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FRIDAY, JANUARY 3, 2014

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
Higher Education Department
Bikash Bhaban, Salt Lake City, Kolkata-700 091

NOTIFICATION

No. 07-Edn (U)/IU-89/13.— dated. 2nd January, 2014.— In exercise of the power conferred by sub-section (1) of section 8 of the West Bengal State Higher Educational Institutions (Reservation in Admission) Act, 2013, (West Ben Act X of 2013), the Governor is hereby pleased to make the following rules, namely:

Rules

- Short title, application & commencement
1. (1) These rules may be called the West Bengal State Higher Educational Institutions (Reservation in Admission) Rules, 2013.
- (2) They shall come into force on the date of their publication in the *Official Gazette*.
- Definitions
2. (1) In these rules, unless the context otherwise requires,—
- (a) "Act" means the West Bengal State Higher Educational Institutions (Reservation in Admission) Act, 2013;
- (b) "Commissioner of Reservation" means the Commissioner for Reservation appointed under section 6A of the West Bengal Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Services and Posts) Act, 1976;
- (c) "District Commissioner for Reservation" means the District Commissioner for Reservation as appointed under Section 6B of the West Bengal Scheduled Caste and Scheduled Tribes (Reservation of vacancies in Services and Posts) Act, 1976;
- (d) "District Magistrate" means the District Magistrate of the district and includes Additional District Magistrate for the purpose of these rules;

- (e) "de-reservation" means the de-reservation of seats reserved for Scheduled Castes/Scheduled Tribes/Other Backward Classes, Category -A and Other Backward Classes, Category -B candidates;
- (f) "Joint Commissioner for Reservation and ex-officio Joint Secretary" means the Joint Commissioner for Reservation and ex-officio Joint Secretary as appointed under Section 6A of the West Bengal Scheduled Caste and Scheduled Tribes (Reservation of Vacancies in Services and Posts) Act, 1976;
- (g) "self-financing course" means the course conducted by a college out of its own fund;
- (h) "schedule" means the schedule appended to these rules;
- (i) "section" means the section of the Act;
- (j) "University" means a University established and incorporated by an Act of State Legislature and aided fully or partly out of the State's fund;

(2) Any words or expressions used but not otherwise defined in these rules shall have the same meaning as defined or used under the Act.

Application of the reservation norms.

3. The reservation norms shall apply on and from the Academic Session 2014-15, to:—

- (a) all Universities, established and incorporated by an Act of the State's Legislature and aided fully or partly out of the State's fund; and
- (b) all Government colleges established or administered by the State Government whether directly or indirectly, and affiliated to a University; and
- (c) all colleges receiving aid from the State Government in any form or in any manner, whether fully or partly; and
- (d) all other institutions imparting education or training or research or other academic activities beyond 10+2 level and receiving aid from the State Government in any form or in any manner, whether fully or partly.

Preparation of Detailed Project Report and maintenance of register of students and other formalities

4. (1) In order to implement the total percentage of reservation in respect of the Scheduled Castes, the Scheduled Tribes, the Other Backward Classes Category 'A' and the Other Backward Classes Category 'B'; (as mandated by the Act) every Higher Educational Institution selecting candidates for all streams and courses run by that Institution shall, with the approval of the appropriate authority, wherever required, fix up the total number of seats to be increased in each course in such a manner that the number of unreserved seats is not less than the seats available immediately preceding the date of the Act coming into force.

Explanation 1:— for example, in a Higher Educational Institution there were thirty (30) seats in Physics (Honors) course on the date of commencement of the Act. Out of 30 seats, 7 seats were reserved for SC (22% of 30), 2 seats were reserved for ST (6% of 30) and 21 seats were for unreserved category. For the purpose of implementing the provisions of the Act and these rules, these 21 seats of unreserved category shall not be reduced in any manner.

Explanation 2:— to give effect to the provisions of the Act, the Higher Educational Institution referred to under explanation 1 will be required to increase its seats by at least eight (8) seats in Physics Honors for that particular academic year. Hence, the reservation of seats would be as follows:

- (a) Eight (8) seats shall be reserved for SC (22% of 38),
- (b) Two (2) seats shall be reserved for ST (6% of 38),
- (c) Four (4) seats shall be reserved for OBC-A (10% of 38),
- (d) Three (3) seats shall be reserved for OBC-B (7% of 38),
- (e) And Twenty One (21) seats shall remain unreserved for Unreserved Categories.

