy Layer shall be applicable to the Educationally and Socially Backward Category (ESBC).

Explanation.—For the purposes of this sub-section, the expression “Creamy Layer” means the person falling in the category of Creamy Layer as declared by the Government in the Social Justice and Special Assistance Department, by general or special orders issued in this behalf, from time to time.

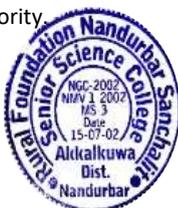
5. Notwithstanding anything contained in section 4, the claims of students or members belonging to Educationally and Socially Backward Category (ESBC) shall also be considered for the unreserved seats, appointments or posts which shall be filled on the basis of merit, and where a student or member belonging to such category is selected on the basis of merit, the number of seats, appointments or posts reserved for the Educationally and Socially Backward Category (ESBC), as the case may be, shall not in any way be affected.

Reservation
not to be
affected.

6. (1) The Government may, by notification in the *Official Gazette*, appoint any officer not below the rank of District Social Welfare Officer to be the Competent Authority for the purposes of carrying out the provisions of this Act and the rules made thereunder.

(2) The Competent Authority shall exercise such powers and perform such functions as may be prescribed.

Competent
Authority




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7. (1) The Government may, in public interest, by order, direct the Competent Authority, from time to time, to make an enquiry or to take appropriate proceedings under this Act specified in the order, and the Competent Authority shall report to the Government, the result of the enquiry made or the proceedings taken by him within such period as may be prescribed.

Power of Government to give directions.

(2) On receipt of the report from the Competent Authority under sub-section (1), the Government shall give such directions as it deems fit and such directions shall be final.

8. (1) If in respect of any recruitment year, any vacancy reserved for Educationally and Socially Backward Category (ESBC) of persons remains unfilled, such vacancy shall be carried forward up to five years in case of direct recruitment:

Carrying forward of reserved vacancies.

Provided that, on the date of commencement of this Act, if any Government Order, Resolution, Circular and Office Memorandum regarding filling of posts is in force then, the same shall continue to be in force unless modified or revoked by the Government and the Government is empowered to revise such Government Orders, Resolutions, Circulars and Office Memorandums :

Provided further that, notwithstanding anything contained in section 17 of this Act, the Government Departments are hereby empowered to give effect to the provisions of this Act including revision of roster prescribed for direct recruitment, as may be necessary, by the Government orders for enforcement and implementation of this reservation:

Provided also that, if the sanctioned posts are not adequate to allocate atleast one post for each reserved category, then the reserved post shall be filled in by applying the principle of rotation in accordance with the Government roster orders or rules as may be prescribed or modified in this behalf and the Government is empowered to revise the roster points and orders or rules accordingly.

(2) When a vacancy is carried forward as provided in sub-section (1), it shall not be counted against the quota of the vacancies reserved for the concerned category of persons for the recruitment year to which it is carried forward :

Provided that, the appointing authority may, at any time undertake a special recruitment drive to fill up such unfilled vacancies and if such vacancies remain unfilled even after such special recruitment drive then, it shall be filled up in the manner prescribed by the Government.

9. (1) The Government may, by order in writing, entrust upon every admission authority or appointing authority or any officer under such authority, with the responsibility of ensuring the compliance with the provisions of this Act.

(2) The Government may, in the like manner, invest the admission authority or appointing authority or officer with such powers or authority as may be necessary for such authority or officer, to effectively discharge such duty assigned to such authority or officer.

Responsibility and powers for compliance of Act.

10. (1) Any admission authority or appointing authority or officer or employee entrusted with the duty or responsibility who wilfully acts in a manner intended to contravene or defeat the purpose of this Act shall, on conviction, be punished with imprisonment for a term which may extend to

Penalty.




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ninety days or fine which may extend to five thousand rupees. or with both.

(2) No court shall take cognizance of an offence punishable under this section except with the previous sanction of the Government or officer authorized in this behalf by the Government.

Power to call for records.

11. When it comes to the notice of the Government or is brought to its notice that any person belonging to Educationally and Socially Backward Category (ESBC) is adversely affected, on account of non-compliance with the provisions of this Act or the rules made thereunder or the Government orders issued in this behalf, by any admission authority or appointing authority, it may call for such records and pass such appropriate orders as it deems fit.

Representation in selection committee.

12. (1) The Government may, by an order, provide for nomination of officers belonging to Educationally and Socially Backward Category (ESBC) in selections, screening and Department Committee for the purpose of selecting persons for appointment to public services and posts.

(2) The Government may, by an order, grant such monetary or other concessions as may be considered necessary in favour of the Educationally and Socially Backward Category (ESBC).

13. Any admissions or appointments made in contravention of the provisions of this Act shall be void.

Irregular admissions and appointments void.

14. The Competent Authority shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

45 of

Competent Authority to be public servant.

15. No suit, prosecution or other legal proceeding shall lie against the Competent Authority or its officers, for anything which is in good faith done or intended to be done under this Act or the rules or orders made thereunder.

1860.

Protection of action taken in good faith.

16. The provisions of this Act shall be in addition to and not in derogation of the provisions contained in any other Act, for the time being in force.

Provisions of Act to be in addition to any other law for the time being in force.

17. (1) The State Government may, by notification in the *Official Gazette*, make rules to carry out the purposes of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be, after it is made, before each House of the State Legislature, while it is in session for a total period of thirty days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in any rule or both Houses agree that the rule should not be made, and notify their decision to that effect in the *Official Gazette*, the rule shall, from the date of publication of notification of such decision have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

Power to make rules.




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18. (1) The provisions of this Act shall not apply to the cases in which selection process has already been initiated before the commencement of this Act, and such cases shall be dealt with in accordance with the provisions of law and the Government orders as they stood before such commencement.

Explanation.—For the purposes of this section, the selection process shall be deemed to have been initiated where, under the relevant service rules.—

ings.

(i) recruitment is to be made on the basis of written test or interview only, and such written test or the interview, as the case may be, has started; or

(ii) recruitment is to be made on the basis of both, written test and interview and such written test has started.

(2) The provisions of this Act shall not apply to admissions in educational institutions and the cases in which the admission process has already been initiated before the commencement of this Act and such cases shall be dealt with in accordance with the provisions of law and the Government orders, as they stood before such commencement.

Explanation.—For the purposes of this section, the admission process shall be deemed to have initiated where.—

(i) admission is to be made on the basis of any entrance test, and procedure for such entrance test has started; or

(ii) in case of admission to be made other than on the basis of entrance test, the last date for filling up the application form is lapsed.




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19. (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, as occasion arises, by an order published in the *Official Gazette*, do anything not inconsistent with the provisions of this Act, which appears to it to be necessary or expedient for the purpose of removing the difficulty:

Provided that, no such order shall be made after expiry of the period of two years from the date of commencement of this Act.

(2) Every order made under sub-section (1) shall be laid, as soon as may be, after it is made, before each House of the State Legislature.

20. (1) The Maharashtra State Reservation (of seats for admission in educational institutions in the State and for appointments or posts in the public services under the State) for Educationally and Socially Backward Category (ESBC) Ordinance, 2014 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification, order, resolution, circular, office memorandum issued or appointments made) under the said Ordinance shall be deemed to have been done, taken, issued or made, as the case may be, under the corresponding provisions of this Act.

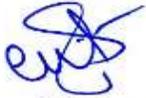
Power to remove difficulty.

Repeal of Mah. Ord. XIII of 2014

and saving.

ON BEHALF OF GOVERNMENT PRINTING, STATIONERY AND PUBLICATION, PRINTED AND PUBLISHED BY SHRI PARSHURAM JAGANNATH GOSAVI, PRINTED AT GOVERNMENT CENTRAL PRESS, 21-A, NETAJI SUBHASH ROAD, CHARNI ROAD, MUMBAI 400 004 AND PUBLISHED AT DIRECTORATE OF GOVERNMENT PRINTING, STATIONERY AND PUBLICATION, 21-A, NETAJI SUBHASH ROAD, CHARNI ROAD, MUMBAI 400 004, EDITOR : SHRI PARSHURAM JAGANNATH GOSAVI.




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University Grants Commission

SCT
Section

SC/ST

Question	Reply
Kindly inform the year-wise number of reserved SC/ST/OBC faculty, non-faculty positions from the start of the reservation policy in India when the Act was passed and till now.	The UGC follows the reservation policy of the Government of India.
Legal Status of Reservation Framework of SC/ST in Govt. Services and Educational Institutional According to Indian Constitution.	Whereas, the policy of the Central Government is that the Central Universities and Institutions which are Deemed to be Universities receiving grants-in-aid from the public exchequer, the percentage of reservation in admissions and recruitments in teaching and non-teaching posts is to be 15% for Scheduled Castes and 7.5% for Scheduled Tribes except in minority institutions under Article 30(1) of the Constitution.




