



सत्यमेव जयते

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 9th April, 2018)*



PRINTED IN INDIA BY THE MANAGER GOVERNMENT PRESS AND STATIONERY  
STORES, KOLHAPUR AND PUBLISHED BY THE DIRECTOR, GOVERNMENT  
PRINTING, STATIONERY AND PUBLICATIONS, MAHARASHTRA STATE,  
MUMBAI-400 004.

[Price : Rs. 10.00]



**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.**

CONTENTS

PREAMBLE-

SECTIONS-

1. Short title, extent and commencement.
2. Definitions.
3. Applicability.
4. **Reservation and percentage.**
5. Reservation in promotion.
6. Carrying forward of reserved vacancies.
7. Responsibility and powers of compliance of Act.
8. Penalty.
9. Powers to call for records.
10. Representation in selection committee.
11. Irregular appointments void.
12. Protection of action taken in good faith.
13. Power to make rules.
14. Provisions of this Act to be in addition to any other law for the time being in force.
15. Savings.
16. Power to remove difficulties.



2004 : Mah.VIII ]

## MAHARASHTRA ACT No. VIII OF 2004 !

[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.)

Amended by Mah. 3 of 2016 \*\* (1-8-2014) @

**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.

Definitions.

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

(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.

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.

\*\* Maharashtra Ordinance No. XXIV of 2015 was repealed by Mah. 3 of 2016, s. 3 (1).

@ This indicates the date of commencement of Act.



2

*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*

[ 2004 : Mah. VIII

*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;

(c) “ 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;

(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 section 617 of the \*Companies Act, 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);

\* Now see the companies Act, 2013 (18 of 2013).

Mah.  
XXIV  
of  
1961.

1 of  
1956.



2004 : Mah. VIII ] 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

3

(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



4

[ 2004 : Mah. VIII ]

*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*

Classes, at the stage of direct recruitment 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 :



**2004 : Mah. VIII ]** *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*

5

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 **\*\*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.

[Provided also that, on the date preceding the date of formation of the Palghar District, that is preceding the 1st August 2014, the reservation including additional reservation for the Scheduled Tribes which was in force in the then Thane District for direct recruitment in Group 'C' and Group 'D' posts, under any Government orders, shall continue to be in force with affect from the 1st August 2014 in the Palghar District till such orders are modified or revoked ; and on or after the 1st August 2014, the reservation for direct recruitment in Group 'C' and Group 'D' posts in the Thane District existing from the 1st August 2014, after division of the then Thane District, shall be as provided in the Table under this sub-section.]

(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 promotion.

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.

1 The word "Thane" was deleted with effect from 1st August 2014, by Mah. 3 of 2016, s.2(a).

2 This Proviso was added by Mah. 3 of 2016, s. 2(b).



[ 2004 : Mah. VIII

6 *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*

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

Protection of action taken in good faith. 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.





2004 : Mah. VIII] 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

7

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.



**Maharashtra Government Publications  
can be obtained from—**

★ **THE DIRECTOR**

GOVERNMENT PRINTING, STATIONERY AND PUBLICATION  
MAHARASHTRA STATE  
Netaji Subhash Road,  
**MUMBAI 400 004.**  
Phone-(022) 23632693, 23630695  
23631148, 23634049

★ **THE MANAGER**

GOVERNMENT PHOTOZINCO PRESS AND BOOK DEPOT  
Photozinco Press Area, Near G.P.O.  
**PUNE-411 001.**  
Phone-(020) 26125808, 26124759

★ **THE MANAGER**

GOVERNMENT PRESS AND BOOK DEPOT  
Civil Lines, NAGPUR-440 001.  
Phone-(0712) 2562615

★ **THE ASSTT. DIRECTOR**

GOVERNMENT STATIONERY AND BOOK DEPOT  
Shaha Ganj, Near Gandhi Chowk,  
**AURANGABAD 431 001.**  
Phone-0240 2331468, 2331525

★ **THE MANAGER**

GOVERNMENT PRESS AND STATIONERY STORES  
Tarabai Park, KOLHAPUR-416 003.  
Phone-0231-2650395, 2650402

