



**GOVERNMENT OF ASSAM**

**DEPARTMENT FOR WELFARE OF PLAINS TRIBES & BACK WARD CLASSES**

**No. TAD/OBC/141/91/60: Dated Dispur the 30<sup>th</sup> June 1993.**

**OFFICE MEMORANDUM**

Sub: Representation of Other Backward Classes and More Other Backward Classes in Public Services and Public Sector Undertakings.

After due consideration and keeping in view the maintenance of efficiency of the Administration and to provide adequate representation in the services to the Other Backward Classes (Other Backward Classes including More Other Backward Classes) who are not adequately represented in services, the Govt. of Assam, in pursuance of Articles 16 of the Constitution of India have been pleased to order reservation of 15% of vacancies in all posts under the State and in services connected with the affairs of the State and its Public Sector Undertakings for the members of the

Other Backward Classes (Other Backward Classes including More Other Backward Classes), vide Personnel Department's O.M.No.ABP,338/83/14, dt 4-1-84. To ensure proper implementation of the order for reservation for the members of the notified Other Backward Classes/More Other Backward Classes in direct recruitment to services and posts in an establishment under the Government of Assam and its Public Sector Undertakings the Government of Assam have now decided to adopt a roster of 20 (twenty) vacancies for giving effect the reservation of vacancies for the Other Backward Classes/More Other Backward Classes as below:

The roster shall be adopted for the purpose of direct recruitment by cash establishment for each cadre below:

Roster points:

- 1<sup>st</sup> Vacancy - Reserved for St (P) under Assam SC & ST (RVSP) Act1978.
- 2<sup>nd</sup> Vacancy - OBC/MOBC
- 3<sup>rd</sup> Vacancy - SC -do-
- 4<sup>th</sup> Vacancy - Unreserved

5 <sup>th</sup>	Vacancy-	Unreserved	
6 <sup>th</sup>	Vacancy-	Unreserved	
7 <sup>th</sup>	Vacancy-	ST (H)	-do-
8 <sup>th</sup>	Vacancy -	OBC/MOBC	
9 <sup>th</sup>	Vacancy	-	Unreserved
10 <sup>th</sup>	Vacancy	-	Unreserved
11 <sup>th</sup>	Vacancy	-	Reserved for ST(P) under Assam SC & ST(RVSP) Act 1978.
12 <sup>th</sup>	Vacancy	-	SC -do-
13 <sup>th</sup>	Vacancy	-	Unreserved
14 <sup>th</sup>	Vacancy	-	Unreserved
15 <sup>th</sup>	Vacancy	-	OBC/MOBC
16 <sup>th</sup>	Vacancy	-	Unreserved
17 <sup>th</sup>	Vacancy	-	Unreserved
18 <sup>th</sup>	Vacancy	-	Unreserved

19<sup>th</sup> Vacancy - Unreserved  
20<sup>th</sup> Vacancy - Unreserved

**Reservation Point:**

St(p)-1, 11                      ST(H)- 7

SC -3, 12                      OBC -2,8, 15.

A Register shall be maintained separately for each cadre in each establishment for giving effect to the Roster prescribed above .

The Roster is a running account of vacancies from year to year and shall be maintained accordingly. No gap shall be left in the roster in filling vacancies and if sufficient number of suitable candidates for filling up the reserved vacancies is not available from the designated Other Backward Classes/More Other Backward Classes of the people in/particular year then such of the vacancies which remained unfilled would be available to others.

In the absent of qualified Other Backward Classes & More Other Backward Classes candidates in a particular year the vacancies shall be carried forward till the requisite percentage in that of cadre is filled up.

A candidate who claimed to be a member of Other Backward Classes and More Other Backward Classes shall support his candidature by a certificate from the Competent Authority.

These instructions shall come into force with immediate effect. All Appointing Authorities under the Government of Assam and Public Sector Undertakings will strictly follow the instruction and any departure or failure should be promptly reported by Administrative Departments to WPT and BC Department.