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Now, at what percentage of reservation are kept for SC, ST, OBC & Minorities in the field at Nationalized firm/Industries, Nationalized Banks and Central Civil/Defence services? And at what percentage of reservation are kept SC,SC,OBC & current Reservation rule Minorities in the fixed of central Colleges, Universities like IIT, IIM, NIIT and Research Institute (ISRO, DRDO). At what percentage of Reservation are kept for respective section, what are its rule regulation or what are it's basic principles after reservation.

As per instructions issued by the Government of India, Dept. of Personnel & Training, New Delhi Vide O.M.No.36012/2/96-Estt.(Res.) dated 2nd July, 1997, now post based roster is applicable.

- i. All educational institutions receiving grant-in- aid from the public fund has to provide prescribed percentage of reservation for SCs/STs and PWDs (Persons with disabilities) on the sanctioned strength of each cadre (i.e. Assistant Professor, Associate Professor, Professors or by whatever other nomenclature the posts are known) for the purpose of recruitment of various teaching and non-teaching posts.
- ii. Reservation to Other Backward Classes (OBCs) is applicable at the entry level only in non-teaching posts and in case of teaching posts at the level of Assistant Professor only.
- iii. Central Universities are receiving 100% maintenance grant and also the Deemed to be universities, which are getting 100% maintenance grant or part of maintenance grant are required to provide reservation of 15% to Scheduled Castes, 7.5% for Scheduled Tribes, 27% to Other Backward Classes and 4% for Persons with Disabilities in the matter of teaching and non-teaching posts as well as in admissions to all level courses accept in Minority Institutions under Article 30(1) of the Constitution. However, State Universities including their affiliated constituent colleges and other institutes



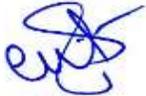

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	<p>functioning within the State can follow the percentage of reservation as prescribed by the respective State Government.</p> <p>iv. The Reservation of SC/ST/OBCs is called vertical reservation and the reservation for Physically handicapped persons (PWD) as horizontal reservation. Horizontal reservations cut across vertical reservation and the persons selected against Physically handicapped quota (PWD) have to be placed in the appropriate category.</p>
<p>Furnish the definition/meaning of Good Academic Record as per UGC Rules and from which Educational level (i.e. Secondary/Higher Secondary/Graduation Level) should be considered for the post of Asst. Professor in Universities/Govt. Degree Colleges.</p>	<p>The concerned University will decide the "Good Academic Record" at the Graduation level and provide 5% relaxation to SC/ST and PWD candidates in the appointment to the post of Lecturer/Asstt. Professor and equivalent post in Universities and Colleges.</p>
<p>Is It Mandatory For Minority Institutions To Give Reservation To SC/ST/OBC In Teaching And Non-Teaching post or have they discretion?</p>	<p>Government order No.F.6-30/2005 U-5 dated 6th December, 2005 is reproduced below for information. Last para ..</p> <p>" Now, therefore, in exercise of the powers vested under Section 20(1) of the University Grants Commission Act, 1956 the Government hereby directs the UGC to ensure effective implementation of the reservation policy in the Central Universities and those of Institutions Deemed to be Universities receiving aid from the Public funds except in minority institutions under Article 30(1) of the Constitution."</p>
<p>Reservation implemented in teaching and non-teaching posts and admission</p>	<p>According to UGC Act, 1956 , the UGC has to ensure effective implementation of the reservation policy in the Central Universities, Deemed to be Universities and those institutions receiving aid from the public funds except in minority Institutions under Article 30(1) of the Constitutions vide MHRD (Dept. of Secondary & Higher Education) order No. F.No.6-30 /2005 U-5 dated 6th December,2005</p> <p>The Central Universities are receiving 100% grant from the Central Govt./UGC and they have to follow the reservation policy of the Govt. of India for SC's/ST's in toto i.e. 15% for SC's and 7. 5% for ST's in the matter of teaching and non-teaching posts as well as in admissions to various courses/degrees. The State Universities including its affiliated/constituent colleges and other institutes functioning within the State can follow the percentage of reservation for SC/ST as prescribed by the State Government.</p> <p style="text-align: right;"></p> <p>Out of annual permitted strength in each branch</p>



	of study or faculty,15% seats are to be reserved for Scheduled Castes, 7.5% for Scheduled Tribes and 27% for Other Backward Classes.
UGC Norms/rules/Guidelines regarding SC/ST backlog appointment.	The UGC issues instructions from time to time to all Central Universities for (i) implementation of SC/ST/PWD/OBC Reservation Policy of the Govt./ UGC (ii) strict compliance of reservation policy, (iii) display of reservation roster on University website and (iv) filling up of remaining identified backlog reserved vacancies of these categories in teaching and non- teaching posts.
Provide information about the discrimination done to OBC, ST/SC & other reservation category by not providing them they reservation seat & scholarship (for eg: government job, admission in school college etc) and what action has been taken by the government of India to step this Mal practices (All over India in detail)	UGC has issued circular to all the Universities/Deemed to be Universities stating that (i) the officials/faculty members should desist from any act of discrimination against Dalit students on grounds of their social origin. (ii) the University/Institute/College may develop a page on their web-site for lodging such complaints of caste discrimination by Dalit students and also place a complaint register in the Registrar/Principal Office for the purpose. If any such incident comes to the notice of the authorities, action should be taken against the erring official/faculty members promptly. (iii) Senior Officers/faculty members, including liaison Officer of the educational Institutions should keep a close watch to ensure that such incidents do not occur at all. Besides, this, they should be more sensitive while dealing with incidents of caste discrimination.
Is it a fact that Government is considering to bear the entire expenses of coaching for the student belonging to reserved categories.	The UGC has been contributing towards social equity and social economic mobility of the under privileged sections of the society through special coaching schemes in Universities and Colleges, the following schemes as under:- I .Remedial Coaching for SC/ST/OBC (non- creamy layer) & Minorities Community Students II. Coaching for NET/SET for SC/ST/OBC (non- creamy layer) & Minority Community Students III. Coaching Classes for entry in services for SC/ST/OBC (non-creamy layer) & Minority Community Students. IV. Equal Opportunity Cells in Universities/College

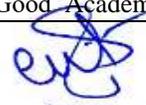



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Persons with Disabilities

S.No	Question	Reply
1.	What are the different schemes at Department of Higher Education for Persons With Disabilities	1. Higher Education for Persons with Special Needs. 2. Teacher Preparation in Special Education. 3. Visually Challenged Teachers
2.	Are the websites of yours and your associated institutions are accessible for Persons with Different Disabilities and follow Guidelines for India Government Websites (GIGW).	UGC has issued a letter to all universities to make all government websites accessible / person with disabilities.
3.	What are the various policy/facility/reservation for overseas higher education for the welfare of Person with Different Disabilities with support of Your Department/Associated Institutions.	<p>The Commission from time to time has been conveying to the universities and deemed universities, the policy decision, including reservation in admissions and employment, of the Government of India pertaining to the person with disabilities. In addition and the guidelines framed at the level of the Commission in this regards have also been notified to all universities for implementation. The Commission has also circulated the disabilities equal opportunities protection of rights and full participation Act, 1995 to the universities.</p> <p>1. The UGC has issued a letter to all universities regarding full implementation of persons with Disabilities Act, 1995 in universities and colleges and approved 3% reservation for persons with disabilities in admission to all the courses of study offered by universities and colleges and 3% reservation for disabled people in jobs and also decided that barrier free access for persons with disabilities to the university, buildings, class rooms, laboratories and toilets etc. be ensured .</p> <p>2. The UGC has issued a letter to all universities regarding use of computer by person with disabilities for writing examination .</p> <p>3. The UGC has issued a letter to all universities regarding to make appropriate arrangements for medical examination of students with disabilities seeking admission against reserved seats.</p> <p>4. The UGC has issued a letter to all universities regarding to make appropriate arrangement for evaluation of answer sheets of students having illegible hand writing due to disability and have problem in speech.</p> <p>5. The UGC has issued a letter to all universities regarding Fee waiver, free accommodation, food and transport for student with disabilities.</p> <p>6. The UGC has issued a letter to all universities regarding to Establishment/Creation of department of Indian sign language in all the universities under UGC and to start courses in sign language interpretation thereafter .</p>
		7. The UGC has issued a letter to all universities regarding to consider giving the relaxation of 5% (i.e from 55% to 50%) of marks at Master's and 5% relaxation at graduate level under the term of 'Good Academic Record par with