- (2) Keeping in view that the total number of increase of seats to be done in terms of the sub-rule (1), each Higher Educational Institution shall fix up year wise target of increase of seats in such a manner that the total mandatory increase of seats is achieved within a maximum period of six years beginning with the academic session 2014-15 and then shall continue in the same manner.
- (3) Once the target of increase of seats is fixed, every Higher Educational Institution shall, submit to the State Government, the Detailed Project Report (DPR) in the format as may be specified.
- (4) The detailed project report shall contain, interalia, the following:—
 - (a) details of the existing number of students including students belonging to the Scheduled Castes and Scheduled Tribes,
 - (b) details of the Governing Body of the College,
 - (c) details of courses offered and annual intake in each course including Honors and Post Graduate courses, if any,
 - (d) details of specialized courses or programmes,
 - (e) details of existing teaching and non-teaching posts substantiated with appropriate roster and non-teaching staff-pattern,
 - (f) details of existing infrastructures including the land, building and other equipments,
 - (g) details of proposed increase in the infrastructure and equipments including Laboratory, Library etc.,
 - (h) details of proposed increase in the teaching and Non-teaching posts,
 - (i) details of the requirement of funds for catering to the creation of additional seats as per staff pattern as may be specified by the State Government from time to time.
- (5) The proposal regarding increase in the infrastructure including Classroom, Laboratory, Library, and the increase of teaching and non-teaching post shall be commensurate with the actual increase of seats in various courses.

Manner of re-distribution of seats

5. (1) In case of a Higher Educational Institution where infrastructure expansion is not possible for unavoidable reasons or otherwise, the Higher Educational Institution may apply to the State Government with reasons, to re-distribute its additional quota of reserved seats to other Higher Educational Institutions.

- (2) The State Government, taking into consideration the facts of the case, may at its discretion pass an order allowing re-distribution of such additional seats to other Higher Educational Institution.

Procedure for preparation of list of candidates for admission

6. (1) For filling up of the seats for admission in a particular academic session as fixed in terms of sub rule (2) of rule 4 the following procedure shall be followed :—

(a) a general merit list based exclusively on merit as reflected in the results of the relevant examination or selection test irrespective of castes, tribes or classes shall be prepared separately for each course, stream or subject in each Higher Educational Institution to fill up the unreserved seats. Separate merit lists of the Scheduled Castes, Scheduled Tribes, Other Backward Class, Category 'A' and the Other Backward Class, Category 'B' candidates shall be prepared for each course/stream/subject in each higher educational institution to fill up the seats reserved for these respective categories. The Scheduled Castes, the Scheduled Tribes, the Other Backward Class, Category -A and the Other Backward Class, Category -B candidates who have been placed in the general merit list to fill up unreserved seats shall not be taken into account in the reserved list for the Scheduled Castes, the Scheduled Tribes, the Other Backward Class, Category-A and the Other Backward Class, Category-B candidates, as the case may be;

- (b) simultaneously, the SC/ST/OBC candidates who have found place in the general merit list on the basis of their merit shall also be placed in the list of reserved seats for SC/ST/OBC as per their inter se merit, and

be asked to exercise their option on whether they would like to be placed in the general merit list or the separate merit list for reserved candidates of SC/ST/OBC. Admission would be made as per the option exercised by the candidates. The option once exercised shall not be altered under any circumstances;

- (c) for admission to different courses, an SC or ST candidate getting admission should have obtained in the previous examination; qualifying marks not lower by more than 25% of the marks obtained by the last candidate of the general category. In case of OBC-A and OBC-B the candidates getting admission should have obtained in the previous examination, qualifying marks not lower by more than 10% from the marks obtained by the last candidate of the general category. In any case, if a candidate obtains marks lower than the minimum qualifying marks prescribed by the University / Appropriate Authority for admission to the relevant course, he will not be eligible for admission;
- (d) seats reserved for the Scheduled Caste candidates and remaining unfilled even after following the instructions laid down in the previous clauses of the rules may be filled up by the Scheduled Tribe candidates and vice versa. Likewise, seats reserved for the Other Backward Classes, Category-A and remaining unfilled even after following the instructions laid down in the previous clauses of the rules may be filled up by the Other Backward Class, Category-B candidates and vice versa. If after this exercise, reserved seats still remain unfilled due to non availability of reserved category candidates, such seats shall be taken up for de-reservation in such manner as prescribed under rules 8 of these rules;

when to follow 100 point roster ← (e)

(e) in case the number of seats reserved for the Scheduled Castes, Scheduled Tribes, Other Backward Classes, Category-A and Other Backward Classes, Category-B in Post-graduate and Doctoral courses including Medicine, Dental Science and Nursing is less than 0.5 in each stream, a 100 point roster for admission as specified in the Schedule appended to these rules shall be followed for filling up the seats.