**Sd/- A Perti ,**  
**Secretary to the Govt. of Assam,**  
**WPT & BC department**



**GOVERNMENT OF ASSAM**

**DEPARTMENT FOR WELFARE OF PLAIN TRIBES AND  
BACKWARD CLASSES**

**ASSAM : DISPUR**

**OFFICE MEMORANDUM**

No. TAD/BC/142/96/19

Dated Dispur, The 18<sup>th</sup> may' 99

The Assam Scheduled Caste & Scheduled Tribes (Reservation in Vacancies & Posts) Act, 1978 and the Rules thereunder provide that a roster involving fixed reserved points for SC and ST people, would be followed in the matter of appointments in all categories of posts and both by direct recruitment and by promotion. It is also provided that the appointing authorities would invariably seek approval of the

WPT & BC Department whenever a suitable candidate is not available for appointment on the reserved roster points. It has been observed for quite a long time that the proposals for appointment by promotion are submitted for dereservation to this Department indicating the fact that the reserved category candidates are not available in the zone of consideration. While most of the department, refer the cases of promotional appointments to this Department, many of them do not refer the cases of direct appointments in the feeder cadres from where promotions are made to the higher cadres. In fact it is felt that the non-availability of reserved candidates for promotional posts has a connection with the direct recruitment in the lower cadres and any violation of the provisions of the Act and rules in direct recruitment is bound to reflect severely in the promotional cases.

It is, therefore, decided that whenever a case of promotion is referred to the WPT & BC dereservation, the concerned department would provide information about the direct recruitment in the lower feeder cadre as far as the appointment of reserved candidates in that cadre is concerned. The department concerned would also certify that in the relevant feeder cadre where direct recruitment is made the rules have been followed specifically the rule relating to the second advertisement. To avoid any query and consequent delay it would be desirable that the concerned department should furnish the roster register if such feeder

cadre with every proposal of dereservation in promotional appointments.

Any proposal which does not comply with these recruitments would not be entertained by the WPT & BC Department shall be rejected without any consideration and the responsibility arising out of this situation would lie squarely with the concerned Department.

**Sd/- P. P. VARMA**

**Commissioner & Secy. to the Govt. of Assam  
WPT & BC DEPTT.**





**GOVERNMENT OF ASSAM**

**DEPARTMENT FOR WELFARE OF PLAIN TRIBES AND  
BACKWARD CLASSES**

**DISPUR :: GUWAHATI::6.**

**No. TAD/BC/142/96/6**

**Dispur, the 17<sup>th</sup> December/1996**

**OFFICE MEMORANDUM**

Sub:-Dereservation of reserved points in excess of the vacancies recommended by the Selection Committee.

Rules 5(1) of the Assam Scheduled Caste and Scheduled Tribes (Reservation of Vacancies in services and posts)

Rules, 1983, lays down, inter-alia, that the appointing authority shall furnish to the Selection Committee the details about the candidates equal to four times the number of vacancies, after proper assessment of the vacancies likely to occur in the various cadres in the Department in a year. The Select Committee, after consideration of the suitability of all candidates, shall recommend the list of candidates found suitable for promotion in order of preference, which will, by and large, be equal to double the number of vacancies. The Department, thereafter, would start filling up the vacancies in order of the preference from the said list and move WPT & BC Department for de-reservation following the procedure laid down in the Assam Scheduled Caste & Schedule Tribes (Reservation of the Vacancies in Service and Posts) 1978, and the rules framed thereunder, whenever necessary. Once the notified vacancies are filled-up by the candidates recommended by the Selection Committee for a particular year, recommendation of the select committee is deemed to have been completed and no proposal for further appointment from the same select list should be made.

It is observed that many Department's move WPT & BC Department either for filling-up of additional underserved vacancies or for de-reservation of reserved Vacancies in excess of the recommendation Select Committee on some plea or the other.

Such practice is not only violative of the Reservation Act or respective service Rules but may also be prejudicial to the interest of reserved category candidates.

In view of the circumstances stated above, it has been decided that henceforth WPT & BC Department would not entertain any proposal for de-reservation in case of promotion in excess of the vacancies for which recommendations have been made by the selection committee.

**Sd/-P. P. Verma,**

**Commissioner & Secretary,  
W.P.T. & B.C. Department**



**GOVERNMENT OF ASSAM**

**DEPARTMENT FOR WELFARE OF PLAINS TRIBES AND  
BACKWARD CLASS**

**NO. TAD/EDN/159/95/4 Dated Dispur, the 14<sup>th</sup> September'1997**

From: Shri A. R. Laskar, ACS,  
Deputy Secretary to the Govt. of Assam,  
W.P.T. & B.C. Department.