**AND THE RECOGNISED BOOK SELLERS**



सत्यमेव जयते



विश्वविद्यालय अनुदान आयोग

**University Grants Commission**

मानव संसाधन विकास मंत्रालय, भारत सरकार

(Ministry of Human Resource Development, Govt. of India)

बहादुरशाह जफर मार्ग नई दिल्ली - 110 002

Bahadurshah Zafar Marg, New Delhi-110002

Phone : 011-23406308, 011-23406309



ज्ञान-विज्ञान विमुक्तये

**By Speed Post**

3 JUN 2016

F.No.59-6/2012 (CU)

The Registrar

All Central Universities (40)

**Subject : Implementation of Reservation Policy in admission and appointment.**

Sir,

In continuation to this office letter No.F.21-2/2015 (CU) dated 23.03.2016 (copy enclosed) regarding the policy of reservation in admissions and appointments, I am directed to inform you to implement the reservation policy in admissions and appointments as under :-

- (i) University may follow the reservation policy in admissions in all courses as per provisions contained in the Central Educational Institutions (Reservation in Admission) Act, 2006 (Gazette notification dated 04.01.2007) and as amended in 2012 (Gazette notification dated 20.06.2012). A copy of each of the CEI Act 2006 and Amendment Act, 2012 is enclosed for ready reference.
- (ii) For reservation policy in appointments of Non-Teaching staff, university may follow the quantum of reservation in Group 'C' and erstwhile Group 'D' posts as per instructions issued by DoPT Order No.36011/6/2010-Estt.(Res.) dated 25<sup>th</sup> June, 2010 (copy enclosed). For reservation in Group 'A' and Group 'B' posts, the reservation for SC is 15%, for ST is 7.5% and for OBC, reservation in direct recruitment is 27%.
- (iii) In teaching positions, reservation for SC is 15% and for ST is 7.5% at all three levels i.e. Professor, Associate Professor and Assistant Professor. However, 27% OBC reservation in teaching positions is applicable at the level of Assistant Professor only.

Encl: As above

Yours faithfully,

(K.P. Singh)

Joint Secretary

Copy to :

- (i) Dr. Sukhbir Singh Sandhu, IAS, Joint Secretary (CU &L), Government of India, Ministry of Human Resource Development, Department of Higher Education, Shastri Bhawan, New Delhi - 110 115.

✓ (ii) PO (Website)



SNO.144(1)

- 2808-

BY SPEED POST



UNIVERSITY GRANTS COMMISSION  
BAHADURSHAH ZAFAR MARG  
NEW DELHI-110002

विश्वविद्यालय अनुदान आयोग  
बहादुरशाह जफर मार्ग  
नई दिल्ली - 110 002

All communications should be addressed to the Secretary by designation and not by name

F.No.21-2/2015 (CU)

March, 2016

The Registrar  
All Central Universities and  
Principal, UCMS.

23 MAR 2016

**Subject: Revised Budget Estimates for 2015-2016 under Non-Plan of Central Universities – regarding point wise reservation roaster.**

Sir,

This is in reference to the discussion on Revised Budget Estimates for 2015-2016 held on 1<sup>st</sup> March, 2016 to 3<sup>rd</sup> March, 2016 in the UGC office. In this regard, I am directed to inform you that it has been observed that some of the Central Universities has not maintained the point wise reservation roaster. Therefore, it is to inform you to frame the point wise reservation roaster as per rules framed by the Govt. of India. Further, it is also to inform you that as per instructions of Govt. of India/UGC, the educational institutions receiving grant-in-aid from Central Government have to follow the *prescribed percentage of Reservation i.e. 15% for SCs, 7½% for STs and 27% in OBCs in the matter of teaching and non-teaching posts as well as in admissions to various courses except Minority educational institutions under Article 30(1) of the Constitution. The Central Universities are receiving 100% grant from the Central Government/UGC and they have to follow the Reservation Policy of the Government of India for SCs/STs in toto i.e. 15% for SCs, 7½% for STs and 27% for OBCs in the matter of teaching and non-teaching posts as well as in admissions to various courses/degrees.*

As per instructions of UGC, all the Central Universities have to maintain/provide the reservation for SCs/STs in teaching positions at all levels i.e. Assistant Professor, Associate Professor and Professor and OBC reservation at Assistant Professor only.