- (2) In every case of admission to general degree courses and medical, technical, professional and post graduate level courses, the caste / tribe / class identification certificate issued by the Competent Authority shall be verified by the concerned Higher Educational Institution at the time of admission along with Domicile Certificate issued by the Competent Authority:

Provided that no Domicile Certificate is required in case the candidate submitting caste identification Certificate issued by the Competent Authority of the State Government.

- (3) During verification of the OBC Certificate, relevant guidelines regarding determination of 'Creamy layer' shall be taken into consideration by the concerned Institution.
- (4) In every case, reservation to SC/ST/OBC 'A'/OBC 'B's candidates shall not be refused on the basis of medium of instruction in any Higher Educational Institution.

Maintenance of Course

7. Every Higher Educational Institution shall maintain course-wise registers of reserved seats meant for Scheduled Castes, Scheduled Tribes, Other Backward Classes, Category-A and Other Backward Classes, Category-B.

Procedure for de-reservation

8. Where reservation of seats for one or many courses or streams in a particular academic session becomes unavoidable, the following procedure of de-reservation shall be followed:

- (a) If, after duly entertaining all applications to fill up reserved seats, it is found that some seats reserved for the Scheduled Castes, Scheduled Tribes, Other Backward Classes, Category-A and Other Backward Classes, Category-B remain unfilled during the academic session for want of suitable number of candidates from the respective categories, those seats may be de-reserved and filled up by general candidates where it is specified that due process for filling up of the seats by the candidates of the specific categories have been followed by the institutions concerned and no suitable candidate of the reserved categories is available to fill up those seats. No vacant reserved seat shall be carried forward to the next academic year, under any circumstances;
- (b) the District Magistrates or the District Commissioners for Reservation shall be the authority to grant de-reservation in Higher Educational Institutions situated in their respective territorial jurisdiction and Joint

Commissioner for Reservation and ex-officio Joint Secretary Backward Class Welfare Department shall be such authority in respect of Higher Educational Institutions situated in Kolkata as defined in the Kolkata Municipal Corporation Act, 1980;

- (c) the process of de-reservation shall be completed by the authority concerned within 15 days provided that the authority of the concerned educational institution has submitted application in this regard along with all relevant and necessary papers;
- (d) the Higher Educational Institutions seeking de-reservation shall submit to the authority concerned, a statement giving the following particulars:-
- (i) number of candidates who have applied for admission giving break up of Unreserved, Scheduled Castes and Scheduled Tribes, Other Backward Classes, Category-A and Other Backward Classes, Category-B applicants separately for respective Courses /Streams/ Subjects;
 - (ii) number of seats reserved for Scheduled Castes and Scheduled Tribes, Other Backward Classes, Category -A and Other Backward Classes, Category -B separately for such category of Course/ Stream/ Subject;
 - (iii) number of candidates qualifying for admission and admitted, as such, from each of reserved categories against respective Courses/ Streams/ Subjects;
 - (iv) number of reserved seats remaining vacant in respect of Scheduled Castes, Scheduled Tribes, Other Backward Classes, Category-A and Other Backward Classes, Category-B candidates against respective Course/ Stream/ Subject as the case may be, with reasons there for;
 - (v) the Higher Educational Institutions shall also furnish copies of their admission Notice(s) to show whether, for issue of Forms to Scheduled Castes, Scheduled Tribes, Other Backward Classes, Category-A and Other Backward Classes, Category-B candidates, the minimum prescribed marks of the Board, Council or University had been indicated, as the qualifying marks for getting admission Forms against the reserved seats.
- (e) While allowing the reserved seats to be filled up by General candidates, the District Magistrate and District Reservation Commissioner or the other authorities concerned shall be satisfied, on the basis of the information supplied by the Institutions that all reasonable steps were taken to fill up the seats by respective reserved categories of candidates, and further that the unreserved category candidates qualifying on their own merit in competition with general candidates have not been admitted against the reserved seats, and further, that the conditions laid down in rule 5 have duly been observed for the particular courses mentioned therein.

Filing of
Annual Return

9. Every Higher Educational Institution situated within the district of Kolkata shall file their annual return on admission of students into various course showing all seats reserved for SC, ST, OBC-A and OBC-B before the Joint Commissioner for Reservation and in cases of Higher Educational Institution situated outside the district of Kolkata, to the District Commissioner for Reservation of the respective district by 31st December every year.

