

CHAPTER III

Reservation in admission

3(a)

GOVERNMENT OF WEST BENGAL
SCHEDULED CASTES & TRIBES WELFARE DEPARTMENT
Writers' Buildings, Calcutta—700001

No. 905-TW/EC/SC/O/MR—1/95(1)

Calcutta, the 12th September, 1995

NOTIFICATION*

I am directed by order of the Governor to say that after careful consideration of the report of the Committee constituted by the Government for making a study on the problems of admission of candidates belonging to the Scheduled Caste and the Scheduled Tribe communities in educational institutions, the Governor is pleased to order as follows:-

1. (a) 22% and 6% of the seats shall be kept reserved for the Scheduled Caste and the Scheduled Tribe candidates respectively in all educational institutions including the following:--
 - (i) all Primary Schools run by District Primary School Councils, Corporations or Municipalities and similar bodies aided by Government of West Bengal,
 - (ii) all Government, Government sponsored and recognised non-government aided Secondary Schools,
 - (iii) all Government, Government sponsored and recognised non-Government aided Higher Secondary Schools,
 - (iv) all Government, Government sponsored and recognised non-Government aided Polytechnics, Industrial Training Institutes/Centres, Junior Technical Schools etc.,
 - (v) all Government, Government sponsored and recognised non-government aided Colleges including Medical and Dental Colleges, Engineering and Technological Colleges, Homoeopathic, Ayurvedic and Nursing Colleges,
 - (vi) all Universities and Deemed Universities.
 - (b) The reservation for the Scheduled Caste and the Scheduled Tribe candidate shall be maintained separately for each Course/Stream/Subject in each educational institution.
 - (c) While calculating the number of reserved seats for the Scheduled Caste and the Scheduled Tribe candidates, a fraction of 0.5 and above shall be treated as one seat.
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2. (a) A general merit list based exclusively on merit as reflected in the results of the relevant examination/selection test irrespective of caste/tribe status shall be prepared separately for each Course/Stream/Subject in each educational institution to fill up the unreserved seats. Separate merit lists for the Scheduled Caste and the Scheduled Tribe candidates shall be prepared for each Course/Stream/Subject in each educational institution to fill up the seats reserved for the Scheduled Caste and the Scheduled Tribe candidates respectively. The Scheduled Caste and the Scheduled Tribe candidates who have been placed in the general merit list to fill up unreserved seats shall not be taken into account in the reserved lists for the Scheduled Caste and the Scheduled Tribe candidates respectively.
- (b) For admission to the courses, B. A. (Hons.), B. Sc. (Hons.), B. Com. (Hons.), M. A., M. Sc., M. Com., B. Tech., M. Tech., M. Sc. (Tech), B. Ed., M. Ed., LL. B., LL. M., B. Lib. Sc., M. Lib. Sc., Master's Degree courses in Engineering and Architecture, Master of Business Management/Master of Business Administration, M. Phil., and the like in different subjects, an SC or ST candidate getting admission should have in the previous examination qualifying marks which are not lower by more than 25% from the marks obtained by the last candidate of the general category; however, in any case, such a candidate obtaining marks lower than the marks as prescribed by the regulations of the University for admission to the relevant course will not be eligible for admission. The candidates included in the general merit list will not be counted towards these reserved quota.
- (c) For admission to Undergraduate Medical and Dental Courses, there shall be no cut-off marks for the Scheduled Caste and the Scheduled Tribe candidates in the Joint Entrance Examination to fill up the reserved seats.
- (d) For filling up the reserved seats in all other courses/Streams/Subjects, the Scheduled Caste and the Scheduled Tribe candidates who have secured the minimum marks as per relevant regulations for admission to any Course/Stream/Subject as may be prescribed by the West Bengal Higher Secondary Council, Universities etc., shall be given admission forms by the educational institution for any such Courses/Streams/Subjects.
- (e) For the purpose of allotment of Courses/Streams/Subjects/Colleges, the Scheduled Caste and the Scheduled Tribe candidates in the unreserved general merit list shall be placed respectively on the top of the reserved lists for the Scheduled Caste and the Scheduled Tribe candidates. Thereafter allotment of Courses/Streams/Subjects/Colleges to the Scheduled Caste and the Scheduled Tribe candidates, placed in the general merit list and those placed in the reserved lists shall be made on the basis of their inter se merit and their options against the reserved seats plus those unreserved seats earmarked for the Scheduled Caste and the Scheduled Tribe candidates included in the general merit list.

3. Seats reserved for the Scheduled Caste candidates and remaining unfilled even after following the instructions laid down in the previous paragraphs may be filled up by the Scheduled Tribe candidates and vice versa.
4. The Head of each educational institution shall submit an Annual Return on Admission of students into various courses in that institution to the respective District Magistrates and *ex-officio* District Commissioners for Reservation in case of institutions located outside the district of Calcutta and to the Joint Commissioner for Reservation in case of institutions located in the district of Calcutta by 31st December each year in such form as may be prescribed by the Government.

This order issues in supersession of all previous orders issued in this matter.

By order of the Governor,
Sd/- **N. Krishnamurti**,
Chief Secy. to the Govt. Of West Bengal.

3(b)

**GOVERNMENT OF WEST BENGAL
SCHEDULED CASTES & TRIBES WELFARE DEPARTMENT
Writers' Buildings, Calcutta.**

No. 271-TW/EC
MR-1/95(I)

Calcutta, the 22nd May, 1996.

NOTIFICATION

In continuation of Notification No. .905-TW/EC. dated 12.09.1995, I am directed y
SC/O/MR-I/95(I)
by Order of the Governor to say that the Governor is pleased to order as follows:-

- (1) The words “and the like in different subjects” in clause 2(b) of the said notification shall be replaced by the words “Post-graduate and Doctoral courses in Medicine, Dental Science and Nursing”.
- (2) Sub-clause 1(b) shall be inserted in the said notification after sub-clause 1(c) as follows:-

“In case the number of seat reserved for Scheduled Castes and Scheduled Tribes in Post-graduate and Doctoral courses in Medicine, Dental Science and Nursing is less than 0.5 in each stream, 50 point roster adopted vide Notification No. 1601-L, dated 02.09.1994 shall be followed for filling up of seats”.

By order of the Governor,
Sd/- U.K. RAY,
Secy. to the Govt. of West Bengal.

3(c)

No. 426-TW/EC/ MR-1/95(I)

Calcutta, the 14th August, 1996.

NOTIFICATION

Corrigendum

In this Department notification No. 271-TW/EC/ MR-1/95(I), dated the 22nd May, 1996, published in the *Calcutta Gazette, Extraordinary*, Part I, dated the 22nd May, 1996, in clause (2), for the word, figure, letter and brackets “sub-clause 1(b)”, read the word, figure, letter and brackets “Sub-clause 1(d)”.

By order of the Governor,
Sd/- U.K.RAY,
Secy. to the Govt. of West Bengal.

3(d)

**GOVERNMENT OF WEST BENGAL
BACKWARD CLASSES WELFARE DEPARTMENT
Writers' Buildings, Block-I, 2nd Floor, Calcutta-700 001.**

No. 1032(73)-BCW/MR-100/99

Dated, the 7th May, 1999.

MEMORANDUM

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 admissions, 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 the 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, Sch. Caste & Sch. Tribe categories of applicants separately for respective Courses/Streams/Subjects.
 - (b) Number of seats reserved for Sch. Caste and Sch. 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 Sch. Caste and Sch. 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 Sch. 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.*