Yours faithfully,

*Rathore*

(Sushma Rathore)  
Under Secretary

*dc  
Kuyach  
22/3/16*

*Rathore*  
22.3.2016  
(Sushma Rathore)  
Under Secretary

*dc  
Kuyach  
22/3/16*

Copy to:-  
The Finance Officer  
All Central Universities and  
Principal, UCMS.





All communications should be addressed to the Secretary by designation and not by name



ANNEXURE-II

UNIVERSITY OF DELHI  
PANDEYANAGAR (GATEWAY),  
NEW DELHI-110002

विश्वविद्यालय अनुदान आयोग  
बहादुरसाह जवाहर मार्ग  
नई दिल्ली 110 002

No.F 36-2/2003 (CU)

January, 2007

The Registrar,  
All Central Universities

- 8 JAN 2007

Sub:- The Central Educational Institutions (Reservation in Admission) Act, 2006-reg

Sir,

I am directed to enclose herewith a copy of the Gazette of India-The Central Educational Institutions (Reservation in Admission) Act, 2006, No 5 of 2007, dated 4<sup>th</sup> January, 2007 received from Mrs.Anupama Bhatnagar, Director, Govt. of India, Ministry of Human Resource Development, Deptt. Of Higher Education, New Delhi vide D.O.No. F.1-1/2005/U-1-A dated 5-1-2007 on the above subject for your information and necessary action.

Yours faithfully,

(Dr. K.P. Singh)  
Joint Secretary

Encl: As above.

Copy to-

1. Mrs. Anupama Bhatnagar, Director, Govt. of India, Ministry of Human Resource Development Deptt. Of Higher Education, Shastri Bhavan, New Delhi, with reference to her DO.NO.1-1/2005 /U-1-A dated 5<sup>th</sup> January, 2007.
2. Additional Secretary -I, UGC.
3. Deputy Secretary (SCT), UGC.

Yours faithfully,

(R. Manoj Kumar)  
Education Officer

OK  
  
8/1/07



रजिस्ट्री सं. डी. एल.—(एन)04/0007/2006—08

REGISTERED NO. DL—(N)04/0007/2006—03



# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II — खण्ड I

PART II — Section I

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 5] नई दिल्ली, वृहस्पतिवार, जनवरी 4, 2007 / पौष 14, 1928  
No. 5] NEW DELHI, THURSDAY, JANUARY 4, 2007 / PAUSA 14, 1928

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

## MINISTRY OF LAW AND JUSTICE (Legislative Department)

*New Delhi, the 4th January, 2007/Pausa 14, 1928 (Saka)*

The following Act of Parliament received the assent of the President on the 3rd January, 2007, and is hereby published for general information:—

### THE CENTRAL EDUCATIONAL INSTITUTIONS (RESERVATION IN ADMISSION) ACT, 2006

No. 5 OF 2007

[3rd January, 2007.]

An Act to provide for the reservation in admission of the students belonging to the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes of citizens, to certain Central Educational Institutions established, maintained or aided by the Central Government, and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:—

1. This Act may be called the Central Educational Institutions (Reservation in Admission) Act, 2006. Short title.

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

Definitions.