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		<p>SC/ST candidates to the physically6 and visually handicapped candidates for appointment as Principal, Professor, Reader, Lecturer, Registrar, Dy. Registrar, Assistant Registrar, Librarian, Dy. Librarian, Asstt. Librarian, College Librarian, Director of Physical Education & Sports, Dy. Director of Physical Education Sports, Asstt. Director of Physical Education & Sports and College Director Physical Education & Sports .</p> <p>8. The UGC has issued a letter to all universities regarding 5% relaxation in marks at master's level for physically handicapped persons for appearing at NET examination vide this office letter No. 6-1/2002(CPP-II)dated05-06-2002.</p> <p>9. The UGC has issued a letter to all universities regarding to provide relaxation up to a maximum of 5 years to the person with disabilities in admission to various courses.</p>
4.	<p>Copies of all letters/ circulars/instructions/ Orders etc from 1995 to till date sent to all Universities in connection with the Disability Act for appointment as Faculty members (Professor, Associate Professor, Assistant Professor) for disabled candidates for full participation and equal opportunity of disabled provided in the Disability Act 1995.</p>	<p>The UGC has issued a letter to all universities regarding implementation of the reservation policy for person with disabilities in filling up of teaching and non teaching post in universities/colleges.</p>
5.	<p>Are all your funding educational institutions/buildings/departments/offices are disabled friendly and accessible for Persons with Different Disabilities. Please furnish the details</p>	<p>UGC has issued a letter to the universities to ensure providing barrier free environment in the buildings which would include provision of ramps, rails, lifts, adaptation of toilets for wheelchair user, brail signages and auditory signals, tactile flooring etc.</p>
6.	<p>Whether the employee Teaching and Non-Teaching staff appointed in the Centre for Study of Social Exclusion and Inclusive Policy are permissible to avail the following Leave: Earned Leave, Medical Leave, Surrender of Earned leave,U.P.A. (Unearned Leave on Private Affairs) Increment, L.T.C., & etc.,</p>	<p>UGC has issued a letter to the Centers regarding clarification of granting similar status to the employees of the Centers for study of social exclusion and inclusive Policy at par with the university employees .</p>
7.	<p>Is there any provision of free education for a physically challenged student at University level after attaining the age of 18 years under Person with Disability (PWD) Act, 1995.</p>	<p>The UGC has issued a letter to the Universities Hon'ble Supreme Court judgment 26.03.2014, in WP (Civil) No. 116 of 1998,-Justice Sunanda Bhandare Foundation V/s Union of India & Anr, opined that even after lapse of 18years since its inception, the PWD Act, 1995 is still to be implemented in its letter and spirit, and directed the Central Government, State Governments and Union Territories to implement the provision of the Act positively by the end of 2014. The Judgment is available on the website of the Supreme Court. Section 46 of the PWD Act cast an obligation on the appropriate government to, inter alia, provide certain facilities and services in public buildings to PWD's Article 9 (Accessibility of the UN Convention on the Rights of Persons with Disabilities (UNCRPD) also says that PWDs should have access, on an equal basis with others, to the physical environment, to transportation, to information and communication, including information and communication technologies and systems, etc.</p>
8.	<p>Please refer to the OM issued by DoPT for the filling up the backlog for the Person with disabilities in May,2015 in</p>	<p>The UGC has issued a letter to the Universities regarding special recruitment drive to fill up the vacancies for persons with disabilities .</p>




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	the compliance o the order of the Apex Court of India and Please provide me the no of the Existing vacancies for each kind of job posts like group A,B& C for the Person with Disabilities and which kind of initiative has been taken to fill up this backlog vacancies for the Person with disabilities and what is the time limit to clear this back log for the Person with disabilities in the compliance of the Apex Court Order	
9.	Whether scribe facility is permitted for visually challenged students pursuing for the above said courses while they are appearing for the theory and practical examination	The UGC has issued a letter to all universities regarding guidelines for conducting written examination for persons with disabilities .




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महाराष्ट्र शासन

क्रमांक:-सीबीसी-१०/२००६/प्र.क्र.९४/मावक-५
सामाजिक न्याय, सांस्कृतिक कार्य व विशेष सहाय्य
विभाग, मंत्रालय विस्तार भवन, मुंबई - ३२.
फोन नं. २२७९३८६१ फॅक्स नं. २२८३६६८८

दिनांक : २५ मे, २००६.

प्रति,

- १) सर्व मंत्रालयीन विभाग
- २) सर्व विभागीय आयुक्त
- ३) सर्व जिल्हा दंडाधिकारी
- ४) सर्व जिल्हा परिषदांचे मुख्य कार्यकारी अधिकारी
- ५) सर्व उप विभागीय अधिकारी (महसूल)
- ६) सदस्य सचिव, राज्य मागासवर्ग आयोग, पुणे
- ७) सर्व तालुका कार्यकारी दंडाधिकारी तथा तहसिलदार
- ८) सर्व विभागीय समाजकल्याण अधिकारी / सर्व जिल्हा समाजकल्याण अधिकारी
- ९) सर्व जिल्हा परिषदांचे समाजकल्याण अधिकारी.

विषय :- शासनाची अधिकृत जातीची यादी अद्ययावत करणेबाबत.

उपरोक्त विषयासंदर्भात आपणांस असे कळविण्यात येते की, शासनाने दिनांक १ मार्च, २००६ रोजी च्या शासन निर्णयान्वये काही जातींचा नव्याने विमुक्त जाती, भटक्या जमाती, इतर मागासवर्ग व विशेष मागासप्रवर्गामध्ये समावेश केलेला आहे. त्या समावेश केलेल्या जातींसह शासनाची अद्ययावत जातीची यादी सोबत जोडण्यात येत आहे.

(री. वि. फणसेकर)

कक्ष अधिकारी, महाराष्ट्र शासन



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महाराष्ट्रातील मागासवर्गीयांची यादी
अनुसूचित जाती व अनुसूचित जमाती आदेश (सुधारणा) कायदा 1976
(1976 चा 108 वा) मधील परिशिष्ट 1 मधी भाग-10 मध्ये नमूद केल्याप्रमाणे

अनुसूचित जाती (आरक्षण 13%)

- 1 अगेर
- 2 अनमूक
- 3 आरेमाला
- 4 आरवा माला
- 5 बहना, बहाना
- 6 बाकड, बंट
- 7 बलाही, बलाई
- 8 बसोर, बुरुड, बांसोर, बांसोडी
- 9 बंडाजंगम, बुडगा जंगम
- 10 बेडर
- 11 भांबी, भांभी, असादरु, असोदी, चामडिया, चमार, चमारी, चांभार, चमगार, हरळव्या, हराळी, खालपा, माचीगार, मोचीगार, मादर, मादिग, मोची, तेलगू मोची, कामाटी मोची, राणीगार, रोहिदास, नोना, रामनामी, रोहित, समगार, सतनामी, सूरज्यवंशी, सूरज्यरामनामी
- 12 भंगी, मेहतर, ओलगाना, रुखी, मलकाना, हलालखोर, लालबेगी, बाल्मिकी, करोर, झाडगल्ली
- 13 बिंदला
- 14 ब्यागारा
- 15 चलवादी, चत्रया
- 16 चेत्रदासर, होलया दासर, होलेया दसारी
- 17 डक्कल, डोक्कलवार
- 18 डोर, कक्कव्या, कंकव्या, डोहोर
- 19 डोम, डुमार
- 20 येल्लमलवार, येल्लमलवंडलु
- 21 गंडा, गंडी
- 22 गरोडा, गारो
- 23 घासी, घासीया
- 24 हल्लीर
- 25 हलसार, हसलार, हुलसवार, हुलसवार
- 26 होलार, व्हलार
- 27 होलय, होलेर, होलेया, होलिया
- 28 कैकाडी (अकोला, अमरावती, भंडारा, बुलडाणा, नागपूर, वर्धा व यवतमाळ जिल्हे व राजुरा तालुका सोडून चंद्रपूर जिल्हा यांत)
- 29 कटिया, पधरिया
- 30 खंगार, कनेरा, मिरघा
- 31 खाटिक, चिकवा, चिकवी
- 32 कोलूपूल-वंडलु
- 33 कोरी
- 34 लिंगडेर