SCHEDULE

{See sub-rule (1) (e) of rule 6}

1st Seat	Scheduled caste	35th Seat	Unreserved	69th Seat	OBC-B
2nd Seat	Unreserved	36th Seat	Scheduled caste	70th Seat	Unreserved
3rd Seat	Unreserved	37th Seat	Unreserved	71st Seat	Scheduled caste
4th Seat	Scheduled Tribe	38th Seat	OBC-A	72nd Seat	Unreserved
5th Seat	Unreserved	39th Seat	Unreserved	73rd Seat	Unreserved

6th Seat	OBC-A	40th Seat	Scheduled caste	74th Seat	Scheduled Tribe
7th Seat	Scheduled caste	41st Seat	Unreserved	75th Seat	Unreserved
8th Seat	Unreserved	42nd Seat	Unreserved	76th Seat	OBC-A
9th Seat	OBC-B	43rd Seat	Scheduled Tribe	77th Seat	Unreserved
10th Seat	Unreserved	44th Seat	Unreserved	78th Seat	Scheduled caste
11th Seat	Scheduled caste	45th Seat	OBC-A	79th Seat	Unreserved
12th Seat	Unreserved	46th Seat	Unreserved	80th Seat	Unreserved
13th Seat	OBC-A	47th Seat	Scheduled caste	81st Seat	Unreserved
14th Seat	Unreserved	48th Seat	Unreserved	82nd Seat	Scheduled caste
15th Seat	Scheduled caste	49th Seat	OBC-B	83rd Seat	Unreserved
16th Seat	Unreserved	50th Seat	Unreserved	84th Seat	OBC-A
17th Seat	Unreserved	51st Seat	Scheduled caste	85th Seat	Unreserved
18th Seat	Scheduled caste	52nd Seat	OBC-A	86th Seat	Scheduled caste
19th Seat	OBC-B	53rd Seat	Unreserved	87th Seat	Unreserved
20th Seat	Unreserved	54th Seat	Unreserved	88th Seat	Unreserved
21st Seat	Scheduled caste	55th Seat	Unreserved	89th Seat	OBC-B
22nd Seat	Unreserved	56th Seat	Unreserved	90th Seat	Scheduled caste
23rd Seat	Unreserved	57th Seat	Scheduled caste	91st Seat	Unreserved
24th Seat	Scheduled Tribe	58th Seat	Unreserved	92nd Seat	Unreserved
25th Seat	Unreserved	59th Seat	OBC-B	93rd Seat	Scheduled Tribe
26th Seat	OBC-A	60th Seat	Unreserved	94th Seat	Unreserved
27th Seat	Unreserved	61st Seat	Scheduled caste	95th Seat	Unreserved
28th Seat	Scheduled caste	62nd Seat	Unreserved	96th Seat	Unreserved
29th Seat	OBC-B	63rd Seat	OBC-A	97th Seat	Scheduled caste
30th Seat	Unreserved	64th Seat	Unreserved	98th Seat	Unreserved
31st Seat	Unreserved	65th Seat	Scheduled caste	99th Seat	OBC-A
32nd Seat	Scheduled caste	66th Seat	Unreserved	100th Seat	Unreserved
33rd Seat	Unreserved	67th Seat	Unreserved		
34th Seat	Unreserved	68th Seat	Scheduled caste		

By order of the Governor,

VIVEK KUMAR

Secretary to the Government of West Bengal.

Model 100 Point Roster

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MONDAY, APRIL 04, 2011

[SAKA 1933

PART I-Orders and Notifications by the Governor of West Bengal,
the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LABOUR DEPARTMENT

NOTIFICATION

No. 50-EMP/1M-25/98.—1st March 2011.—In exercise of the powers conferred by section 14, read with sub-section (b) of section 3 and section 13 of the 'West Bengal Regulation of Recruitment in State Government Establishments and Establishments of Public Undertakings, Statutory Bodies, Government Companies and Local Authorities Act, 1999 (West Bengal Act XIV, 1999) and with due regard to the 100-point Roster introduced by the Backward Classes Welfare Department, vide Notification No. 6320-BCW/MR-84/10 dated 24-09-2010 in compliance with the provision of the 'West Bengal Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in services and Posts) Acts, 1976 (West Bengal act XXVII of 1976) and West Bengal Commission for Backward Classes Act, 1993 (West Bengal Act I of 1993), the Governor is pleased to prescribe following Model 100-Point Roster showing therein the points reserved for the Scheduled Castes, Scheduled Tribes, Others Backward Classes-Category-A and Category-B, Persons with Disabilities, Ex-servicemen and the Exempted Categories for the guidance of the appointing authorities :—

MODEL 100-Point Roster of Vacancies

- 1st Vacancy — Scheduled Caste
- 2nd Vacancy — Unreserved
- 3rd Vacancy — Unreserved (E.C.)
- 4th Vacancy — Scheduled Tribe
- 5th Vacancy — Unreserved (Ex-Servicemen in Group-D Post)
- 6th Vacancy — OBC Category-A
- 7th Vacancy — Scheduled Caste (E.C.)
- 8th Vacancy — Unreserved

- 9th Vacancy – OBC Category-B
 10th Vacancy – Unreserved (E.C.)
 11th Vacancy – Scheduled Caste (Ex-Serviceman in Group-C Post)
 12th Vacancy – Unreserved (Persons With Disabilities)
 13th Vacancy – OBC Category-A (E.C.)
 14th Vacancy – Unreserved
 15th Vacancy – Scheduled Caste
 16th Vacancy – Unreserved (E.C.)
 17th Vacancy – Unreserved (Ex-Serviceman in Group-D Post)
 18th Vacancy – Scheduled Caste
 19th Vacancy – OBC Category-B (E.C.)
 20th Vacancy – Unreserved (E.C.)
 21st Vacancy – Scheduled Caste (Ex-Serviceman in Group-D Post)
 22nd Vacancy – Unreserved (Ex-Serviceman in Group-C Post)
 23rd Vacancy – Unreserved
 24th Vacancy – Scheduled Tribe
 25th Vacancy – Unreserved
 26th Vacancy – OBC Category-A
 27th Vacancy – Unreserved (E.C.)
 28th Vacancy – Scheduled Caste (E.C.)
 29th Vacancy – OBC Category-B
 30th Vacancy – Unreserved
 31st Vacancy – Unreserved (Ex-Serviceman in Group-D Post)
 32nd Vacancy – Scheduled Caste
 33rd Vacancy – Unreserved (Meritorious Sports person)
 34th Vacancy – Unreserved (E.C.)
 35th Vacancy – Unreserved
 36th Vacancy – Scheduled Caste
 37th Vacancy – Unreserved
 38th Vacancy – OBC Category-A
 39th Vacancy – Unreserved (E.C.)
 40th Vacancy – Scheduled Caste
 41st Vacancy – Unreserved
 42nd Vacancy – Unreserved (Persons with disabilities)
 43rd Vacancy – Scheduled Tribe (E.C.)
 44th Vacancy – Unreserved
 45th Vacancy – OBC Category-A (E.C.)
 46th Vacancy – Unreserved
 47th Vacancy – Scheduled Caste (E.C.)
 48th Vacancy – Unreserved
 49th Vacancy – OBC Category-B (Ex-Serviceman in Group-D Post)
 50th Vacancy – Unreserved (E.C.)

- 51st Vacancy – Scheduled Caste
- 52nd Vacancy – OBC Category-A
- 53rd Vacancy – Unreserved (E.C.)
- 54th Vacancy – Scheduled Tribe (Ex-Serviceman in Group-D Post)
- 55th Vacancy – Unreserved
- 56th Vacancy – Unreserved
- 57th Vacancy – Scheduled Caste (E.C.)
- 58th Vacancy – Unreserved (Ex-Serviceman in Group-C Post)
- 59th Vacancy – OBC Category-B
- 60th Vacancy – Unreserved (E.C.)
- 61st Vacancy – Scheduled Caste
- 62nd Vacancy – Unreserved
- 63rd Vacancy – OBC Category-A (Ex-Serviceman in Group-D Post)
- 64th Vacancy – Unreserved (E.C.)
- 65th Vacancy – Scheduled Caste
- 66th Vacancy – Unreserved (Meritorious Sportsperson)
- 67th Vacancy – Unreserved (E.C.)
- 68th Vacancy – Scheduled Caste
- 69th Vacancy – OBC Category-B (E.C.)
- 70th Vacancy – Unreserved
- 71st Vacancy – Scheduled Caste (Ex-Serviceman in Group-D Post)
- 72nd Vacancy – Unreserved (Persons with disabilities)
- 73rd Vacancy – Unreserved (E.C.)
- 74th Vacancy – Scheduled Tribe
- 75th Vacancy – Unreserved (Ex-Serviceman in Group-D Post)
- 76th Vacancy – OBC Category-A (E.C.)
- 77th Vacancy – Unreserved
- 78th Vacancy – Scheduled Caste (E.C.)
- 79th Vacancy – Unreserved
- 80th Vacancy – Unreserved
- 81st Vacancy – Unreserved (Ex-Serviceman in Group-C Post)
- 82nd Vacancy – Scheduled Caste
- 83rd Vacancy – Unreserved (Ex-Serviceman in Group-D Post)
- 84th Vacancy – OBC Category-A
- 85th Vacancy – Unreserved (E.C.)
- 86th Vacancy – Scheduled Caste (E.C.)
- 87th Vacancy – Unreserved (E.C.)
- 88th Vacancy – Unreserved
- 89th Vacancy – OBC Category-B
- 90th Vacancy – Scheduled Caste
- 91st Vacancy – Unreserved

- 92nd Vacancy – Unreserved
- 93rd Vacancy – Scheduled Tribe (E.C.)
- 94th Vacancy – Unreserved (Ex-Serviceman in Group-D Post)
- 95th Vacancy – Unreserved
- 96th Vacancy – Unreserved
- 97th Vacancy – Scheduled Caste (E.C.)
- 98th Vacancy – Unreserved
- 99th Vacancy – OBC Category-A
- 100th Vacancy – Unreserved (E.C.).

(E.C. means Exempted Categories)

2. The Governor is also pleased to direct that the reservation for Persons With Disabilities, as provided under the Persons With Disabilities (Equal opportunities, Protection of Rights and Full Participation) Act, 1995 shall be implemented as follows:

Each of the 3 (three) Points (12th, 42nd and 72nd) of the 100-Point Roster, reserved for the Persons With Disabilities shall be filled up by persons suffering from (i) Blindness or Low vision, (ii) Hearing impairment and (iii) Loco-motor disability or Cerebral Palsy – respectively in order to ensure 1% (one percent) reservation for each of the three categories of Persons With Disabilities.

3. The Governor is further pleased to direct that (a) vacancies in Group 'C' Post at 11th, 22nd, 58th, 75th and 81st points and (b) vacancies in Group-'D' Posts at 5th, 17th, 21st, 31st, 49th, 54th, 63rd, 71st, 83rd and 94th points of the above 100-Points Roster in State Services and Posts, Group-C and Group-D including those filled up through the P.S.C., West Bengal shall be filled up by ex-servicemen subject to the provisions of Rule-4 of the 'Ex-Servicemen (Reservation of Vacancies in State Services and Posts, Group-C and Group-D) Rules, 1982' as published *vide* Finance Department Notification No. 6249-E dated 15-06-1982.

4. The Governor is further pleased to direct that the vacancies in Group 'B', 'C' and 'D' posts at 33rd and 66th points of the above 100-Point Roster shall be filled up from the meritorious sportspersons according to the provisions of this Department Notification No.49-Emp/1M-25/98, dated 1st March, 2011.

5. In terms of the B.C.W., Department's Notification No.6309-BCW/MR-84/10 dated 24-09-2010, the Backward Classes for the purpose of the 'West Bengal Commission for Backward Classes Act, 1993' (West Bengal Act 1 of 1993) stand divided into two categories, *viz.* Category-A (consisting of 56 communities) and Category-B (consisting of 52 communities).

6. All appointing authorities should obtain names from Exempted Category cell under the Directorate of Employment, West Bengal, to fill up the vacancies meant for

Exempted Category Candidates in the above roster except the cases of Employment on compassionate ground *viz.* death-in-harness and premature retirement due to permanent incapacitation.

7. The relevant Notifications issued by the Finance Department relaxing upper age limits for SC, ST, Other Backward Classes Category-A and Category-B Persons With Disabilities, Ex-Servicemen and Exempted Category Candidates may be kept in view while taking steps for filling up vacancies meant for the respective categories.

8. As no curtailment of existing percentages of reservation for SC, ST and OBC Category-A and Category-B can be made the reserved points for SC (E.C.), ST (E.C.), OBC Category-A (E.C.) and OBC Category-B (E.C.) shall be filled up by Exempted Category Candidates belonging to SC, ST and OBC Category-A, Category-B only. In case of non availability of a suitable Exempted Category Candidate belonging to SC, ST, or OBC Category-A and Category-B or any of such reserved point, the said vacancy shall be filled up by a Non-Exempted Category Candidate belonging to SC, ST or OBC Category-A, and Category-B, as the case may be.

9. (a) This order issues in partial modification of this Department Notification No.240-Emp dated 02-08-2001 to the extent it is considered necessary for implementation of the 10% and 7% reservation quota for Backward Classes under Category-A and Category-B as laid down in BCW Department Order No.6320-BCW/MR-84/10 dated 24.09.2010 and also for streaming the process of 5% and 10% reservation of vacancies in Group-C and Group-D Post respectively in State Services and Posts, Group-C and Group-D as laid down in the 'Ex-Servicemen (Reservation of vacancies in the State Services and Posts, Group-C and Group-D) Rules 1982'.

(b) All appropriate authorities of the Government, including Home Department, B.C.W. Department, Finance Department, Department of Sports and P.S.C., West Bengal have been consulted on respective issues concerning them.

By order of the Governor,
SAMAR GHOSH
Chief Secretary
 to the Govt. of West Bengal

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

Labour Department
(Exempted Category Cell)
N.S. Buildings, Block-A, 12th Floor,
1, K. S. Roy Road, Kolkata-700001

No. 18-Emp (EC)/LABR-27011(20)/1/2020-EC

Date : 07.02.2023

NOTIFICATION

In commensurate with Constitution (One Hundred and Third Amendment) Act, 2019 and in pursuance of Memo. No. 325-PAR(AR)/3P-1/2019 dated 09.07.2019 of the Personnel and Administrative Reforms Department, Government of West Bengal, the Governor is pleased to incorporate 10% reservation for the Economically Weaker Section (EWS) in the “**Model 100-Point Roster of Vacancies**” as notified by Labour Department vide Notification No. 50-EMP/1M-25-98 Dated 01.03.2011.


2. The Governor is further pleased to identify the following vacancies of the “Model 100-Point Roster of Vacancies”-
- i) 3rd Vacancy – EWS (E.C.)
 - ii) 17th Vacancy – EWS (Ex-Serviceman in Group-D post)
 - iii) 25th Vacancy – EWS
 - iv) 34th Vacancy – EWS (E.C.)
 - v) 44th Vacancy – EWS
 - vi) 55th Vacancy – EWS
 - vii) 62nd Vacancy – EWS
 - viii) 75th Vacancy – EWS (Ex-Serviceman in Group-C post)
 - ix) 85th Vacancy – EWS (E.C.)
 - x) 95th Vacancy – EWS

3. Since existing percentage of reservation for Economical Weaker Sections (EWS) cannot be curtailed, in case of non-availability of a suitable Ex-Serviceman candidate belonging to EWS category for Roster Point Nos. 17 and 75, the said two vacancies shall be filled up by a non-Ex-Serviceman candidate belonging to EWS category. Similarly, in case of non-availability of a suitable Exempted Category candidate belonging to EWS category for Roster Point Nos. 3, 34 and 85, the said three vacancies shall be filled up by a non-Exempted Category candidate belonging to EWS category.
4. This order issues in terms of Sec 14 of the West Bengal Regulation of Recruitment in State Government Establishments and Establishments of Public Undertakings, Statutory Bodies, Govt. Companies and Local Authorities Act, 1999.

By order of the Governor,

BARUN KUMAR RAY

Additional Chief Secretary to the Government of West Bengal

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
Department of Higher Education
(Integrated Law Cell)
6th Floor, Bikash Bhavan, Salt Lake City
Kolkata, 700091

No. 339-Edn (CS)/OM-74L/2023

Date : 26th May, 2023.

MEMORANDUM

SUBJECT : Reservation of Economically Weaker Sections (EWSs) in admission in the Higher Educational Institution in the State of West Bengal.

In order to enable the Economically Weaker Section (EWSs) who do not come within the purview of the West Bengal State Higher Educational Institutions (Reservation in Admission) Act, 2013, to receive the benefits of admission to Higher Educational Institution, the Government of West Bengal in Higher Education Department have decided to provide the benefit of admission to higher educational institutions in commensurate with the Constitution (One Hundred and Third Amendment) Act, 2019, read with O.M No. 325-PAR (AR)/3P-1/2019 Dated 09.07.2019 of Personnel & Administrative Reforms Department, Government of West Bengal, read with Memo No. 959-BCW/MR-52/2019 Dated 18.05.2023 of Backward Classes Welfare Department, Government of West Bengal, subject to a maximum limit of ten percent of total number of seats in each category. This will not, however, apply to the Minority educational institutions referred to in clause (1) of article 30 of the Constitution of India.

2. The reservation norms shall apply to the State educational institutions under the Higher Education Department of Government of West Bengal at once and it shall be applicable to :-
- all Universities, established and incorporated by an Act of the State Legislature and aided fully or partly out of the State's fund;
 - all Government colleges established or administered by the State Government whether directly or indirectly, and affiliated to a University;

- (c) all colleges receiving aid from the State Government in any form or in any manner, whether fully or partly;
- (d) all unaided/private colleges and private universities incorporated by an Act of State Legislature; and
- (e) all other institutions imparting education or training or research or other academic activities beyond 10+2 level and receiving aid from the State Government in any form or in any manner, whether fully or partly;
- (f) "State Government" means the State Government of West Bengal in the Higher Education Department.
3. The Provision of reservations to the Economically Weaker Sections shall be in accordance with the directions contained in O.M No 325-PAR (AR)/3P-1/2019 Dated 09.07.2019 of Personnel & Administrative Reforms Department, Government of West Bengal read with Memo No. 959-BCW/MR-52/2019 Dated 18.05.2023 of Backward Classes Welfare Department, Government of West Bengal and shall be subject to the following :
- (a) Every Higher Educational Institution shall, with the approval of the appropriate authority, make endeavour to increase the number of seats over and above its annual permitted strength in each branch of study or faculty so that the number of seats available, excluding those reserved for the persons belonging to the EWSs, is not less than the number of such seats available, in each category, for the academic session immediately preceding the date of the coming into force of this Memorandum.
- (b) Where necessary, in order to enable the Higher Educational Institutions to create the physical, academic and other infrastructure so as to cater to the increase in the number of seats, a maximum period of two years beginning with the academic session following the commencement of this Memorandum shall be allowed, and the extent of reservation for the Economically Weaker Section (EWSs) shall be limited for that academic session in such manner that the number of seats made available to the Economically Weaker Sections for each academic session shall not reduce the number and the percentage of reservations provided for SC/ST/OBC categories.
- (c) In respect of those Higher Educational Institutions where expansion of capacity is not feasible for want of adequate infrastructure or for other reasons, the State Government may, upon being satisfied, re-distribute its quota of stream-wise reserved seats to other institutions in such a manner and to such extent as may be practicable keeping in mind the total seats available for all Higher Educational Institutions in the State taken together for a particular academic session.
- (d) For filling up of the seats for admission in a particular academic session the following procedure shall be followed :-
- (i) a general merit list based exclusively on merit irrespective of castes, tribes or classes shall be prepared separately for each course, stream or subject in each Higher Educational Institution to fill up the unreserved seats. Separate merit list of the Economically Weaker Section (EWSs) candidates shall be prepared for each course/stream/subject in each higher educational institution to fill up the seats reserved for these respective categories.
- (ii) In any case, if a candidate obtains marks lower than the minimum qualifying marks prescribed by the University/Appropriate Authority for admission to the relevant course, he will not be eligible for admission;
- (iii) If the reserved seats remain unfilled due to non availability of reserved category candidates, such seats shall be taken up for de-reservation in such manner as may be decided by the Backward Classes Welfare Department;
- (iv) In every case of admission to general degree courses, technical, professional and post graduate level courses, the EWS certificate issued by the Competent Authority in Government of West Bengal shall be verified by the concerned Higher Educational Institution at the time of admission.
- (e) Where reservation of seats for one or many programmes or streams in a particular academic session remains unfilled, the following procedure of de-reservation shall be followed :-
- (i) If, after duly entertaining all applications to fill up reserved seats, it is found that some seats reserved for the Economically weaker Section (EWSs) remain unfilled during the academic session for want of suitable number of candidates from the respective categories, those seats may be de-reserved and filled up by general candidates where it is specified that due process for filling up of the seats by the candidates

- of the specific categories have been followed by the institutions concerned and no suitable candidate of the reserved categories is available to fill up those seats. No vacant reserved seat shall be carried forward to the next academic year, under any circumstances;
- (ii) the Higher Educational Institutions seeking de-reservation shall submit, a statement giving the following particulars :-
- (1) number of candidates who have applied for admission giving break up of Unreserved, Economically weaker Section (EWSs) applicants separately for respective Courses/Streams/Subjects;
 - (2) number of seats reserved for Economically weaker Section (EWSs), for such category of Course Stream/Subject;
 - (3) number of candidates qualifying for admission and admitted, as such, from reserved category against respective Programmes/Streams/Subjects;
 - (4) the Higher Educational Institutions shall also furnish copies of their admission Notice(s) to show whether, for issue of Forms to Economically weaker Section (EWSs) candidates, the minimum prescribed marks of the Board, Council or University had been indicated, as the qualifying marks for getting admission Forms against the reserved seats.
- (f) The Higher Education Department, Government of West Bengal shall have power to give directions to every State-aided University or State-aided Colleges or Institutions to achieve the objectives of this Memorandum and also to entrust them with such duties and functions as it may deem necessary.
- (g) In case the number of seats reserved for the Economically Weaker Section (EWSs) in Post-graduate and Doctoral courses is less than 0.5 in each stream, a 100 point roster for admission as notified by Labour Department vide No. 50-EMP/IM-25/98 Dated 01.03.2011 read with Notification No. 18-Emp (EC)/LABR-27011(20)/1/2020-EC Dated 07.02.2023 shall be followed so far as admission to Higher Educational Institution is concerned.
- (h) A person belonging to EWS cannot be denied the right to compete for admission against an unreserved vacancy. Person belonging to EWS who will be selected on the basis of merit and not on account of reservation will not be counted towards the quota meant for reservation.
- (i) EWS certificate is valid for the financial year of issuance of certificate.
- (j) An officer not below the rank of Joint Secretary in the Higher Education Department shall act as nodal officer to monitor the implementation of reservation for EWS category.

By order of the Governor.

SILADITYA BASURAY
Senior Special Secretary to the Government of West Bengal.