(a) "academic session" means the period in a calendar year, or a part thereof, during which a Central Educational Institution is open for teaching or instruction in any branch of study or faculty;



(h) "annual permitted strength" means the number of seats, in a course or programme for teaching or instruction in each branch of study or faculty authorised by an appropriate authority for admission of students to a Central Educational Institution;

(c) "appropriate authority" means the University Grants Commission, the Bar Council of India, the Medical Council of India, the All India Council for Technical Education or any other authority or body established by or under a Central Act for the determination, coordination or maintenance of the standards of higher education in any Central Educational Institution;

(d) "Central Educational Institution" means—

- (i) a university established or incorporated by or under a Central Act;
- (ii) an institution of national importance set up by an Act of Parliament;
- (iii) an institution, declared as a deemed University under section 3 of the University Grants Commission Act, 1956, and maintained by or receiving aid from the Central Government;
- (iv) an institution maintained by or receiving aid from the Central Government, whether directly or indirectly, and affiliated to an institution referred to in clause (i) or clause (ii), or a constituent unit of an institution referred to in clause (iii);
- (v) an educational institution set up by the Central Government under the Societies Registration Act, 1860;

(e) "faculty" means the faculty of a Central Educational Institution;

(f) "Minority Educational Institution" means an institution established and administered by the minorities under clause (1) of article 30 of the Constitution and so declared by an Act of Parliament or by the Central Government or declared as a Minority Educational Institution under the National Commission for Minority Educational Institutions Act, 2004;

(g) "Other Backward Classes" means the class or classes of citizens who are socially and educationally backward, and are so determined by the Central Government;

(h) "Scheduled Castes" means the Scheduled Castes notified under article 341 of the Constitution;

(i) "Scheduled Tribes" means the Scheduled Tribes notified under article 342 of the Constitution;

(j) "teaching or instruction in any branch of study" means teaching or instruction in a branch of study leading to three principal levels of qualifications at bachelor (undergraduate) masters (postgraduate) and doctoral levels.

3. The reservation of seats in admission and its extent in a Central Educational Institution shall be provided in the following manner, namely:—

- (i) out of the annual permitted strength in each branch of study or faculty, fifteen per cent. seats shall be reserved for the Scheduled Castes;



(ii) out of the annual permitted strength in each branch of study or faculty, seven and one-half per cent seats shall be reserved for the Scheduled Tribes;

(iii) out of the annual permitted strength in each branch of study or faculty, twenty-seven per cent seats shall be reserved for the Other Backward Classes.

4. The provisions of section 3 of this Act shall not apply to

Act not to apply in certain cases

(a) a Central Educational Institution established in the tribal areas referred to in the Sixth Schedule to the Constitution;

(b) the institutions of excellence, research institutions, institutions of national and strategic importance specified in the Schedule to this Act;

Provided that the Central Government may, as and when considered necessary, by notification in the Official Gazette, amend the Schedule;

(c) a Minority Educational Institution as defined in this Act,

(d) a course or programme at high levels of specialisation, including at the post-doctoral level, within any branch of study or faculty, which the Central Government may, in consultation with the appropriate authority, specify.

5. (1) Notwithstanding anything contained in clause (iii) of section 3 and in any other law for the time being in force, every Central Educational Institution shall, with the prior approval of the appropriate authority, increase the number of seats in a branch of study or faculty over and above its annual permitted strength so that the number of seats, excluding those reserved for the persons belonging to the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes, is not less than the number of such seats available for the academic session immediately preceding the date of the coming into force of this Act.

Mandatory increase of seats.

(2) Where, on a representation by any Central Educational Institution, the Central Government, in consultation with the appropriate authority, is satisfied that for reasons of financial, physical or academic limitations or in order to maintain the standards of education, the annual permitted strength in any branch of study or faculty of such institution cannot be increased for the academic session following the commencement of this Act, it may permit by notification in the Official Gazette, such institution to increase the annual permitted strength over a maximum period of three years beginning with the academic session following the commencement of this Act; and then, the extent of reservation for the Other Backward Classes as provided in clause (iii) of section 3 shall be limited for that academic session in such manner that the number of seats available to the Other Backward Classes for each academic session are commensurate with the increase in the permitted strength for each year.

6. The Central Educational Institutions shall take all necessary steps, which are required in giving effect to the provisions of sections 3, 4 and 5 of this Act, for the purposes of reservation of seats in admissions to its academic sessions commencing on and from the calendar year, 2007.

Reservation of seats in admissions to begin in calendar year, 2007

7. Every notification made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament 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 immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the notification or both Houses agree that the notification should not be made, the notification shall thereafter 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 under that notification.

