



**No.36039/1/2019-Estt (Res)**  
**Government of India**  
**Ministry of Personnel, Public Grievances & Pensions**  
**Department of Personnel & Training**

North Block, New Delhi  
dated the 31<sup>st</sup> January, 2019

**OFFICE MEMORANDUM**

**Subject: Reservation for Economically Weaker Sections (EWSs) in direct recruitment in civil posts and services in the Government of India.**

In continuation of this Department's Office Memorandum of even number dated 19.01.2019, the following instructions are issued in consultation with Ministry of Social Justice and Empowerment and Department of Legal Affairs regarding reservation for EWSs not covered under the reservation scheme for SCs/STs/OBCs in respect of direct recruitment in civil posts and services in the Government of India.

**2. QUANTUM OF RESERVATION**

The persons belonging to EWSs who are not covered under the scheme of reservation for SCs, STs and OBCs shall get 10% reservation in direct recruitment in civil posts and services in the Government of India.

**3. EXEMPTION FROM RESERVATION:**

3.1 "Scientific and Technical" posts which satisfy all the following conditions can be exempted from the purview of the reservation orders by the Ministries/ Departments:

(i) The posts should be in grades above the lowest grade in Group A of the service concerned.

(ii) They should be classified as "scientific or technical" in terms of Cabinet Secretariat [OM No. 85/11/CF-61(1) dated 28.12.1961], according to which scientific and technical posts for which qualifications in the natural sciences or exact sciences or applied sciences or in technology are prescribed and the incumbents of which have to use that knowledge in the discharge of their duties.

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(iii) The posts should be 'for conducting research' or 'for organizing, guiding and directing research'.

3.2 Orders of the Minister concerned should be obtained before exempting any posts satisfying the above condition from the purview of the scheme of reservation.

#### 4. CRITERIA OF INCOME & ASSETS:

4.1 Persons who are not covered under the scheme of reservation for SCs, STs and OBCs and whose family has gross annual income below **Rs. 8.00 lakh (Rupees eight lakh only)** are to be identified as EWSs for benefit of reservation. Income shall also include income from all sources i.e. salary, agriculture, business, profession, etc. for the financial year prior to the year of application.

Also persons whose family owns or possesses any of the following assets shall be excluded from being identified as EWS, irrespective of the family income:-

- i. 5 acres of agricultural land and above;
- ii. Residential flat of 1000 sq. ft. and above;
- iii. Residential plot of 100 sq. yards and above in notified municipalities;
- iv. Residential plot of 200 sq. yards and above in areas other than the notified municipalities.

4.2. The property held by a "Family" in different locations or different places/cities would be clubbed while applying the land or property holding test to determine EWS status.

4.3 The term "Family" for this purpose will include the person who seeks benefit of reservation, his/her parents and siblings below the age of 18 years as also his/her spouse and children below the age of 18 years.

#### 5. INCOME AND ASSET CERTIFICATE ISSUING AUTHORITY AND VERIFICATION OF CERTIFICATE:

5.1 The benefit of reservation under EWS can be availed upon production of an Income and Asset Certificate issued by a Competent Authority. The Income and Asset Certificate issued by any one of the following authorities in the prescribed format as given in **Annexure-I** shall only be accepted as proof of candidate's claim as belonging to EWS: -

- (i) District Magistrate/Additional District Magistrate/ Collector/ Deputy Commissioner/Additional Deputy Commissioner/1<sup>st</sup> Class Stipendary

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- Magistrate/ Sub-Divisional Magistrate/ Taluka Magistrate/ Executive Magistrate/ Extra Assistant Commissioner
- (ii) Chief Presidency Magistrate/Additional Chief Presidency Magistrate/ Presidency Magistrate
  - (iii) Revenue Officer not below the rank of Tehsildar and
  - (iv) Sub-Divisional Officer or the area where the candidate and/or his family normally resides.

5.2 The Officer who issues the certificate would do the same after carefully verifying all relevant documents following due process as prescribed by the respective State/UT.

5.3 The crucial date for submitting income and asset certificate by the candidate may be treated as the closing date for receipt of application for the post, except in cases where crucial date is fixed otherwise.

5.4 The appointing authorities should, in the offer of appointment to the candidates claiming to be belonging to EWS, include the following clause :-

*"The appointment is provisional and is subject to the Income and asset certificate being verified through the proper channels and if the verification reveals that the claim to belong to EWS is fake/false the services will be terminated forthwith without assigning any further reasons and without prejudice to such further action as may be taken under the provisions of the Indian Penal Code for production of fake/false certificate."*

The appointing authority should verify the veracity of the Income and asset certificate submitted by the candidate through the certificate issuing authority.

5.5 Instructions referred to above should be strictly followed so that it may not be possible for an unscrupulous person to secure employment on the basis of a false claim and if any person gets an appointment on the basis of such false claim, her/his services shall be terminated invoking the conditions contained in the offer of appointment.

## 6. EFFECTING RESERVATION - MAINTENANCE OF ROSTERS:

6.1 Department of Personnel and Training had circulated Office Memorandum No.36012/2/96-Estt(Res) dated July 2, 1997 regarding implementation of post based reservation roster. The general principles for making and operating post

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based reservation roster would be as per the principles laid down in the said Office Memorandum.

6.2 Every Government establishment shall now recast group-wise post-based reservation roster register for direct recruitment in accordance with format given in **Annexure II, III, IV and V**, as the case may be, for effecting 10% reservation for EWSs interpolating them with the SCs, STs and OBCs. While fixing roster point, if the EWS roster point coincides with the roster points of SCs/STs/OBCs the next available UR roster point has been allotted to the EWSs and also the principle of "squeezing" has been kept in view. While drawing up the rosters, the cadre controlling authorities may similarly "squeeze" the last points of the roster so as to meet prescribed 10% reservation.

6.3 Where in any recruitment year any vacancy earmarked for EWS cannot be filled up due to non availability of a suitable candidate belonging to EWS, such vacancies for that particular recruitment year shall not be carried forward to the next recruitment year as backlog.

6.4 Persons belonging to EWS selected against the quota for persons with benchmark disabilities/ex-servicemen shall be placed against the roster points earmarked for EWS.

**7. ADJUSTMENT AGAINST UNRESERVED VACANCIES:**

A person belonging to EWS cannot be denied the right to compete for appointment against an unreserved vacancy. Persons belonging to EWS who are selected on the basis of merit and not on account of reservation are not to be counted towards the quota meant for reservation.

**8. FORTNIGHTLY/ANNUAL REPORTS REGARDING REPRESENTATION OF EWS:**

The Ministries/Departments shall send single consolidated fortnightly report including their attached/subordinate offices beginning from 15.2.2019 as per format at **Annexure-VI**.

From 01.01.2020, the Ministries/Departments shall upload data on representation of EWSs in respect of posts/services under the Central Government on the URL i.e. [www.rrcps.nic.in](http://www.rrcps.nic.in) as on 1<sup>st</sup> January of every year. All Ministries/Departments have already been provided respective usercode and password with guidelines for operating the URL.

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**9. MAINTENANCE OF REGISTER OF COMPLAINTS BY THE GOVERNMENT ESTABLISHMENT:**

9.1 Every Government establishment shall appoint a senior officer of the Department as the Grievance Redressal Officer.

9.2 Any person aggrieved with any matter relating to discrimination in employment against any EWS may file a complaint with the Grievance Redressal Officer of the respective Government establishment. The name, designation and contact details of the Grievance Redressal Officer may be displayed prominently on the website and in the office of the concerned establishment.

**10. LIAISON OFFICER:**

Ministries/Departments/Attached and Subordinate Offices shall appoint Liaison Officer to monitor the implementation of reservation for EWSs.

11. The above scheme of reservation will be effective in respect of all direct recruitment vacancies to be notified on or after 01.02.2019.

12. All the Ministries/Departments are requested to bring the above instructions to the notice of all appointing authorities under their control. In case of any difficulty with regard to implementation of the provisions of this OM, the concerned authorities may consult DOP&T through their administrative Ministry/Department.

**Encl.: As above.**

*G. Srinivasan*

(G. Srinivasan)

Director

Ph.No.011-23093074

To

- (i) The Secretaries of all Ministries/Departments of the Govt. of India
- (ii) Department of Financial Services, Ministry of Finance, Jeevan Deep Building, Parliament Street, New Delhi
- (iii) Department of Public Enterprises, CGO Complex, Lodhi Road, New Delhi
- (iv) Railway Board, Rail Bhavan, Delhi.

- (v) Supreme Court of India/ Election Commission of India/ Lok Sabha Secretariat/ Rajya Sabha Secretariat/Cabinet Secretariat/Central Vigilance Commission/President's Secretariat/ Prime Minister's Office/NITI Aayog
- (vi) Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi
- (vii) Staff Selection Commission, CGO Complex, Lodi Road, New Delhi
- (viii) The Secretary, Department of Social Justice and Empowerment, Shastri Bavan, New Delhi
- (ix) National Commission for Scheduled Castes, Lok Nayak Bhavan, New Delhi
- (x) National Commission for Scheduled Tribes, Lok Nayak Bhavan, New Delhi.
- (xi) National Commission for Backward Classes, Trikot, Bhikaji Cama Place, R.K. Puram, New Delhi.
- (xii) Office of the Comptroller & Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi.
- (xiii) Information and Facilitation Centre, DOPT, North Block, New Delhi.
- (xiv) Director, ISTM, Old JNU Campus, Olof Palme Marg, New Delhi-110067.
- (xv) All Officers and Sections in the Ministry of Personnel, Public Grievances and Pensions and all attached/subordinate offices of this Ministry.

**Copy to: Director, NIC, DOPT - with the request to immediately place this OM on the website of this Department (what's new tab) for information of all concerned.**

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Annexure-I

Government of .....  
(Name & Address of the authority issuing the certificate)

**INCOME & ASSEST CERTIFICATE TO BE PRODUCED BY ECONOMICALLY WEAKER SECTIONS**

Certificate No. \_\_\_\_\_

Date: \_\_\_\_\_

VALID FOR THE YEAR \_\_\_\_\_

This is to certify that Shri/Smt./Kumari \_\_\_\_\_ son/daughter/wife of \_\_\_\_\_ permanent resident of \_\_\_\_\_, Village/Street \_\_\_\_\_ Post Office \_\_\_\_\_ District \_\_\_\_\_ in the State/Union Territory \_\_\_\_\_ Pin Code \_\_\_\_\_ whose photograph is attested below belongs to Economically Weaker Sections, since the gross annual income\* of his/her 'family\*\*\*' is below Rs. 8 lakh (Rupees Eight Lakh only) for the financial year \_\_\_\_\_. His/her family does not own or possess any of the following assets\*\*\* :

- I. 5 acres of agricultural land and above;
- II. Residential flat of 1000 sq. ft. and above;
- III. Residential plot of 100 sq. yards and above in notified municipalities;
- IV. Residential plot of 200 sq. yards and above in areas other than the notified municipalities.

2. Shri/Smt./Kumari \_\_\_\_\_ belongs to the \_\_\_\_\_ caste which is not recognized as a Scheduled Caste, Scheduled Tribe and Other Backward Classes (Central List)

Signature with seal of Office \_\_\_\_\_  
Name \_\_\_\_\_  
Designation \_\_\_\_\_

Recent Passport size  
attested photograph of  
the applicant

\*Note 1: Income covered all sources i.e. salary, agriculture, business, profession, etc.

\*\*Note 2: The term "Family" for this purpose include the person, who seeks benefit of reservation, his/her parents and siblings below the age of 18 years as also his/her spouse and children below the age of 18 years

\*\*\*Note 3: The property held by a "Family" in different locations or different places/cities have been clubbed while applying the land or property holding test to determine EWS status.

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## FOR DIRECT RECRUITMENT

**Model Roster of Reservation with reference to posts for Direct recruitment on All India Basis by Open Competition**

Sl. No. of Post	Share of Entitlement				Category for which the posts should be earmarked
	SC @15%	ST @7.5%	OBC @27%	EWS @10%	
1	0.15	0.08	0.27	0.10	UR
2	0.30	0.15	0.54	0.20	UR
3	0.45	0.23	0.81	0.30	UR
4	0.60	0.30	1.08	0.40	OBC-1
5	0.75	0.38	1.35	0.50	UR
6	0.90	0.45	1.62	0.60	UR
7	1.05	0.53	1.89	0.70	SC-1
8	1.20	0.60	2.16	0.80	OBC-2
9	1.35	0.68	2.43	0.90	UR
10	1.50	0.75	2.70	1.00	<b>EWS-1</b>
11	1.65	0.83	2.97	1.10	UR
12	1.80	0.90	3.24	1.20	OBC-3
13	1.95	0.98	3.51	1.30	UR
14	2.10	1.05	3.78	1.40	ST-1
15	2.25	1.13	4.05	1.50	SC-2
16	2.40	1.20	4.32	1.60	OBC-4
17	2.55	1.28	4.59	1.70	UR
18	2.70	1.35	4.86	1.80	UR
19	2.85	1.43	5.13	1.90	OBC-5
20	3.00	1.50	5.40	2.00	SC-3
21	3.15	1.58	5.67	2.10	<b>EWS-2</b>
22	3.30	1.65	5.94	2.20	UR
23	3.45	1.73	6.21	2.30	OBC-6
24	3.60	1.80	6.48	2.40	UR
25	3.75	1.88	6.75	2.50	UR
26	3.90	1.95	7.02	2.60	OBC-7
27	4.05	2.03	7.29	2.70	SC-4
28	4.20	2.10	7.56	2.80	ST-2
29	4.35	2.18	7.83	2.90	UR
30	4.50	2.25	8.10	3.00	OBC-8
31	4.65	2.33	8.37	3.10	<b>EWS-3</b>
32	4.80	2.40	8.64	3.20	UR
33	4.95	2.48	8.91	3.30	UR
34	5.10	2.55	9.18	3.40	OBC-9

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35	5.25	2.63	9.45	3.50	SC-5
36	5.40	2.70	9.72	3.60	UR
37	5.55	2.78	9.99	3.70	UR
38	5.70	2.85	10.26	3.80	OBC-10
39	5.85	2.93	10.53	3.90	UR
40	6.00	3.00	10.80	4.00	ST-3
41	6.15	3.08	11.07	4.10	SC-6
42	6.30	3.15	11.34	4.20	OBC-11
43	6.45	3.23	11.61	4.30	<b>EWS-4</b>
44	6.60	3.30	11.88	4.40	UR
45	6.75	3.38	12.15	4.50	OBC-12
46	6.90	3.45	12.42	4.60	UR
47	7.05	3.53	12.69	4.70	SC-7
48	7.20	3.60	12.96	4.80	UR
49	7.35	3.68	13.23	4.90	OBC-13
50	7.50	3.75	13.50	5.00	<b>EWS-5</b>
51	7.65	3.83	13.77	5.10	UR
52	7.80	3.90	14.04	5.20	OBC-14
53	7.95	3.98	14.31	5.30	UR
54	8.10	4.05	14.58	5.40	SC-8
55	8.25	4.13	14.85	5.50	ST-4
56	8.40	4.20	15.12	5.60	OBC-15
57	8.55	4.28	15.39	5.70	UR
58	8.70	4.35	15.66	5.80	UR
59	8.85	4.43	15.93	5.90	UR
60	9.00	4.50	16.20	6.00	OBC-16
61	9.15	4.58	16.47	6.10	SC-9
62	9.30	4.65	16.74	6.20	<b>EWS-6</b>
63	9.45	4.73	17.01	6.30	OBC-17
64	9.60	4.80	17.28	6.40	UR
65	9.75	4.88	17.55	6.50	UR
66	9.90	4.95	17.82	6.60	UR
67	10.05	5.03	18.09	6.70	OBC-18
68	10.20	5.10	18.36	6.80	SC-10
69	10.35	5.18	18.63	6.90	ST-5
70	10.50	5.25	18.90	7.00	<b>EWS-7</b>
71	10.65	5.33	19.17	7.10	OBC-19
72	10.80	5.40	19.44	7.20	UR
73	10.95	5.48	19.71	7.30	UR
74	11.10	5.55	19.98	7.40	SC-11
75	11.25	5.63	20.25	7.50	OBC-20
76	11.40	5.70	20.52	7.60	UR
77	11.55	5.78	20.79	7.70	UR
78	11.70	5.85	21.06	7.80	OBC-21

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79	11.85	5.93	21.33	7.90	UR
80	12.00	6.00	21.60	8.00	ST-6
81	12.15	6.08	21.87	8.10	SC-12
82	12.30	6.15	22.14	8.20	OBC-22
83	12.45	6.23	22.41	8.30	<b>EWS-8</b>
84	12.60	6.30	22.68	8.40	UR
85	12.75	6.38	22.95	8.50	UR
86	12.90	6.45	23.22	8.60	OBC-23
87	13.05	6.53	23.49	8.70	SC-13
88	13.20	6.60	23.76	8.80	UR
89	13.35	6.68	24.03	8.90	OBC-24
90	13.50	6.75	24.30	9.00	<b>EWS-9</b>
91	13.65	6.83	24.57	9.10	UR
92	13.80	6.90	24.84	9.20	UR
93	13.95	6.98	25.11	9.30	OBC-25
94	14.10	7.05	25.38	9.40	SC-14
95	14.25	7.13	25.65	9.50	ST-7
96	14.40	7.20	25.92	9.60	UR
97	14.55	7.28	26.19	9.70	OBC-26
98	14.70	7.35	26.46	9.80	<b>EWS-10**</b>
99	14.85	7.43	26.73	9.90	SC-15*
100	15.00	7.50	27.00	10.00	OBC-27*
101	15.15	7.58	27.27	10.10	UR
102	15.30	7.65	27.54	10.20	UR
103	15.45	7.73	27.81	10.30	UR
104	15.60	7.80	28.08	10.40	OBC-28
105	15.75	7.88	28.35	10.50	UR
106	15.90	7.95	28.62	10.60	UR
107	16.05	8.03	28.89	10.70	SC-16
108	16.20	8.10	29.16	10.80	ST-8
109	16.35	8.18	29.43	10.90	OBC-29
110	16.50	8.25	29.70	11.00	<b>EWS-11</b>
111	16.65	8.33	29.97	11.10	UR
112	16.80	8.40	30.24	11.20	OBC-30
113	16.95	8.48	30.51	11.30	UR
114	17.10	8.55	30.78	11.40	SC-17
115	17.25	8.63	31.05	11.50	OBC-31
116	17.40	8.70	31.32	11.60	UR
117	17.55	8.78	31.59	11.70	UR
118	17.70	8.85	31.86	11.80	UR
119	17.85	8.93	32.13	11.90	OBC-32
120	18.00	9.00	32.40	12.00	ST-9
121	18.15	9.08	32.67	12.10	SC-18
122	18.30	9.15	32.94	12.20	<b>EWS-12</b>

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123	18.45	9.23	33.21	12.30	OBC-33
124	18.60	9.30	33.48	12.40	UR
125	18.75	9.38	33.75	12.50	UR
126	18.90	9.45	34.02	12.60	OBC-34
127	19.05	9.53	34.29	12.70	SC-19
128	19.20	9.60	34.56	12.80	UR
129	19.35	9.68	34.83	12.90	UR
130	19.50	9.75	35.10	13.00	OBC-35
131	19.65	9.83	35.37	13.10	<b>EWS-13</b>
132	19.80	9.90	35.64	13.20	UR
133	19.95	9.98	35.91	13.30	UR
134	20.10	10.05	36.18	13.40	OBC-36
135	20.25	10.13	36.45	13.50	SC-20
136	20.40	10.20	36.72	13.60	ST-10
137	20.55	10.28	36.99	13.70	UR
138	20.70	10.35	37.26	13.80	OBC-37
139	20.85	10.43	37.53	13.90	UR
140	21.00	10.50	37.80	14.00	SC--21
141	21.15	10.58	38.07	14.10	OBC-38
142	21.30	10.65	38.34	14.20	<b>EWS-14</b>
143	21.45	10.73	38.61	14.30	UR
144	21.60	10.80	38.88	14.40	UR
145	21.75	10.88	39.15	14.50	OBC-39
146	21.90	10.95	39.42	14.60	UR
147	22.05	11.03	39.69	14.70	SC-22
148	22.20	11.10	39.96	14.80	ST-11
149	22.35	11.18	40.23	14.90	OBC-40
150	22.50	11.25	40.50	15.00	<b>EWS-15</b>
151	22.65	11.33	40.77	15.10	UR
152	22.80	11.40	41.04	15.20	OBC-41
153	22.95	11.48	41.31	15.30	UR
154	23.10	11.55	41.58	15.40	SC-23
155	23.25	11.63	41.85	15.50	UR
156	23.40	11.70	42.12	15.60	OBC-42
157	23.55	11.78	42.39	15.70	UR
158	23.70	11.85	42.66	15.80	UR
159	23.85	11.93	42.93	15.90	UR
160	24.00	12.00	43.20	16.00	ST-12
161	24.15	12.08	43.47	16.10	OBC-43
162	24.30	12.15	43.74	16.20	SC-24
163	24.45	12.23	44.01	16.30	OBC-44
164	24.60	12.30	44.28	16.40	<b>EWS-16</b>
165	24.75	12.38	44.55	16.50	UR
166	24.90	12.45	44.82	16.60	UR

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167	25.05	12.53	45.09	16.70	OBC-45
168	25.20	12.60	45.36	16.80	SC-25
169	25.35	12.68	45.63	16.90	UR
170	25.50	12.75	45.90	17.00	<b>EWS-17</b>
171	25.65	12.83	46.17	17.10	OBC-46
172	25.80	12.90	46.44	17.20	UR
173	25.95	12.98	46.71	17.30	UR
174	26.10	13.05	46.98	17.40	SC-26
175	26.25	13.13	47.25	17.50	ST-13
176	26.40	13.20	47.52	17.60	OBC-47
177	26.55	13.28	47.79	17.70	UR
178	26.70	13.35	48.06	17.80	OBC-48
179	26.85	13.43	48.33	17.90	UR
180	27.00	13.50	48.60	18.00	SC-27
181	27.15	13.58	48.87	18.10	<b>EWS-18</b>
182	27.30	13.65	49.14	18.20	OBC-49
183	27.45	13.73	49.41	18.30	UR
184	27.60	13.80	49.68	18.40	UR
185	27.75	13.88	49.95	18.50	UR
186	27.90	13.95	50.22	18.60	OBC-50
187	28.05	14.03	50.49	18.70	SC-28
188	28.20	14.10	50.76	18.80	ST-14
189	28.35	14.18	51.03	18.90	OBC-51
190	28.50	14.25	51.30	19.00	<b>EWS-19</b>
191	28.65	14.33	51.57	19.10	UR
192	28.80	14.40	51.84	19.20	UR
193	28.95	14.48	52.11	19.30	OBC-52
194	29.10	14.55	52.38	19.40	SC-29
195	29.25	14.63	52.65	19.50	UR
196	29.40	14.70	52.92	19.60	<b>EWS-20*</b>
197	29.55	14.78	53.19	19.70	OBC-53
198	29.70	14.85	53.46	19.80	ST-15*
199	29.85	14.93	53.73	19.90	SC-30*
200	30.00	15.00	54.00	20.00	OBC-54*

\*/\*\* Squeezing resorted with a view to maintain the prescribed percentage of reservation

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**Annexure-III****FOR DIRECT RECRUITMENT ON ALL INDIA BASIS BY OPEN COMPETITION****Model Roster for cadre strength upto 13 posts**

Cadre Strength	Initial Recruitment	Replacement No.												
		1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th
1	UR	UR	UR	OBC	UR	UR	SC	OBC	UR	EWS	UR	OBC	UR	ST
2	UR	UR	OBC	UR	UR	SC	OBC	UR	EWS	UR	OBC	UR	ST	
3	UR	OBC	UR	UR	SC	OBC	UR	EWS	UR	OBC	UR	ST		
4	OBC	UR	UR	SC	OBC	UR	EWS	UR	OBC	UR	ST			
5	UR	UR	SC	OBC	UR	EWS	UR	OBC	UR	ST				
6	UR	SC	OBC	UR	EWS	UR	OBC	UR	ST					
7	SC	OBC	UR	EWS	UR	OBC	UR	ST						
8	OBC	UR	EWS	UR	OBC	UR	ST							
9	UR	EWS	UR	OBC	UR	ST								
10	EWS	UR	OBC	UR	ST									
11	UR	OBC	UR	ST										
12	OBC	UR	ST											
13	UR	ST												

**Note:**

1. For cadres of 2 to 13 posts the roster is to be read from entry 1 under column Cadre Strength till the last post and then horizontally till the last entry in the horizontal row i.e. like "L"
2. All the posts of a cadre are to be earmarked for the categories shown under column initial recruitment. While initial filling up will be by the earmarked category, the replacement against any of the post in the cadre shall be by rotation as shown horizontally against the last post of the cadre.

*G. D. Desai*

## Annexure-IV

## FOR DIRECT RECRUITMENT

Model Roster of Reservation with reference to posts for Direct recruitment on All India Basis Otherwise than by Open Competition

Sl. No. of Post	Share of Entitlement				Category for which the posts should be earmarked
	SC @16.66%	ST @7.5%	OBC @25.84%	EWS @10%	
1	0.166	0.075	0.258	0.100	UR
2	0.332	0.150	0.516	0.200	UR
3	0.498	0.225	0.774	0.300	UR
4	0.664	0.300	1.032	0.400	OBC-1
5	0.830	0.375	1.290	0.500	UR
6	0.996	0.450	1.548	0.600	UR
7	1.162	0.525	1.806	0.700	SC-1
8	1.328	0.600	2.064	0.800	OBC-2
9	1.494	0.675	2.322	0.900	UR
10	1.660	0.750	2.580	1.000	<b>EWS-1</b>
11	1.826	0.825	2.838	1.100	UR
12	1.992	0.900	3.096	1.200	OBC-3
13	2.158	0.975	3.354	1.300	SC-2
14	2.324	1.050	3.612	1.400	ST-1
15	2.490	1.125	3.870	1.500	UR
16	2.656	1.200	4.128	1.600	OBC-4
17	2.822	1.275	4.386	1.700	UR
18	2.988	1.350	4.644	1.800	UR
19	3.154	1.425	4.902	1.900	SC-3
20	3.320	1.500	5.160	2.000	OBC-5
21	3.486	1.575	5.418	2.100	<b>EWS-2</b>
22	3.652	1.650	5.676	2.200	UR
23	3.818	1.725	5.934	2.300	UR
24	3.984	1.800	6.192	2.400	OBC-6
25	4.150	1.875	6.450	2.500	SC-4
26	4.316	1.950	6.708	2.600	UR
27	4.482	2.025	6.966	2.700	ST-2
28	4.648	2.100	7.224	2.800	OBC-7
29	4.814	2.175	7.482	2.900	UR
30	4.980	2.250	7.740	3.000	<b>EWS-3</b>

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31	5.146	2.325	7.998	3.100	SC-5
32	5.312	2.400	8.256	3.200	OBC-8
33	5.478	2.475	8.514	3.300	UR
34	5.644	2.550	8.772	3.400	UR
35	5.810	2.625	9.030	3.500	OBC-9
36	5.976	2.700	9.288	3.600	UR
37	6.142	2.775	9.546	3.700	SC-6
38	6.308	2.850	9.804	3.800	UR
39	6.474	2.925	10.062	3.900	OBC-10
40	6.640	3.000	10.320	4.000	ST-3
41	6.806	3.075	10.578	4.100	<b>EWS-4</b>
42	6.972	3.150	10.836	4.200	UR
43	7.138	3.225	11.094	4.300	SC-7
44	7.304	3.300	11.352	4.400	OBC-11
45	7.470	3.375	11.610	4.500	UR
46	7.636	3.450	11.868	4.600	UR
47	7.802	3.525	12.126	4.700	OBC-12
48	7.968	3.600	12.384	4.800	UR
49	8.134	3.675	12.642	4.900	SC-8
50	8.300	3.750	12.900	5.000	<b>EWS-5</b>
51	8.466	3.825	13.158	5.100	OBC-13
52	8.632	3.900	13.416	5.200	UR
53	8.798	3.975	13.674	5.300	UR
54	8.964	4.050	13.932	5.400	ST-4
55	9.130	4.125	14.190	5.500	OBC-14
56	9.296	4.200	14.448	5.600	SC-9
57	9.462	4.275	14.706	5.700	UR
58	9.628	4.350	14.964	5.800	UR
59	9.794	4.425	15.222	5.900	OBC-15
60	9.960	4.500	15.480	6.000	<b>EWS-6</b>
61	10.126	4.575	15.738	6.100	SC-10
62	10.292	4.650	15.996	6.200	UR
63	10.458	4.725	16.254	6.300	OBC-16
64	10.624	4.800	16.512	6.400	UR
65	10.790	4.875	16.770	6.500	UR
66	10.956	4.950	17.028	6.600	OBC-17
67	11.122	5.025	17.286	6.700	SC-11
68	11.288	5.100	17.544	6.800	ST-5
69	11.454	5.175	17.802	6.900	UR
70	11.620	5.250	18.060	7.000	OBC-18
71	11.786	5.325	18.318	7.100	<b>EWS-7</b>

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72	11.952	5.400	18.576	7.200	UR
73	12.118	5.475	18.834	7.300	SC-12
74	12.284	5.550	19.092	7.400	OBC-19
75	12.450	5.625	19.350	7.500	UR
76	12.616	5.700	19.608	7.600	UR
77	12.782	5.775	19.866	7.700	UR
78	12.948	5.850	20.124	7.800	OBC-20
79	13.114	5.925	20.382	7.900	SC-13
80	13.280	6.000	20.640	8.000	ST-6
81	13.446	6.075	20.898	8.100	<b>EWS-8</b>
82	13.612	6.150	21.156	8.200	OBC-21
83	13.778	6.225	21.414	8.300	UR
84	13.944	6.300	21.672	8.400	UR
85	14.110	6.375	21.930	8.500	SC-14
86	14.276	6.450	22.188	8.600	OBC-22
87	14.442	6.525	22.446	8.700	UR
88	14.608	6.600	22.704	8.800	UR
89	14.774	6.675	22.962	8.900	UR
90	14.940	6.750	23.220	9.000	OBC-23
91	15.106	6.825	23.478	9.100	SC-15
92	15.272	6.900	23.736	9.200	<b>EWS-9</b>
93	15.438	6.975	23.994	9.300	UR
94	15.604	7.050	24.252	9.400	OBC-24
95	15.770	7.125	24.510	9.500	ST-7
96	15.936	7.200	24.768	9.600	UR
97	16.102	7.275	25.026	9.700	SC-16
98	16.268	7.350	25.284	9.800	OBC-25
99	16.434	7.425	25.542	9.900	UR
100	16.600	7.500	25.800	10.000	<b>EWS-10</b>
101	16.766	7.575	26.058	10.100	OBC-26
102	16.932	7.650	26.316	10.200	UR
103	17.098	7.725	26.574	10.300	SC-17
104	17.264	7.800	26.832	10.400	UR
105	17.430	7.875	27.090	10.500	OBC-27
106	17.596	7.950	27.348	10.600	UR
107	17.762	8.025	27.606	10.700	ST-8
108	17.928	8.100	27.864	10.800	UR
109	18.094	8.175	28.122	10.900	OBC-28
110	18.260	8.250	28.380	11.000	SC-18
111	18.426	8.325	28.638	11.100	<b>EWS-11</b>
112	18.592	8.400	28.896	11.200	UR

G. Jaiswal





113	18.758	8.475	29.154	11.300	OBC-29
114	18.924	8.550	29.412	11.400	UR
115	19.090	8.625	29.670	11.500	SC-19
116	19.256	8.700	29.928	11.600	<b>EWS-12**</b>
117	19.422	8.775	30.186	11.700	OBC-30
118	19.588	8.850	30.444	11.800	ST-9
119	19.754	8.925	30.702	11.900	SC--20*
120	19.920	9.000	30.960	12.000	OBC-31*

\*/\*\* Squeezing resorted with a view to maintain the prescribed percentage of reservation

G. Jaiswar

## Annexure-V

## FOR DIRECT RECRUITMENT

Roster for Direct Recruitment otherwise than through Open Competition for cadre strength upto 13 posts

Cadre Strength	Initial Recruitment	Replacement No.												
		1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th
1	UR	UR	UR	OBC	UR	UR	SC	OBC	UR	EWS	UR	OBC	SC	ST
2	UR	UR	OBC	UR	UR	SC	OBC	UR	EWS	UR	OBC	SC	ST	
3	UR	OBC	UR	UR	SC	OBC	UR	EWS	UR	OBC	SC	ST		
4	OBC	UR	UR	SC	OBC	UR	EWS	UR	OBC	SC	ST			
5	UR	UR	SC	OBC	UR	EWS	UR	OBC	SC	ST				
6	UR	SC	OBC	UR	EWS	UR	OBC	SC	ST					
7	SC	OBC	UR	EWS	UR	OBC	SC	ST						
8	OBC	UR	EWS	UR	OBC	SC	ST							
9	UR	EWS	UR	OBC	SC	ST								
10	EWS	UR	OBC	SC	ST									
11	UR	OBC	SC	ST										
12	OBC	SC	ST											
13	SC	ST												

Note:

1. For cadres of 2 to 13 posts the roster is to be read from entry 1 under column Cadre Strength till the last post and then horizontally till the last entry in the horizontal row i.e. like "L"
2. All the posts of a cadre are to be earmarked for the categories shown under column initial recruitment. While initial filling up will be by the earmarked category, the replacement against any of the post in the cadre shall be by rotation as shown horizontally against the last post of the cadre.

G. Jaiswal



### Annexure-VI

Name of the Ministry/Department:

Report for the fortnight ending	Unfilled vacancies as on 01.02.2019					Vacancies filled up during the fortnight ending					Total vacancies filled up since 01.02.2019				
	SC	ST	OBC	EWS	UR	SC	ST	OBC	EWS	UR	SC	ST	OBC	EWS	UR

Note 1: Single consolidated fortnightly report may be sent in respect of the Ministry/Department and its attached and sub-ordinate offices

Note 2: The first report should begin from 15.02.2019

Note 3: Filled up fortnightly report may be emailed at [jsest@nic.in](mailto:jsest@nic.in) and [g.sreenivasan@nic.in](mailto:g.sreenivasan@nic.in)

*G. Sreenivasan*



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.

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*(As modified upto the 29th October 2012)*



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**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 2004<sup>1</sup>.

[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.

<sup>1</sup> 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.

(GCP) H 779—2 (4,742—10-2012)



2 *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) ;

(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,—

(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



4 *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*

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 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.



6 *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*

- Responsibility and powers of compliance of Act.** **7.** (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.** **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.

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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.