To: The Accountant General, Assam,  
Bhangagarh, Guwahati-5.

Sub: Revision of rate of Pre-Matric Scholarship to  
SC/ST/TGT/OBC students within Assam-  
Enhancement of monthly rate thereof

Sir,

I am directed to convey the sanction of the  
Governor of Assam to the following revised monthly  
rate for awarding Pre-Matric Scholarship to the

students belonging to TGT/SC/ST and OBC categories within Assam with effect from the current academic session and until further orders.

Category	Existing rate	Revised rate
L.P. Classes	Rs. 5/	Rs. 10/-
M.E. Classes	Rs.10/-	Rs.15/-
Class VIII-X	Rs.15/-	Rs.20/-

The expenditure will be debitable to the respective Head of Account of Welfare of TGT/SC/ST/OBC-III-Centrally Sponsor schemes during the current year budget for 1995-96.

This has been issued with the concurrence of Finance (EC-I) Department vide their U/O No. FEC(I) 956 dt. 4-09-95.

Yours faithfully,

**Deputy Secretary to the Govt. of  
Assam W.P.T. & B.C. Department**



**GOVERNMENT OF ASSAM**

**DEPARTMENT FOR WELFARE OF PLAIN TRIBLUNAL**

**DISPUR : GUWAHATI-6**

**No. TAD/BC/142/96/56**

**Dated Dispur, the 14<sup>th</sup> July, 2004**

**OFFICE MEMORANDUM**

Sub:- Implementation of Assam SC & St (RVSP) Act, 1978 and Rules 1983 – filling up of backlog vacancies for S. C. and S. T. there under.

1. The undersigned is directed to draw attention of all administrative departments and appointing authorities that a large number of backlog of vacancies of SC & ST communities in different cadres/services is being reported by different Department. In this regard various Scheduled Casts and Scheduled Tribes Organisations have also submitted memorandum to the Government to fill up the backlog vacancies by

reserved candidates belonging to S. C. & S. T. Government have also reiterated the need to reduce/eliminate the backlog of reserved vacancies.

2. It has been observed that a large number of backlogs shown by the different departments are due to mis-interpretation of Assam S.C. & S.T. (RVSP) Act, 1973 and Rules, 1983 and due to wrong calculation of backlog vacancies.
3. Under provision of section 5 of the Assam S.C. & S.T. (RVSP) Act. 1978, the admissible reservation quota for S.C., ST(p) and ST(H) is 7%, 10% and 5% respectively.
4. In terms of Rules 4(6) & 5(6) of Assam SC & ST(RVSP) Rules, 1983 the reserved vacancies can be de-reserved following the procedure mentioned therein subject to carry forward of the vacancy de-reserved (called backlog).
5. In terms of Sub-para (VI) in the Schedule under Assam SC & ST(RVSP) Act. 1978, in the absence of a qualified reserved candidate the reserved vacancies shall be carried forward till the requisite percentage of reserved categories in the cadre is filled up. The same has been reiterated in Sub-rule (7) of Rule 4 of the Assam SC & ST (RVSP) Rules, 1983 wherein it has been mentioned that a vacancy reserved shall be filled up by general

candidates but reservation will be carried forward till reservation quota is filled up.

6. Several instances have come to the notice of the Government in the WPT & BC department that the departments carried forward backlog as well as current vacancies even extent beyond permissible entitled quota for ST(P), ST(H) .. which have shown exaggerated figures of backlog/current vacancies for reserved categories. All appointing authorities are respect to carry but a review for correct assessment of backlog/current vacancies in respect of SC, ST(P) & ST(H) both by direct requirement and promotion and to make concerted efforts to fill up back-log/current vacancies under reserved categories.