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- 35 मादगी
- 36 मादिगा
- 37 महार, मेहरा, तराळ, धेगू-मेगू
- 38 माहयावंशी, धेड, वणकर, मारु-वणकर
- 39 माला
- 40 माला दासरी
- 41 माला हत्राई
- 42 माला जंगम
- 43 माला मस्ती
- 44 माला साले, नेटकानी
- 45 माला सन्यासी
- 46 मांग, मातंग, मिनिमादिग, दखनी-मांग, मांग-म्हशी, मदारी, गारुडी, राधेमांग
- 47 मांग-गारोडी, मांग-गारुडी
- 48 मत्रे
- 49 मस्ती
- 50 मॅघवाल, मॅघवार
- 51 मिठा, अयलवार
- 52 मुकी
- 53 नाडिया, हादी
- 54 पासी
- 55 सांसी
- 56 शंणवा, चेणवा, संडमा, रावत
- 57 सिंधोल्नु, चिंदोल्नु
- 58 तिरगार, तिरबंदा
- 59 तुरी

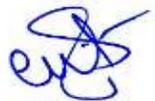



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विमुक्त जाती - अ (V. J.)
(आरक्षण 3%)

अ.क्र.	जाती	तत्सम
1	बेरड	1) अ) ** ब) नाईकवाडी क) तलवार ड) वाल्मिकी
2	बेस्तर	2) संचलू वड्डार
3	भामटा	3) अ) भामटी ब) गिरणी वड्डार क) कामाटी ड) पाथरुट इ) टकारी (मुस्लिम धर्मीयांसह) फ) उचले ग) घंटीचोर
4	केकाडी (मुंबई, ठाणे, कुलाबा, रत्नागिरी, नाशिक, धुळे, जळगाव, पुणे, अहमदनगर, सातारा, सांगली, कोल्हापूर, सोलापूर, औरंगाबाद, बीड, परभणी, उस्मानाबाद, नांदेड, जिल्हे व चंद्रपूर जिल्हयातील राजूरा तालुका यात)	4) अ) धोंतले ब) कोरवा क) माकडवाले किंवा कोंचीकोरवा ड) पामलोर इ) कोरवी
5	कंजारभाट	5) अ) छारा ब) कंजार क) नात
6	कटावू	-
7	बंजारा	7) अ) गोर बंजारा ब) लंबाडा / लंबारा क) लंबाणी ड) चरण बंजारा इ) लभाण फ) मथुरा लभाण ग) कचकीवाले बंजारा ह) लमान बंजारा इ) लमाण / लमाणी ज) लवान क) *** ल) धाली / धालीया ग) धाडी / धारी न) सिगारी व) नावी बंजारा




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- 8 ***
9 राज पारधी
- 10 राजपूत भामटा
- 11 रामोशी
12 वडार
- 13 वाघरी
- 14 छप्परबंद (मुस्लिम धर्मीयासह)
- प) जोगी बंजारा
क्यु) **
र) **
स) बंजारी
- पाल पारधी
अ) ***
ब) गाव पारधी
क) हरण शिकारी
ड) **
अ) परदेशी भामटा
ब) परदेशी भामटी
-
अ) गाडी वड्डर
ब) जाती वड्डर
क) माती वड्डर
ड) पाथरवट
इ) संगतराण / दगडफोडू
ई) वडुर
अ) सलात
ब) सलात वाघरी




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भटक्या जमाती - व (N.T. - B)

(आरक्षण 2.5%)

अ.क्र.	जाती	तत्सम
1	गोसावी	1) बावा 2) बैरागी 3) भारती 4) गिरी गोसावी 5) भारती गोसावी 6) सरस्वती पर्वत 7) सागर 8) वान किंवा वान 9) तीर्थ आश्रम 10) अरण्य घरभारी 11) संन्यासी 12) नाथपंथी गोसावी ओड, मुस्लीम वेलदार
2	बेलदार	
3	भराडी	अ) वाळ संतोशी ब) किंगरीवाले क) नाथबावा ड) नाथ जोगी, गारपगारी इ) नाथपंथी डवरी गोसावी ई) नाथ, जोगी, नाथपंथी उ) डवरी
4	भुते	भोपे
5	**	-----
6	चित्रकधी	-----
7	गारुडी	सापगारुडी (मुस्लीम धर्मियांसह)
8	लोहार	धिसाडी, धिसाडी लोहार किंवा गाडी लोहार किंवा चितोडी लोहार, रजपूत लोहार, पांचाळ- लोहार, खाती, खातवाडी, जिनगर गोल्लेवार, गोलेर, गोलकर ---
9	गोल्ला	
10	गोंधळी	
11	गोपाल	अ) गोपाल भोरपी ब) खेळकरी
12	हेळवे	12) हिलव
13	जोशी	अ) बुडबुडकी ब) डमरुवाले क) कुडमुडे ड) मंडगी इ) सरोदे, सरोदी फ) सहदेव जोशी म) सरवदे ह) सरोवा -----
14	काशी कापडी	
15	कोव्हाटी	डोंबारी




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16	मैराळ	अ) दांगट, ब) वीर
17	मसनजोगी	1) मुदगडसिध्द, 2) मपनजोशी
18	नंदीवाले	तिरमल
19	पांगूळ	---
20	राचळ	राऊळ किंवा राचळयोगी
21	सिक्कलगर	कटारी, सेक्कलगर (मुस्लीम धर्मिय), शिख-शिकलीगर, शिख-शिकलीकर, कातारी शिकलगर, मुस्लिम शिकलगर, शिकलीगर, शिकलीगर, शिकलगर, शिकीलगर, शिकलकर, शिकलीकर, शिकलकरी, सिकलकर, सिकलीकर, सिकीलगर, सिकीलकर, सिकलीघर, सिक्कलकर, सिकलीगर, सिकलगर, सिक्कलीगर, सायकलगर, सैकलकर, सैकलगर
22	वगळले	---
23	वैदू	---
24	वासुदेव	----
25	भोई	1) झिंगा भोई 2) परदेशी भोई 3) राजभोई 4) भोई 5) कहार 6) गोडिया कहार 7) धुरिया कहार 8) किरात 9) मळुआ 10) मांझी 11) जातिया 12) केवट 13) ढीवर 14) धीवर 15) धीमर 16) पालेवार 17) मळेंद्र 18) नावाडी 19) मल्हार 20) मल्हाव 21) बोई 22) गाडव भोई 23) खाडी भोई 24) खारे भोई 25) डेवरा
26	बहुरूपी	अ) बोहरणी, ब) बहुरूपिया, क) भोरपी ड) रायरंघ, इ) अघ्यार व अघ्यारी
27	ठेलारी (धुळे, नासिक, जळगाव, व औरंगाबाद जिल्हयात)	-
28	ओतारी	अ) ओतनकर, ब) ओतकर, क) वतारी ड) ओझारी, इ) वतकर, वतकरी, वतनकर, वतोकर, ओतकरी, ओतोकारडु) वतोकार




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भटक्या जमती - क (N.T. - C)

(आरक्षण 3.5%)

29 धनगर

- 1) अहिर 2) डांगे 3) गटरी 4) हंडे 5) तेलवर
- 6) हटकर 7) हाटकर 8) शेंगर 9) खुटेकर 10)
- तेलंगी 11) तेल्लारी 12) कोकणी -धनगर 13)
- कानडे 14) व-हाडे धनगर 15) झाडे 16) झेंडे
- 17) कुरमार 18) माहुरे 19) लाडसे 20)
- सनगर 21) धनवर 22) गडारिया 23) गड्री
- 24) गडरी 25) डंगोधनगर व डोंगरी धनगर

भटक्या जमाती - ड (N.T. - D)

(आरक्षण २%)

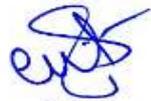
30 वंजारी

वंजार, वंजारा

भटक्या जमाती - ब (N.T. - B)

- 31 मरीआईवाले, कडकलक्ष्मीवाले, मरगम्मावाले
- 32 गिहरा / गहरा
- 33 गुसाई / गोसाई
- 34 मुस्लीम मदारी, गारुडी, सापवाले व जादुगर
- 35 भारतीय इराणी
- 36 गवळी, मुस्लीम गवळी
- 37 दरवेशी, वाघवाले -शाह (मुस्लीम धर्मीय),
अखिलवाले

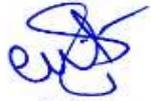



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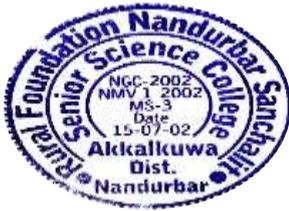
महाराष्ट्रातील सर्व इतर मागासवर्गाची यादी
(आरक्षण 19%)

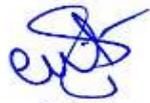
- | | |
|--|-----------------------------|
| 1) अलितकार | 41) वगळले |
| 2) बागडी | 42) गोचाकी |
| 3) वगळले | 43) गुरव |
| 4) बडीआ | 44) वगळले, गावलान (गवालवंश) |
| 5) बजानिआ | 45) गवंडी, गुर्जर-कडीया |
| 6) बाजीगर | 46) हलेपैक |
| 7) बुट्टाल | 47) वगळले |
| 8) भोंड, छप्परभांड | 48) वगळले |
| 9) भवैया किंवा तारगल | 49) जगीयासी |
| 10) भाविण | 50) जजाक |
| 11) भिस्ती किंवा पखाली, सक्का | 51) जतिया |
| 12) वगळले | 52) जातिगर |
| 13) बारी किंवा बारई | 53) जव्हेरी, परजीया सोनी |
| 14) बेरीया | 54) वगळले |
| 15) बेसदेवा | 55) जोगीण |
| 16) भडभूंजा, भूंजवा, भूंजवा, भूंजी, भरडभूंजा, भूरंजी, भूंज | 56) जोहारी |
| 17) भोंटा | 57) जुलाहा, अन्सारी |
| 18) भट, भाट | 58) जंगम |
| 19) चमथा | 59) वगळले |
| 20) चांदलगडा | 60) जाडी |
| 21) चरण किंवा गढवी | 61) वगळले |
| 22) चारोडी | 62) कम्मी |
| 23) चिप्पा, छिपा | 63) कापडी |
| 24) दास किंवा दांगडीदास | 64) वगळले |
| 25) दावगर | 65) खाटी |
| 26) देपला | 66) वगळले |
| 27) देवळी | 67) वगळले |
| 28) देवदिग | 68) वगळले |
| 29) वगळले | 69) काँगाडी |
| 30) डोली, हश्मी /डफली | 70) कोर्चर |
| 31) वगळले | 71) वगळले |
| 32) वगळले | 72) कचोरा |
| 33) वगळले | 73) कादेरा |
| 34) वगळले | 74) कामाटी |
| 35) गंधारप | 75) कसबी |
| 36) गुजराथ बोरी | 76) वगळले |
| 37) वगळले | 77) वगळले |
| 38) वगळले | 78) वगळले |
| 39) गढवी | 79) वगळले |
| 40) वगळले | 80) कुचवंध |




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- 81) कुछारिया
 82) कुंभार किंवा कुम्हार, कुंबारा, कुंभारा, कुलाला, मूल्या
 83) कुणबी (पोटजाती-लेवा कुणबी, लेवा पाटील, लेवा पटीदार, मराठा कुणबी व कुणबी मराठा)
 84) वगळले
 85) कची
 86) काठी
 87) कासार (पोटजाती- कंचार, कचारी)
 88) लाभा
 89) लडीया, लडीया, लरिया
 90) लडाफ, लइडाफ (नद्दाफ), मन्सुरी
- 91) लखेरीया
 92) वगळले, हडाड/मिस्त्री (लुहार, लुवार)
 93) माच्ची
 94) मानभाव
 95) वगळले
 96) मारवार बोरी
 97) मे
 98) मिना
 99) महली
 100) मेदार
 101) म्हाली
 102) मिठा
 103) वगळले
 104) मथुरा
 105) नामधारी
 106) नामधारी पैक
 107) निरशिकारी
 108) नावी, न्हावी (सलमानी, हजाम), वारिक, नाभिक, नापित, म्हाली, वालंद, हडपद, हज्जाम, नावीसेन, सलमानियों
 109) नेधुरा
 110) नोनीया, लोनिया, लुनिया, नुनिया
 111) नक्काशी
 112) नीली
 113) नीलकांती
 114) नेकार जाडा
 115) पधारिया
 116) पडीयार
- 117) पात्रदावरु
 118) फासेचरी
 119) फुडगी
 120) पखाली, सक्का
 121) पांचाळ
 122) पांका
 123) पेकी, पेरकेवाड, पेरीका, पेरीके, पेरका
 124) पुतली गर
 125) परीट किंवा घोबी, तेलगू मडेलवार (परीट)
 126) पाटकर, सोमवंशीय सहस्त्रार्जून क्षत्रिय,
 पटवेकरी, पटवेगार, पटेगार, पट्टेगार, पटवी, क्षत्रिय पाटकर
- 127) फुलारी
 128) राचेवर
 129) राईकरी, रायीकर
 130) बंडी
 131) रचबीधिया
 132) रंगारी
 133) रंगेझ
 134) राओत, रावत, राऊतीया
 135) रंगेज (भावसार, रंगारी)
 136) वगळले
 137) वगळले
 138) वगळले
 139) वगळले
 140) संजोगी
 141) सरानिया
 142) वगळले
 143) वगळले
 144) वगळले
 145) सुप्पालिंग
 146) सुधारिया (सिधमथील)
 147) साहिस, साईस, शिस
 148) सपेरा
 149) शिलावट
 151) वगळले
 152) वगळले
 153) शिपी, इद्रिसी / दर्जी, साईसुतार, जैन शिपी, श्रावक शिपी, शेतवाळ, शेतवाल, सैतवाळ, सैतवाल




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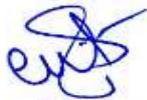
- 154) सोनार
 155) तांडेल
 156) वगळले
 157) तारगला
 158) घंटवार
 159) घोरीया
 160) तांबट, त्वष्टा कासार, कासार
- 161) धोन्ती
 162) वडी
 163) वगळले
 164) वंसफोड, हिंदू धरकार
 165) वडाई (सुतार)
 166) वर्थी
 167) वगळले
 168) येरकुला
 169) आगरी, आगळे किंवा काळण
 170) भावसार
 171) कुरहीन, शेड्डी
 172) नीलगार, निली, निराळी
 173) कोसकांती देवांग
 174) सुतार, सुधार
 175) फुतगुडी
 176) वगळले
 177) पिंजारा, पिंजारी, मन्सुरी
 178) वगळले
 179) भिलाला
 180) वगळले
 181) तेली, तिळवण तेली, मराठा तेली, तराणे तेली, देशकर तेली, एरंडेल तेली, लिंगायत तेली, एकबैल तेली, दोन बैल तेली सावतेली, एक बहिया तेली
- 182) माळी
 (पोटजाती-फुलमाळी, फुले, हळदे, काचा, कडू, बावने, अधप्रभू, अधशेटी, जिरे, उंडे, लिंगायत माळी इ.) बागवान(मुस्लीम धर्मीय) भारत बागवान, मरार, मराळ, कोसरे, गासे वनमाळी, सावतामाळी, पाचकळशी, चौकळशी, वाडवळ, राईन (बागवान)
- 183) लोणारी
 184) वगळले
 185) तलवार, कानडे
 186) रघवी (विदर्भ जिल्हयातील)
 187) भंडारी, बावर्ची/भटीयारा (मुस्लीम धर्मीय)
 188) गानली किंवा गांडली
 189) पोवार किंवा पवार(पोवार किंवा पवार आडनावे) भोयर, भोडर, भोयीर
 190) काथार,काथार वाणी,कंठहार वाणी,वैश्य वाणी कुलवंत वाणी, नेवी (लिंगायत वाणी किंवा लाडवाणी सोडून)
 191) मोमीन, अन्सारी
 192) फकीर बंदरवाला
 193) वगळले
 194) घडशी
 195) तांबोळी, पान फरोश (मुस्लीम धर्मीय)
 196) अनुसूचित जातीतून ख्रिश्चन धर्म स्विकारलेले
 197) लंझाड
 198) यादव
 199) लाडसी
 200) वगळले
 201) गावीत
 202) अतार
 203) औधिया
 204) बादक, बारव
 205) वगळू
 206) मारवार बाओरी, मारवार वाघरी
 207) उदासी, वगळले
 208) बालसंधनम
 209) मथुरा बंजारा
 210) शिंगाडे बंजारा
 211) लंबाडे
 212) फानडे बंजारा
 213) सुनार बंजारा
 214) घालिया बंजारा
 215) शिंगाडया बंजारा
 216) बाओरिया
 217) कोळी बारीया
 218) बथिनी