Laying of notifications before Parliament





THE SCHEDULE  
[See section 4(b)]

S. No	Names of the Institutions of Excellence, etc.
1	Homi Bhabha National Institute, Mumbai and its constituent units, namely:— <ol style="list-style-type: none"> <li>(i) Bhabha Atomic Research Centre, Trombay;</li> <li>(ii) Indira Gandhi Centre for Atomic Research, Kalpakkam;</li> <li>(iii) Raja Ramanna Centre for Advanced Technology, Indore;</li> <li>(iv) Institute for Plasma Research, Gandhinagar;</li> <li>(v) Variable Energy Cyclotron Centre, Kolkata;</li> <li>(vi) Saha Institute of Nuclear Physics, Kolkata;</li> <li>(vii) Institute of Physics, Bhubaneswar;</li> <li>(viii) Institute of Mathematical Sciences, Chennai;</li> <li>(ix) Harish-Chandra Research Institute, Allahabad;</li> <li>(x) Tata Memorial Centre, Mumbai.</li> </ol>
2.	Tata Institute of Fundamental Research, Mumbai.
3.	North-Eastern Indira Gandhi Regional Institute of Health and Medical Science, Shillong.
4.	National Brain Research Centre, Manesar, Gurgaon.
5.	Jawaharlal Nehru Centre for Advanced Scientific Research, Bangalore.
6.	Physical Research Laboratory, Ahmedabad.
7.	Space Physics Laboratory, Thiruvananthapuram.
8.	Indian Institute of Remote Sensing, Dehradun.

K. N. CHATURVEDI,  
Secy. to the Govt. of India.



S New 567

ANNEXURE-II  
1475

UNIVERSITY GRANTS COMMISSION  
BAHADURSHAH ZAFAR MARG  
NEW DELHI 110002

विश्वविद्यालय अनुदान आयोग  
बाहदुरशाह जफर मार्ग  
नई दिल्ली 110 002



SPEED POST

All communications should be addressed to the Secretary by designation and not by name

28<sup>th</sup> September, 2012

F.No.35-19/2008 (CU)

5 SEP 2012

The Registrar  
All Central Universities (39)  
& Principal, UCMS  
As per list enclosed)

Subject: **Central Educational Institutions (Reservation in Admission) Amendment Act, 2012.**

Sir/ Madam,

I am directed to enclose herewith a copy of the Central Educational Institutions (Reservation in Admission) Amendment Act, 2012 for information and necessary action.

Yours faithfully,

( Ritu Oberoi )  
Under Secretary

Encl. As above

Handwritten initials and a checkmark.

O/c  
V. Tabreja  
28/9/2012



ANNEXURE-II

विश्वी सं सं पत्र—(पत्र)04/0007/2003—12 REGISTERED NO. DL—(N)04/0007/2003—12



# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड I

PART II—Section 1

अधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं 33] नई दिल्ली, बुधवार, जून 20, 2012/ ज्यैष्ठ 30, 1934 (साक)  
No. 33] NEW DELHI, WEDNESDAY, JUNE 20, 2012/ JYAISTHA 30, 1934 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

## MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 20th June, 2012/Jyaistha 30, 1934 (Saka)

The following Act of Parliament received the assent of the President on the 19th June, 2012, and is hereby published for general information:—

### THE CENTRAL EDUCATIONAL INSTITUTIONS (RESERVATION IN ADMISSION) AMENDMENT ACT, 2012

[No. 31 of 2012]

[19th June, 2012]

#### An Act to amend the Central Educational Institutions (Reservation in Admission) Act, 2006

Be it enacted by Parliament in the Sixty-third Year of the Republic of India as follows:—

1. This Act may be called the Central Educational Institutions (Reservation in Admission) Amendment Act, 2012. Short title

2. In section 2 of the Central Educational Institutions (Reservation in Admission) Act, 2006 (hereinafter referred to as the principal Act), after clause (i), the following clauses shall be inserted, namely:— Amendment of section 2.