**Sd/- K. D. Tripathi,**

**Commissioner & Secy. to the Govt. of Assam**

**WPT & BC Department**





**GOVERNMENT OF ASSAM**

**DEPARTMENT OF WELFARE OF PLAIN TRIBES AND  
BACKWARD CLASSES**

**NO. TAD/BC/142/96/54**

**Dated Dispur, 28<sup>th</sup> Aug., 2001**

**OFFICE MEMORANDUM**

Sub: Treatment of backing vacancies reserved for SC & ST as a distinct group and non-applicability of 50% ceiling thereon:-

With reference to this Deptt's O.M/No./TAD/BC/142/96/9, dated Dispur, the 17<sup>th</sup> Dec./98, wherein it was laid down in para 8 that "the Appointing Authorities will ensure that the reservations including belong does not exceed 50% of the vacancies a particular cadre in a calendar year", I am directed that the matter has since been reviewed by the Govt. of India and Article 16(4B) has \*\*\*\*\*in the Constitution by Constitution(Eighty-First Amendment) Act, 2002, which address as under.

Nothing in this article shall prevent the state from considering any unfilled vacancies of a or which are proved for being filled up in that year in accordance with any provision for \*\*\*\*made under clause (4) clause (4A) as a separate class of vacancies to be filled up in any succeeding year or years and such class of vacancies shall not be considered together with the vacancies of the year in which they are being filled up for determining the ceiling of 50% reservation on total member of vacancies of that year”.

In announce of the provision of article 16(4B) of the Constitution, it has been decided that \*\*\*\* of the above said notification would stand replaced as below:

“Appointing Authority shall ensue that the reservation (excluding backlog) on the vacancies in the current year shall not exceed 50% of the total vacancies of the said year. Further, as far as the backlog is concerned, the vacancies available shall be utilized to clear this backlog subject to availability of candidates of reserved category without any ceiling. However, the backlog subject would \*\*\*\* to be leaped in a particular cadre as soon as the combined representation of a particular reserved category in the recruitment and in promotion taken together in either \*\*\* to or more than the percentage of reservation.

1. All the Appointment Authorities are requested to adhere strictly to the above instructions and make \*\*\*\*\* up the backlog vacancies.
2. This order takes effect from the date of issue

**Sd/-**

**(J. S. L. VASAVA)**

**W.P.T. & B.C. Department**



**GOVERNMENT OF ASSAM**

**DEPARTMENT OF WELFARE OF PLAIN TRIBES AND  
BACKWARD CLASS**

**NO. TAD/BC/142/96/54**

**Dated Dispur, the 28<sup>th</sup> Aug., 2001**

Sub: Treatment of backlog vacancies reserved for SC & ST as a distinct group and non-applicability of 50% ceiling thereon:

With reference to this Deptt's O.M. No. TAD/BC/142/96/9, dated Dispur, the 17<sup>th</sup> Dec./98, wherein it was laid down in para 3 that "the Appointing Authorities will ensure that the reservations including backlog does not exceed 50% of the vacancies in a particular cadre in a calendar year, I am directed to say that the matter has since been reviewed by the Govt. of India and Article 16 (4B) has been incorporated in the Constitution by the Constitution (Eighty-First Amendment) Act, 2000, which provides as under :

“Nothing in this article shall prevent the state from considering any unfilled vacancies of a year which are reserved for being filled up in that year in accordance with any provision for reservation made under clause (4) or clause (4A) as a separate class of vacancies to be filled up in any succeeding year or years and such class of vacancies shall not be considered together with the vacancies of the year in which they are being filled up for determining the ceiling of 50% reservation on total number of vacancies of that year”

2. In pursuance of the provision of article 16(4B) of the Constitution, it has been decided that para (3) of the above said notification would stand replaced as below :

“Appointing authority shall ensure that the reservation (excluding backlog) on the vacancies in the current year shall not exceed 50% of the total vacancies of the said year. Further,, as far as the backlog is concerned, the vacancies available shall be utilized to clear this backlog subject to availability of candidates of reserved category without any ceiling. However, the backlog would deem to be lapsed in a particular cadre as soon as the combined representation of a particular reserved category in the recruitment

and in promotion taken together is either equal to or more than the percentage of reservation.

3. All the Appointing Authorities are requested to adhere strictly to the above instructions and make concerned efforts to fill up the backlog vacancies.
4. This order takes effect from the date of issue.

**Sd/- (J.S.L. Vasava)**

**Commr. & Secy. To the Govt. of Assam**

**WPT. & BC Department, Dispur**