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- 219) बेगरी
 220) भाम्पटा किंवा घंटीचोरे किंवा परदेशी
 221) पोंग
 222) दासर
 223) उचिला
 224) भांडदुरा, बिल्लवा
 225) खारवी, धीवर भोई
 226) भोयर
 227) बिंदली
 228) बुरबुक
 229) चादर
 230) चक्रवदय-दासर
 231) चांडाळ
 232) चेन्वू किंवा चेन्ववार
 233) चिमूर
 234) चिंताला
 235) डाकालेरु
 236) दर्जी
 237) वगळले
 238) कुरबा, कुरुबार
 239) हरकांत्रा, मांगेली, मांगेले, पागे, संदुरी
 240) वेंटस, भडवाल, रजाक
 241) डोम्मारा
 242) गाडाबा किंवा गोडवा
 243) गंगाणी
 244) गारोडी
 245) गोल्लेर
 246) गोदळा
 247) हाबुरा
 248) हरणी
 249) हिल-रेडिडस
 250) देवेरी
 251) बिनकर, वन्या, बनकर
 252) काष्ठिया
 253) कोराच, पाडलोर
 254) कलाल, कलार, लाड, लाडवक,
 गौड कलाल, शिहारे
 255) कांदेल
 256) कसेरा
 257) कसाई, कसाव, कुरेशी
 258) कटीपामुला
 259) किरार
 260) खिश्चन कोळी
 261) कोराचार किंवा कोरवे
 262) कोडकू सह कोरवा
 263) कोमाकपु
 264) कोंडू
 265) लखारी
 266) लोहार-गाडा, दोडी, खतवली, पांचाळ, पंचाल
 267) चुनारी
 268) वगळले
 269) माहिल
 270) मैदासी
 271) माझवार
 272) मतिचारा, मतिहारा
 273) मानकर खालू
 274) मोंडीवार, मोंडीवारा
 275) मुंडा
 276) हजाम, कालसेरु, नावलगा, कान्शी, नाभिक,
 नाई, वालंद
 277) पाचभोटला, पाचबोटला
 278) पदमपारि
 279) भिस्ती
 280) पामूला
 281) पंचमा
 282) पंडा
 283) फर
 284) पिंजारी
 285) पुरवाली
 286) राचभोया
 287) राउतिया
 288) संगारी
 289) संताल
 290) साऊन्ता किंवा सोन्ता
 291) सावतेली
 292) सारे
 293) भावगर, शिव शिंपी, नामदेव
 294) शिंगडाव किंवा शिंगाडया




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- 295) सिंधूर
 296) सोरें
 297) सुन्ना
 298) सुन्नाई
 299) भडाई
 300) गंणिगा, गांची
 301) थोटेवाडू
 302) तिमाली
 303) वालवाई
 304) वडडेरे (कालावडेरे किंवा पाथरोड)
 305) वनाडी
 306) येनाडिवाड्स
 307) येरगोलावाड किंवा थेल्ला पामालवाडस
 308) ओडेवार
 309) मण्यार (बांगडीवाला), मण्यार, मणियार व मणरी
 310) जातगार
 311) कराडी
 312) कुंकूवाले
 313) वाडई/वगळले/खातवाडई
 314) वगळले
 315) कोहळी
 316) खाटिक, कुरेशी खाटिक, कसाई
 317) डंगरी
 318) वेडू (वाघरी)
 319) धावड
 320) निन्हाळी (निराळी)
 321) चित्रकथी हरदास
 322) बेस्ता, बेस्ती, बेस्तल्लू
 323) परिवार
 324) सावकलार
 325) हणबेर
 326) दोडे गुजर, गुजर, लेवे गुजर,
 रेवे गुजर, रेवा गुजर, सुर्यवंशी गुजर
 327) पहाड/पहाडी
 328) गडरिया
 329) मच्छिमार (दाल्दी)
 330) भालदार
 331) अलकरी
 332) पेंडारी
 333) यलम/येलम/यल्लम
- 334) महात / माहूत, महावत
 335) फकीर
 336) लोध, लोधा, लोधी
 337) नालबंद
 338) कुलेकडगी, कुल्लेकडगी, कुलाकडगी,
 कुल्लाकडगी
 339) मुजावर
 340) मुलाणा, मुलाणी, मुलाणे
 341) ईस्ट इंडियन, ईस्ट इंडियन इन्डिचन,
 ईस्ट इंडियन कॅथॉलिक



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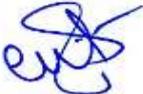
विशेष मागास प्रवर्ग (S.B.C.)
(आरक्षण 2%)

अ.क्र.

जातीचे नांव

- 1) गोवारी, गवारी
- 2) वगळले,
- 3) 1) कोष्टी, 2) हलवा कोष्टी, 3) वगळले, 4) साळी, स्वकुळ साळी 5) लाडकोष्टी, 6) गडेवाल कोष्टी, 7) देशकर, 8) सालेवार, 9) पथ शाली, घेनेवार, घनेवार, चोत्रेवार 10) देवांग, 11) काची वंधे, 12) पटवीस, 13) सलसाले, 14) साडे, 15) जैनकोष्टी
- 4) 1) कोळी, तलसम जागी, 2) मच्छिमर कोळी, 3) अहीर कोळी, 4) खानदेशी कोळी, 5) घानकोळी, 6) शिबचन कोळी, 7) घुंबळे कोळी, 8) पानभरे कोळी, 9) कोळी सूर्यवंशी, 10) मांगेला, 11) सोनकोळी, 12) वैती, 13) खारवा किंवा खारवी, 14) अनुसूचित जमातीमध्ये समावेश नसलेले कोळी
- 5) 1) मूत्रेवार, 2) मूत्रेवार, 3) मूत्र, 4) तेलगू मूत्र, 5) मूत्रेवार तेलगू, 6) मूत्रेकापू, 7) कापेवार, 8) तेलगू कापेवार, 9) मूत्रेवाड, 10) तेलगू फुलमाळी, वा जाती.




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GOVERNMENT OF MAHARASHTRA

The admission procedure for these seats is as under:

1. The candidate shall report to the Directorate of Technical Education, Maharashtra State, for scrutiny of original certificates and for collecting the admission letter as per schedule.
2. GOI Nominee candidate shall not report directly to the Institute without collecting admission letter from Directorate of Technical Education, Maharashtra state.

Reservations:

All the reservations given below shall be applicable to candidates belonging to Maharashtra State only subject to the fulfillment of the eligibility criteria specified by respective authorities from time to time.

Reservation for Backward Class category Candidates:

The percentage of seats reserved for candidates of backward class categories belonging to Maharashtra State is as per the details in table given below. The percentages of reservation are the percentages of the seats available for Maharashtra candidates, which are coming under the purview of the Competent Authority (Refer notes 1-5 given below for details). These are the minimum percentages of reservation exclusive of the backward class candidates securing allotment through General Merit by virtue of merit. Backward class candidates shall claim the category to which they belong to at the time of submission of application form for Centralized Admission.

Sr. No	Category of Reservation	Reservation
1.	Scheduled Castes and Schedule caste converts to Buddhism (SC)	13.0 %
2.	Schedule Tribes (ST)	7.0 %
3.	Vimukta Jati (VJ)/De notified Tribes(DT) (NT-A)	3.0 %
4.	Nomadic Tribes 1 (NT-B)	2.5 %
5.	Nomadic Tribes 2 (NT-C)	3.5 %
6.	Nomadic Tribes 3 (NT-D)	2.0 %
7.	Other Backward Classes (OBC)	19.0 %
	Total	50 %



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These percentages represent the minimum number of vacancies to be filled by the appointment of members of the Backward Class and Government desires to make it clear that it is open to the appointing authorities to recruit members of the Backward Class in excess of these percentages if they are otherwise considered suitable for such appointment vis-a-vis other candidates on merit. Government is also pleased to direct that if any of the vacancies reserved for the members of a particular section of the Backward Class cannot be filled by the appointment of members of that section for want of suitable candidates, they should be filled by the appointment of members of other sections of Backward Class, if such candidates are available and if no such candidates are available, by others i.e. by the members of non-Backward Class. These vacancies i.e. the vacancies which are filled otherwise than by the appointment of candidates belonging to the particular section of the Backward Class should, however, be carried forward and added to the vacancies reserved for the particular section (i.e. the section for which they were initially reserved) on the next occasion when vacancies are filled. Government is, however, pleased to direct that such vacancies should not be carried forward in this manner for more than two years and that the total number of normal reserved vacancies and the carried forward vacancies together should not exceed 45% of the total number of vacancies on any occasion of recruitment. The surplus above 45% should be carried forward to the subsequent occasions of recruitment subject, however, to the condition that the vacancies are not carried forward for more than two years.

2. These orders take effect from the date of issue and are applicable throughout the State. Government is also pleased to direct that the various concessions which were available to the members of Backward Classes in the Western Maharashtra region regarding the reservation of vacancies, the relaxation of age limit etc. should also be extended throughout the State and should be admissible to members of Backward Classes throughout the State irrespective of the region of the State to which they belong. Pending unification of the list of other Backward communities for the entire State, the concessions should be admissible on the basis of the list of other Backward Communities at present in force in the respective regions, i.e. members of the communities included in those lists should be treated as belonging to the Backward Class for purpose of recruitment vacancies reserved for them and also for other concessions admissible in the matter of recruitment to Government service throughout the State.

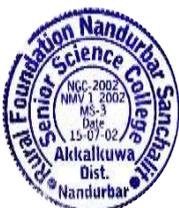
3. Government is also pleased to direct that all appointing authorities should take particular care to see that these orders regarding reservation in favour of members of the Backward Class in the various services are followed scrupulously.

By order and in the name of the Governor of Maharashtra

K. P. NADKARNI,
Deputy Secretary to Government

H-53(6,000-4-65)-1a.

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Government service -
Reservation in - for members
of the Backward Class.

GOVERNMENT OF MAHARASHTRA.
General Administration Department.
Resolution No. SCG 1064-III-3.
Sachivalaya, Bombay-32 BK, 9th April, 1966
Chaitra 10, 1887.

RESOLUTION:- The Government of Maharashtra has issued orders reserving vacancies in Government services for members of the Backward Classes and sanctioning certain concessions in their favour in the matter of their recruitment to Government services. These orders were reviewed by Government in the light of the recommendations made by the Committee appointed under the Chairmanship of Shri B. D. Deshmukh to go into the question of reservation of seats and allied matters relating to the recruitment of Backward Classes to Government ~~of~~ service and Government is pleased to direct in modification of the existing orders as follows:-

I Composition of Backward Classes-

According to the existing orders Backward Class consists of the following sections viz. (i) Scheduled Castes, (ii) Scheduled Tribes and (iii) Other Backward Communities. Government has decided that the grouping should be revised and the Backward Class should consist of the following sections, viz:-

- (i) Scheduled Castes and Scheduled Caste converts to Buddhism;
- (ii) Scheduled Tribes including those living outside the specified areas;
- (iii) Denotified Tribes and Nomadic Tribes and
- (iv) Other Backward Communities.

II Reservation of vacancies-

In modification of the existing orders making reservation in favour of members of the Backward Classes, Government is pleased to direct that the following percentage of vacancies occurring in each of the various services under which are filled by direct recruitment should be reserved for members of each of the sections of the Backward Classes viz:-

- | | |
|---|-----|
| 1) Scheduled Castes and Scheduled Caste converts to Buddhism. | 12% |
| 2) Scheduled Tribes including those living outside the specified areas. | 7% |
| 3) Denotified Tribes and Nomadic Tribes. | 4% |
| 4) Other Backward Communities. | 10% |

(P.T.O.)

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सामाजिक व शैक्षणिकदृष्ट्या मागास (एसईबीसी) वर्गातील घटकांना खुल्या प्रवर्गातील आर्थिकदृष्ट्या दुर्बल घटकांचा लाभ देण्याबाबत.....

महाराष्ट्र शासन

सामान्य प्रशासन विभाग

शासन निर्णय क्रमांक : राआधो ४०१९/प्र.क्र.३१/१६-अ

हुतात्मा राजगुरु चौक, मादाम कामा रोड,

मंत्रालय, मुंबई - ४०० ०३२.

दिनांक - २३ डिसेंबर, २०२०

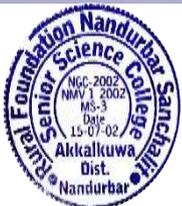
- वाचा:-
१. शासन निर्णय क्रमांक राआधो ४०१९/प्र.क्र.३१/१६-अ, दि. १२ फेब्रुवारी, २०१९
 २. शासन पत्र क्र. राआधो ४०१९/प्र.क्र.३१/१६-अ, दि. २० मार्च, २०१९
 ३. शासन पत्र क्र. राआधो ४०१९/प्र.क्र.३१/१६-अ, दि. २६ एप्रिल, २०१९
 ४. शासन पत्र क्र. राआधो ४०१९/प्र.क्र.३१/१६-अ, दि. ६ सप्टेंबर, २०१९
 ५. सा.प्र.वि., परिपत्रक क्र. राआधो ४०१९/प्र.क्र.३१/१६-अ, दि. २८ जुलै, २०२०
 ६. सा.प्र.वि. शासन निर्णय क्र. बीसीसी २०२०/प्र.क्र.२९५/१६ ब, दि. ९ ऑक्टोबर २०२०
 ७. सा.प्र.वि., शासन निर्णय क्र. बीसीसी २०२०/प्र.क्र.२९५/१६ ब, दि. २४ नोव्हेंबर २०२०

प्रस्तावना :-

संसदेने संविधानात १०३ व्या घटनादुरुस्तीनुसार आर्थिकदृष्ट्या दुर्बल घटकांसाठी शैक्षणिक संस्थामध्ये प्रवेशासाठी व शासन सेवेतील नियुक्त्यांमध्ये १० टक्के आरक्षण विहित केलेले आहे. त्यानुसार राज्य शासनाने संदर्भ क्र.१ अन्वये खुल्या प्रवर्गातील आर्थिकदृष्ट्या दुर्बल घटकांसाठी शैक्षणिक संस्थामध्ये प्रवेशासाठी व शासन सेवेतील नियुक्त्यांमध्ये १० टक्के जागा आरक्षित केल्या आहेत. सदर आरक्षणाच्या लाभासाठी ज्या घटकांना कोणत्याही मागास प्रवर्गातील आरक्षणाचा लाभ दिला जात नाही, अशा खुल्या प्रवर्गातील आर्थिकदृष्ट्या दुर्बल घटकांचा समावेश करण्यात आला आहे.

२. राज्यातील शैक्षणिक संस्थामध्ये प्रवेशासाठी व शासन सेवेतील नियुक्त्यांमध्ये राज्यात सामाजिक आणि शैक्षणिक मागास (एसईबीसी) या वर्गास आरक्षण देण्यात आलेले असल्याने या वर्गास आर्थिकदृष्ट्या दुर्बल घटकांसाठी अनुज्ञेय असलेले १० टक्के आरक्षण लागू होत नाही. तथापि, केंद्र शासनाच्या मागास प्रवर्गाच्या यादीमध्ये मराठा समाजाचा समावेश नसल्याने केंद्र शासनाच्या अखत्यारीतील शैक्षणिक संस्थामध्ये प्रवेशाच्या जागा व सेवेतील भरतीसाठी आर्थिकदृष्ट्या दुर्बल घटकांच्या आरक्षणाकरीता महाराष्ट्र राज्यातील सामाजिक व शैक्षणिकदृष्ट्या मागास (एसईबीसी) वर्ग पात्र आहे. यासंदर्भात, शासनाने संदर्भ क्र.२ ते ५ अन्वये, रोजीच्या पत्रान्वये आवश्यक सूचना निर्गमित केलेल्या आहेत.

३. मा.सर्वोच्च न्यायालयाने विशेष अनुज्ञा याचिका क्र.१५७३७/२०१९ व इतर याचिकांवरील दि.०९.०९.२०२० रोजीच्या सुनावणीत एसईबीसी आरक्षणास अंतरीम स्थगिती दिली आहे.



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मा.सर्वोच्च न्यायालयाने दिलेल्या अंतरीम स्थगिती आदेशान्वये शैक्षणिक वर्ष २०२०-२१ मधील प्रवेश हे एसईबीसी अधिनियमातील आरक्षणाशिवाय करण्यात यावे. तसेच शासन सेवेतील पदावरील नियुक्त्या सुध्दा अधिनियमातील आरक्षणाशिवाय करण्याबाबत आदेश आहेत. मा.सर्वोच्च न्यायालयाने दिलेली अंतरीम स्थगिती उठविण्यासाठी मा.सर्वोच्च न्यायालयात मोठ्या खंडपीठाकडे शासनाच्या वतीने विनंती अर्ज दाखल करण्यात आला आहे. तथापि, अद्याप सदर प्रकरणी न्यायनिर्णय प्रलंबित आहे. मा.सर्वोच्च न्यायालयाने दिलेल्या अंतरीम स्थगिती आदेशामुळे संदर्भ क्र. ७ अन्वये सन २०२०-२१ या शैक्षणिक वर्षातील दि.१.९.२०२० रोजीनंतरच्या शैक्षणिक प्रवेशांना एसईबीसी आरक्षण न ठेवता पार पाडण्याबाबत तसेच दि.१.९.२०२० पूर्वी प्रवेशासाठी अर्ज केले असतील व प्रवेश देण्यात आले नसतील तर अशा एसईबीसी घटकातील विद्यार्थ्यांना खुल्या प्रवर्गातून प्रवेश देण्याबाबत निर्णय घेण्यात आला आहे. मा. उच्च न्यायालय, मुंबई येथे याचिका क्र. ९५९३४/२०२०, ९८०६६/२०२०, ९८३०९/२०२०, ९७७५७/२०२०, ९८३००/२०२० तसेच मा. उच्च न्यायालय, खंडपीठ औरंगाबाद येथे याचिका क्र. ७४५५/२०२०, याचिका क्र.७८७६/२०२०, २९८९२/२०२०, २२३४७/२०२०, २२४२५/२०२०, ८०७२/२०२०, ८०८४/२०२०, ८०९४/२०२० दाखल करण्यात आलेल्या आहेत. काही याचिकांमध्ये अंतिम निकाल देण्यात आलेला असून एसईबीसी उमेदवारांना ईडब्ल्यूएस प्रमाणपत्र देण्याबाबत आदेश देण्यात आलेले आहेत. याचिका क्रमांक ९८०६६/२०२० मध्ये दिनांक ८.९.२०२० पूर्वी एसईबीसी उमेदवारांना ईडब्ल्यूएसचे प्रमाणपत्र देण्याबाबत मा.उच्च न्यायालय मुंबई येथे शपथपत्र दाखल करावयाचे आहे. तसेच याचिका क्रमांक ८०७२/२०२०, ८०८४/२०२०, ८०९५/२०२० मध्ये न्यायालयाने "It would have been appropriate if the Government would have taken a decision as to whether the benefit of EWS ought to be granted to the candidates, who have applied from SEBC category and the said reservation is stayed by the Apex Court. It appears that the decision to that effect has not been taken" असे निरीक्षण नोंदविले आहे. सदर बाब विचारात घेता, सामाजिक आणि शैक्षणिक मागास (एसईबीसी) वर्गातील उमेदवार राज्यात खुल्या प्रवर्गातून प्रवेशाकरीता पात्र असल्याने या वर्गास मा.सर्वोच्च न्यायालयाच्या आदेशाच्या अधीन राहून शैक्षणिक वर्ष २०२०-२१ मधील प्रवेश व सरळसेवा भरतीसाठी खुल्या प्रवर्गातील ईडब्ल्यूएस आरक्षणाचा लाभ देण्यासाठी ईडब्ल्यूएस प्रमाणपत्र देण्याची बाब शासनाच्या विचाराधीन होती. त्यानुसार शासन पुढीलप्रमाणे निर्णय घेत आहे.

शासन निर्णय :

मा.सर्वोच्च न्यायालयाच्या दिनांक १.९.२०२० रोजीच्या अंतरिम स्थगिती आदेश विचारात घेता, सद्यःस्थितीत सामाजिक व शैक्षणिकदृष्ट्या मागास (एसईबीसी) वर्गातील उमेदवारांना सन २०२०-२१ या वर्षातील शैक्षणिक प्रवेश घेण्यासाठी व सरळसेवा भरतीकरीता आर्थिकदृष्ट्या दुर्बल घटकांचे (ईडब्ल्यूएस) प्रमाणपत्र देण्यास मान्यता देत आहे.

पृष्ठ ५ पैकी २




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२. आर्थिकदृष्ट्या दुर्बल घटकांचे (ईडब्ल्यूएस) प्रमाणपत्र देण्याच्या कार्यवाहीस्तव संबंधित सक्षम प्राधिकारी सर्व विभागीय आयुक्त/ जिल्हाधिकारी/सर्व निवासी उप जिल्हाधिकारी/सर्व तालुका दंडाधिकारी तथा तहसिलदार यांनी विशेष मोहिम राबवून संबंधित विद्यार्थ्यांना प्रवेशप्रक्रियेपूर्वी प्रमाणपत्र उपलब्ध करून देण्याची कार्यवाही करावी. याकरीता विशेष कक्षाची स्थापना करून विद्यार्थ्यांना प्रवेशाच्या दृष्टीने प्रमाणपत्र प्राथम्याने देण्यासाठी आवश्यक कार्यवाही तातडीने करावी.

३. सदर प्रमाणपत्र निर्गमित करताना, सामाजिक व शैक्षणिकदृष्ट्या मागास (एसईबीसी) वर्गातील उमेदवारांना मागील आर्थिक वर्षाच्या उत्पन्न व मत्ता या आधारे राज्य शासनाने विहित केलेले निकषाप्रमाणे विहित प्रपत्रातील " महाराष्ट्र राज्य सामाजिक आणि शैक्षणिक मागास (एसईबीसी) वर्गाकरीता (राज्यातील शैक्षणिक संस्थांमधील जागांच्या प्रवेशाचे आणि राज्याच्या नियंत्रणाखालील लोकसेवांमधील नियुक्त्यांचे किंवा पदांचे) आरक्षण अधिनियम २०१८ (सन २०१८ चा महाराष्ट्र अधिनियम क्रमांक ६२)" हा अधोरेखित भाग वगळून आर्थिकदृष्ट्या दुर्बल घटकांचे (ईडब्ल्यूएस) प्रमाणपत्र देण्याची कार्यवाही संबंधित सक्षम प्राधिकारी यांनी करावी.

४. तसेच केंद्र शासनाच्या सेवा व शैक्षणिक प्रवेशासाठी केंद्र शासनाने आर्थिकदृष्ट्या दुर्बल घटक आरक्षणासाठी संदर्भ क्र.२ मध्ये नमूद केल्यानुसार विहित निकष व विहित विवरणपत्रात स्वतंत्र प्रमाणपत्र देण्याची कार्यवाही संबंधित सक्षम प्राधिकारी यांनी करावी.

५. सामाजिक व शैक्षणिक दृष्ट्या मागासप्रवर्गातील उमेदवारांना खुल्या प्रवर्गात अथवा ईडब्ल्यूएस आरक्षणातून लाभ घेणे ऐच्छिक असेल.

६. उमेदवाराने शैक्षणिक प्रवेशातील अथवा शासन सेवेत भरतीकरीत ईडब्ल्यूएस आरक्षणाचा लाभ घेतल्यास सदर उमेदवार एसईबीसी आरक्षणाच्या लाभास पात्र ठरणार नाही.

७. सदरचे आदेश हे मा.सर्वोच्च न्यायालयात दाखल करण्यात आलेली विशेष अनुज्ञा याचिका क्र.१५७३७/२०१९ व इतर याचिकांमधील अंतरीम आदेशावरील निर्णयाच्या अथवा अंतिम निर्णयाच्या अधीन राहतील.

८. हा शासन निर्णय शासकीय/ निमशासकीय सेवा, मंडळे/महामंडळे, नगरपालिका / महानगरपालिका, जिल्हा परिषदा, शासकीय विद्यालय, महाविद्यालय, शासकीय शैक्षणिक संस्था, खाजगी विद्यालय, महाविद्यालय, शैक्षणिक संस्था, अनुदानित/विना अनुदानित विद्यालय, महाविद्यालय व शैक्षणिक संस्था आणि ज्यांना मार्गदर्शक आदेश देण्याचा अधिकार राज्य शासनाला आहे, अशी इतर सर्व प्राधिकरणे, सेवा व संस्था यांना लागू राहिल. संबंधित यंत्रणांनी याबाबत आवश्यक त्या सूचना निर्गमित कराव्यात.

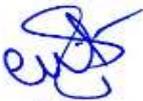


पृष्ठ ५ पेकी ३

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२५. सर्व महानगरपालिकांचे आयुक्त,
२६. सर्व मुख्याधिकारी, नगरपरिषदा/नगरपालिका,
२७. विधिमंडळ ग्रंथालय, महाराष्ट्र विधानभवन, मुंबई
२८. सर्व महामंडळे, मंडळे आणि सार्वजनिक उपक्रम यांचे व्यवस्थापकीय संचालक,
२९. सर्व मान्यताप्राप्त राजकीय पक्षांची मध्यवर्ती कार्यालये, महाराष्ट्र राज्य,
३०. निवड नस्ती/कार्यासन १६-अ.




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