(a) "specified north-eastern region" means the area comprising of the States of Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Tripura and the tribal areas of Assam referred to in the Sixth Schedule to the Constitution;

(b) "State seats", in relation to a Central Educational Institution, means such seats, if any, out of the annual permitted strength in each branch of study or faculty as



are earmarked to be filled from amongst the eligible students of the State in which such institution is situated;

Amendment  
of section 3.

3. In section 3 of the principal Act, the following provisos shall be inserted, namely:—

"Provided that the State seats, if any, in a Central Educational Institution situated in the tribal areas referred to in the Sixth Schedule to the Constitution shall be governed by such reservation policy for the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes, as may be specified, by notification in the Official Gazette, by the Government of the State where such institution is situated;

Provided further that if there are no State seats in a Central Educational Institution and the seats reserved for the Scheduled Castes exceed the percentage specified under clause (i) or the seats reserved for the Scheduled Tribes exceed the percentage specified under clause (ii) or the seats reserved for the Scheduled Castes and the Scheduled Tribes taken together exceed the sum of percentages specified under clauses (i) and (ii), but such seats are—

(a) less than fifty per cent. of the annual permitted strength on the date immediately preceding the date of commencement of this Act, the total percentage of the seats required to be reserved for the Other Backward Classes under clause (iii) shall be restricted to the extent such sum of percentages specified under clauses (i) and (ii) falls short of fifty per cent. of the annual permitted strength;

(b) more than fifty per cent. of the annual permitted strength on the date immediately preceding the date of commencement of this Act, in that case no seat shall be reserved for the Other Backward Classes under clause (iii) but the extent of the reservation of seats for the Scheduled Castes and the Scheduled Tribes shall not be reduced in respect of Central Educational Institutions in the specified north-eastern region."

Amendment  
of section 4.

4. In section 4 of the principal Act, clause (a) shall be omitted.

Amendment  
of section 5.

5. In section 5 of the principal Act,—

(a) in sub-section (1), for the words "number of such seats available", the words "number of such seats available or actually filled, whichever be less," shall be substituted;

(b) in sub-section (2), for the words "three years", the words "six years" shall be substituted.

Amendment  
of section 6.

6. In section 6 of the principal Act, for the figures "2007", the figures "2008" shall be substituted.

V. K. BHASIN,  
Secretary to the Govt. of India.

in SI as per schedule, then the value of B is to be taken as total number of candidates who belong to earlier batches and appeared for examination during last academic year.

### 3.1.1 Distribution of seats as per eligibility criteria:

The available seats under CAP in each institute shall be distributed as per eligibility criteria as mentioned below-

Sr.No	Qualification	% of CAP seats	
		Lateral Entry seats	Vacant seats
1	HSC (Science)	25%	25%
2	HSC (Bifocal/Technical)	25%	25%
3	HSC (Vocational/MCVC)	25%	25%
4	SSC with ITI/CoE	25%	25%

### 3.1.2 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. 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. In group A and Group B reservation will be as follows

Sr. No.	Category of reservation	% of reservation
1.	Scheduled Castes and Scheduled caste converts to Buddhism ( SC )	13.0
2.	Scheduled Tribes (S.T.)	7.9
3.	Vimukta Jati (V. J.) And De notified Tribes (D.T.)	3.0
4.	Nomadic Tribes ( N.T.-B)	2.5
5.	Nomadic Tribes ( N.T.-C)	3.5
6.	Nomadic Tribes ( N.T.-D)	2.0
7.	Other Backward classes (O.B.C.)	19.0
Total		50.0

#### Note:

1. The reservation for backward class candidate i.e. 50% as stated above shall be available in Government, Government Aided Polytechnic, University Dept., University Managed Polytechnic and Unaided Non-Minority Polytechnic.
2. Candidates belonging to Special Backward Class (SBC) will be offered reservation up to 2% seats of the CAP seats of a choice code subject to condition that any seats remain vacant in the reserved category at the end of stage-2 of admission. SBC candidates having original category OBC will be considered at par with OBC candidates.

### 3.1.3 Reservation for female candidates: