The undersigned is directed to say that it has been represented to the Government that in various Schools, Colleges and other Educational Institutions, a good number of seats reserved for Scheduled Castes and Scheduled Tribes candidates remain unfilled during an Academic Session for want of suitable number of candidates from reserved category. Some of the institutions which approached the Government in earlier years were allowed to fill up those seats by general candidates, where it was satisfied that due observance of all requirements for filling up of these posts by the candidates of specified categories were duly followed by the institutions concerned. In view of the fact, that there are a large number of institutions involved throughout the State and that it is not possible for this Department alone to dispose of these matters, particularly within the very short span of time available before closure of admission, the Government has been actively considering the question of Delegation of Powers to some subordinate authorities for allowing the institutions to fill up unfilled vacancies for reserved categories by general category candidates.

(2) After careful consideration of all aspects, the Governor has now been pleased to direct that the District Magistrate and District Reservation Commissioner shall be the authority in respect of Educational Institutions within their territorial jurisdiction for allowing filling Up of the reserved seats by general candidates, subject to fulfillment of conditions as stated hereinafter.

(3) The Governor is, further, pleased to direct that in respect of Institutions situated within the territorial limits of Calcutta as defined in Calcutta Police Act, 1866, the Commissioner for Reservation and ex-officio Special Secretary in the Backward Classes Welfare Department and the Joint Commissioner for Reservation and ex-officio Joint Secretary of Backward Classes Welfare Department shall be the authorities for granting such permission for filling up the vacant reserved seats for Scheduled Castes and Scheduled Tribes by general candidates.

(4) The undersigned is also directed to say that grant of permission in all such cases shall be regulated by the following conditions:—

(i) The authorities concerned shall see that all conditions as set out in this Department's Notification No. 905-TW/*EC, dated 12.09.1995 have duly been complied with by the concerned institutions.
(ii) The Institutions shall submit to the authority concerned, a statement giving the following particulars—

(a) Number of candidates who have applied for admission giving break up of General, Scheduled Caste & Scheduled Tribe categories of applicants separately for respective Courses/Streams/Subjects.

(b) Number of seats reserved for Scheduled Caste and Scheduled Tribe separately for such category of Course/Stream/subject.

(c) Number of candidates qualifying for admission and admitted, as such, from each of reserved categories against respective Courses/Streams/Subjects.

(d) Number of reserved seats remaining vacant in respect of Scheduled Caste and Scheduled Tribe category against respective Course/Stream/Subject as the case may be with reasons there for.

(e) The Institutions shall also furnish copies of their admission Notice(s) wherein it would be specifically indicated, whether, for issue of Forms to Sch. Caste and Scheduled Tribe candidates, the minimum prescribed marks of the Board, Council or University has been indicated, as the qualifying marks for getting the Forms for admission.

(f) 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 that the candidates qualifying on merit in competition with general candidates has not been included within the reserved seats and further that the conditions laid down at paragraph-2(b) in this Department’s Notification No. 905-TW/EC, dated 12.09.1995 has duly been observed for the particular courses mentioned therein.

(g) The order allowing the reserved seats to be filled up by general candidates shall specifically provide that such filling up shall be made only from those left out candidates in the original panel of admission prepared by the Institution and that no new candidate, outside the panel, shall be considered for such admission.

Sd/- K. Jhala,
Principal Secretary to the Government of West Bengal.