

Bhimthadi Education Society's  
**Late K.G. Kataria College, Daund**

Tal-Daund , Dist-Pune -413801  
(Id No.PU/PN/SC/140/1999)

(Science, Arts and Commerce College)



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**2.1: Student Enrollment and Profile**


**2.1.2: Percentage of seats filled against reserved categories (SC, ST, OBC etc.) as per applicable reservation policy for the first-year admission during last five years**

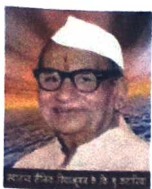
**2.1.2.2: Number of seats earmarked for reserved categories as per GOI/State Govt. rule year wise during last five years**

**Index**

Sr. No.	Document Name	Page No.
1.	Number of students earmarked for reserved categories for last five years (Only first year)	2-3
2.	Number of students earmarked for reserved categories for last five years programme wise	4-5
3.	Copy of communication issued by State Govt.- 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.	6 - 15
4.	Copy of communication issued by State Govt.- The Maharashtra State Reservation (of Seats For Admission In Educational Institutions In The State And For Appointments In The Public Services And Posts Under The State) For Socially And Educationally Backward Classes (Sebc) Act, 2018.	16-24

  
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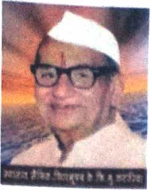
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			SC (13%)	ST (7%)	OBC (19%)	Gen (32%)	Others (NT,S BC, SEBC 29%)	
B.Sc.	11719	120	16	8	23	38	33	80
B.A.	11819	120	16	8	23	38	33	80
B.Sc. (Comp. Sci.)	11019	80	10	6	15	26	23	54
M.Sc. Org. Chemistry	22519	24	3	2	5	8	7	17
							<b>Total</b>	<b>231</b>
<b>Year - 4 (2021 -22)</b>								
Programme name	Programme Code	Number of seats sanctioned	Number of seats earmarked for reserved category as per GOI or State Government rule					Total Reservation
			SC (13%)	ST (7%)	OBC (19%)	Gen (48%)	Others (NT, SBC 13%)	
B.Sc.	11719	120	16	8	23	58	16	63
B.A.	11819	120	16	8	23	58	16	63
B.Sc. (Comp. Sci.)	11019	80	10	6	15	38	10	41
B.com.	12019	120	16	8	23	58	16	63
M.Sc. Org. Chemistry	22519	26	3	2	5	12	3	13
M.Sc. Ana. Chemistry	22619	26	3	2	5	12	3	13
							<b>Total</b>	<b>256</b>
<b>Year - 5 (2022 - 23)</b>								
Programme name	Programme Code	Number of seats sanctioned	Number of seats earmarked for reserved category as per GOI or State Government rule					Total Reservation
			SC (13%)	ST (7%)	OBC (19%)	Gen (48%)	Others (NT, SBC 13%)	
B.Sc.	11719	120	16	8	23	58	16	63
B.A.	11819	120	16	8	23	58	16	63
B.Sc. (Comp. Sci.)	11019	80	10	6	15	38	10	41
B.com.	12019	120	16	8	23	58	16	63
M.Sc. Org. Chemistry	22519	24	3	2	5	12	3	13
M.Sc. Ana. Chemistry	22619	24	3	2	5	12	3	13
							<b>Total</b>	<b>256</b>

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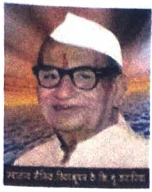
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1. Number of students earmarked for reserved categories for last five years (Only first year)

Year - 1 (2018-19)								
Programme name	Programme Code	Number of seats sanctioned	Number of seats earmarked for reserved category as per GOI or State Government rule					Total Reservation
			SC (13%)	ST (7%)	OBC (19%)	Gen (48%)	Others (NT, SBC 13%)	
B.Sc.	11719	240	31	17	46	115	31	125
B.A.	11819	240	31	17	46	115	31	125
B.Sc. (Comp. Sci.)	11019	80	10	6	15	38	10	41
M.Sc. Org. Chemistry	22519	24	3	2	5	12	3	13
							<b>Total</b>	<b>304</b>
Year - 2 (2019- 20)								
Programme name	Programme Code	Number of seats sanctioned	Number of seats earmarked for reserved category as per GOI or State Government rule					Total Reservation
			SC (13%)	ST (7%)	OBC (19%)	Gen (32%)	Others (NT,S BC, SEBC 29%)	
B.Sc.	11719	132	17	9	25	42	38	89
B.A.	11819	132	17	9	25	42	38	89
B.Sc. (Comp. Sci.)	11019	80	10	6	15	26	23	54
M.Sc. Org. Chemistry	22519	24	3	2	5	8	7	17
							<b>Total</b>	<b>249</b>
Year - 3 (2020-21)								
Programme name	Programme Code	Number of seats sanctioned	Number of seats earmarked for reserved category as per GOI or State Government rule					Total Reservation

  
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2. Number of students earmarked for reserved categories for last five years programme wise

Year - 1 (2018-19)								
Programme name	Programme Code	Number of seats sanctioned	Number of Students admitted	Number of seats earmarked for reserved category as per GOI or State Government rule				
				SC (13%)	ST (7%)	OBC (19%)	Gen (48%)	Others (NT, SBC 13%)
B.Sc.	11719	480	294	62	34	91	230	62
B.A.	11819	480	369	62	34	91	230	62
B.Sc. (Comp. Sci.)	11019	240	53	31	17	46	115	31
M.Sc. Org. Chemistry	22519	48	39	6	3	9	23	6
Year - 2 (2019- 20)								
Programme name	Programme Code	Number of seats sanctioned	Number of Students admitted	Number of seats earmarked for reserved category as per GOI or State Government rule				
				SC (13%)	ST (7%)	OBC (19%)	Gen (32%)	Others (NT,SBC, SEBC 29%)
B.Sc.	11719	372	297	48	26	71	119	108
B.A.	11819	372	321	48	26	71	119	108
B.Sc. (Comp. Sci.)	11019	240	44	31	17	46	77	70
M.Sc. Org. Chemistry	22519	48	43	6	3	9	15	14
Year - 3 (2020-21)								
Programme name	Programme Code	Number of seats sanctioned	Number of Students admitted	Number of seats earmarked for reserved category as per GOI or State Government rule				
				SC (13%)	ST (7%)	OBC (19%)	Gen (32%)	Others (NT,SBC, SEBC 29%)
B.Sc.	11719	360	315	47	25	68	115	104
B.A.	11819	360	319	47	25	68	115	104
B.Sc. (Comp. Sci.)	11019	240	42	31	17	46	77	70
M.Sc. Org. Chemistry	22519	48	45	6	3	9	15	14

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**Year - 4 (2021 -22)**

Programme name	Programme Code	Number of seats sanctioned	Number of Students admitted	Number of seats earmarked for reserved category as per GOI or State Government rule				
				SC (13%)	ST (7%)	OBC (19%)	Gen (48%)	Others (NT, SBC 13%)
B.Sc.	11719	360	307	47	25	68	173	47
B.A.	11819	360	218	47	25	68	173	47
B.Sc. (Comp. Sci.)	11019	240	54	31	17	46	115	31
B.com.	12019	120	78	16	8	23	58	16
M.Sc. Org. Chemistry	22519	50	46	7	4	10	25	7
M.Sc. Ana. Chemistry	22619	26	25	4	2	5	12	3

**Year - 5 (2022 - 23)**

Programme name	Programme Code	Number of seats sanctioned	Number of Students admitted	Number of seats earmarked for reserved category as per GOI or State Government rule				
				SC (13%)	ST (7%)	OBC (19%)	Gen (48%)	Others (NT, SBC 13%)
B.Sc.	11719	360	271	47	25	68	173	47
B.A.	11819	360	213	47	25	68	173	47
B.Sc. (Comp. Sci.)	11019	240	88	31	17	46	115	31
B.com.	12019	240	153	31	17	46	115	31
M.Sc. Org. Chemistry	22519	48	39	6	3	9	23	6
M.Sc. Ana. Chemistry	22619	48	40	6	3	9	23	6

  
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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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CONTENTS

PREAMBLE.

SECTIONS.

1. Short title, extent and commencement.
2. Definitions.
3. Applicability.
4. Reservation and percentage.
5. Reservation in promotion.
6. Carrying forward of reserved vacancies.
7. Responsibility and powers of compliance of Act.
8. Penalty.
9. Powers to call for records.
10. Representation in selection committee.
11. Irregular appointments void.
12. Protection of action taken in good faith.
13. Power to make rules.
14. Provisions of this Act to be in addition to any other law for the time being in force.
15. Savings.
16. Power to remove difficulties.

**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.

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<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) ;

**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**

3

(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,— Applicability.

(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

H 779—2a

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.
<b>Total . .</b>	<b>52 per cent. :</b>

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 :

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.

**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*      7

**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.

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GOVERNMENT OF MAHARASHTRA

LAW AND JUDICIARY DEPARTMENT

## **MAHARASHTRA ACT No. LXII of 2018.**

### **THE MAHARASHTRA STATE RESERVATION (OF SEATS FOR ADMISSION IN EDUCATIONAL INSTITUTIONS IN THE STATE AND FOR APPOINTMENTS IN THE PUBLIC SERVICES AND POSTS UNDER THE STATE) FOR SOCIALY AND EDUCATIONALLY BACKWARD CLASSES (SEBC) ACT, 2018.**

*[As on the 7th January 2019]*



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EDUCATIONALLY BACKWARD CLASSES (SEBC)  
ACT, 2018.**

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CONTENTS

PREAMBLE.

SECTIONS.

1. Short title and commencement.
2. Definitions.
3. Applicability.
4. Reservation of seats for admission in educational institutions, appointments in public services and posts under State for Socially and Educationally Backward Classes (SEBC).
5. Reservation not to be affected.
6. Competent Authority.
7. Carrying forward of reserved vacancies.
8. Responsibility and powers for compliance of Act.
9. Penalty.
10. Power to call for records.
11. Representation in selection Committee.
12. Irregular admissions and appointments void.
13. Competent Authority to be public servant.
14. Protection of action taken in good faith.
15. Power to make rules.
16. Savings.
17. Power to remove difficulty.
18. Repeal and savings.

**MAHARASHTRA ACT No. LXII OF 2018<sup>1</sup>**

[THE MAHARASHTRA STATE RESERVATION (OF SEATS FOR ADMISSION IN EDUCATIONAL INSTITUTIONS IN THE STATE AND FOR APPOINTMENTS IN THE PUBLIC SERVICES AND POSTS UNDER THE STATE) FOR SOCIALLY AND EDUCATIONALLY BACKWARD CLASSES (SEBC) ACT, 2018.]

(This Act received the assent of the Governor on the 30th November 2018; assent was first published in the *Maharashtra Government Gazette*, Part IV, on the 30th November 2018.)

**An Act to provide for reservation of seats for admission in educational institutions in the State and for reservation of posts for appointments in public services and posts under the State, to Socially and Educationally Backward Classes of Citizens (SEBC) in the State of Maharashtra for their advancement and for matters connected therewith or incidental thereto.**

WHEREAS it is expedient to provide for reservation of seats for admission in educational institutions in the State and for reservation of posts for appointments in public services and posts under the State to Socially and Educationally Backward Classes of Citizens (SEBC) in the State of Maharashtra for their advancement and for matters connected therewith or incidental thereto ; it is hereby enacted in the Sixty-ninth Year of the Republic of India, as follows :—

1. (1) This Act may be called the Maharashtra State Reservation (of seats for admission in educational institutions in the State and for appointments in the public services and posts under the State) for Socially and Educationally Backward Classes (SEBC) Act, 2018.

Short title and commencement.

(2) It shall come into force on the date of publication of this Act in the *Official Gazette*.

2. (1) In this Act, unless the context otherwise requires,—

Definitions.

(a) “admission authority”, in relation to admissions to educational institutions, means the authority having supervisory and controlling powers over the educational institutions responsible for admissions to particular educational institutions ;

(b) “appointing authority”, in relation to public services and posts, means the authority empowered to make appointment to such services and posts ;

(c) “Competent Authority” means the Competent Authority appointed under section 6 ;

(d) “educational institutions” includes the educational institutions in the State of Maharashtra owned and controlled by the Government, which receives grant-in-aid from the Government, including a University established by or under the relevant Maharashtra Acts, including private educational institutions, whether aided or un-aided by the State, other than the minority educational institutions referred to in clause (1) of article 30 of the Constitution of India.

<sup>1</sup>. For Statement of Objects and Reasons, see *Maharashtra Government Gazette*, Part V-A, Extraordinary No. 67, dated the 29th November 2018, P.8-15.

Explanation.—For the purposes of this clause, the expression “private educational institutions” means institutions 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 the Government, or are recognized, permitted, supervised or controlled by the Government ;

(e) “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 or a Corporation or a Co-operative Society in which share capital is held by the Government or any Government aided institutions.

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 the Government or is recognized, licensed, supervised or controlled by the Government ;

(f) “Government” or “State Government” means the Government of Maharashtra ;

(g) “prescribed” means prescribed by rules made under this Act ;

(h) “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 the Government is a share holder ;

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 company as defined in the Companies Act, 1956 or the Companies Act, 2013 ;

1 of 1956. 18 of 2013.

(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 ; and

(v) any other establishment in 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 (iv) ;

(i) “reservation” means the reservation of seats, for admission in educational institutions and of posts for appointments in the public services and posts to the members of Socially and Educationally Backward Classes of Citizens (SEBC) in the State ;

(j) “Socially and Educationally Backward Classes of Citizens (SEBC)” includes the Maratha Community declared to be Educationally and Socially Backward Category (ESBC) in pursuance of the Maharashtra State Reservation (of seats for admission in educational institutions in the State and for appointments or posts in the public services under the State) for Educationally and Socially Backward Category (ESBC) Act, 2014.

Mah. I of 2015.

(2) The words and expressions used in this Act, but not defined, shall have the same meanings respectively assigned to them in 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.

Mah. VIII of 2004.

**3. (1)** This Act shall apply to all the direct recruitments, appointments made in public services and posts in the State except,—

- (a) the super specialized 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 post which is single (isolated) in any cadre or grade.

(2) This Act shall also apply, for admission in educational institutions including private educational institutions, whether aided or un-aided by the State, other than the minority educational institutions referred to in clause (1) of article 30 of the Constitution of India.

(3) The State Government shall, while entering into or renewing an agreement with any educational institution or any establishment for the grant of any aid as provided in the explanation to clauses (d) and (e) of section 2, respectively, incorporate a condition for compliance with the provisions of this Act, by such educational institution or establishment.

(4) For the removal of doubts it is hereby declared that nothing in this Act shall affect the reservation provided to the Other Backward Classes under 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 and the Maharashtra Private Professional Educational Institutions (Reservation of seats for admission for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes and Other Backward Classes) Act, 2006.

Mah. VIII  
of 2004.

Mah.  
XXX of  
2006.

**4. (1)** Notwithstanding anything contained in any judgment, decree or order of any Court or other authority, and subject to the other provisions of this Act,—

(a) sixteen per cent. of the total seats in educational institutions including private educational institutions, whether aided or un-aided by the State, other than minority educational institutions referred to in clause (1) of article 30 of the Constitution of India ; and

(b) sixteen per cent. of the total appointments in direct recruitment in public services and posts under the State,

shall be separately reserved for the Socially and Educationally Backward Classes (SEBC) including the Maratha Community :

Reservation of seats for admission in educational institutions, appointments in public services and posts under State for Socially and Educationally Backward Classes (SEBC).

Provided that, the above reservation shall not be applicable to the posts reserved in favour of the Scheduled Tribes candidates in the Scheduled Areas of the State under the Fifth Schedule to the Constitution of India as per the notification issued on the 9th June 2014 in this behalf.

(2) The principle of Creamy Layer shall be applicable for the purposes of reservation to the Socially and Educationally Backward Classes (SEBC) under this Act and reservation under this Act shall be available only to those persons who are below Creamy Layer.

Explanation.—For the purposes of this sub-section, the expression “Creamy Layer” means the person falling in the category of Creamy Layer as declared by the Government in the Social Justice and Special Assistance Department, by general or special orders issued in this behalf, from time to time.

Reservation not to be affected. **5.** Notwithstanding anything contained in section 4, the claims of students or members belonging to Socially and Educationally Backward Classes (SEBC) shall also be considered for the allotment on unreserved seats and appointments on public services and posts which shall be filled on the basis of merit, and where a student or member belonging to such classes is selected on the basis of merit, the number of seats and appointments reserved for the Socially and Educationally Backward Classes (SEBC), shall not in any way be affected.

Competent Authority. **6.** (1) The Government may, by notification in the *Official Gazette*, appoint any officer not below the rank of District Social Welfare Officer to be the Competent Authority for such area as may be specified in such notification for the purposes of carrying out the provisions of this Act and the rules made thereunder.

(2) The Competent Authority shall exercise such powers and perform such functions as may be prescribed.

Carrying forward of reserved vacancies. **7.** (1) If in respect of any recruitment year, any vacancy reserved for Socially and Educationally Backward Classes (SEBC) of persons remains unfilled, such vacancy shall be carried forward up to five years in case of direct recruitment :

Provided that, on the date of commencement of this Act, if any Government Order, Resolution, Circular and Office Memorandum regarding filling of posts is in force then, the same shall continue to be in force unless modified or revoked by the Government :

Provided further that, if the sanctioned posts are not adequate to allocate atleast one post for each reserved category, then the reserved post shall be filled in by applying the principle of rotation in accordance with the Government roster orders or rules as may be prescribed or modified in this behalf.

(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 Classes 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 the Government.

Responsibility and powers for compliance of Act. **8.** (1) The Government may, by order in writing, entrust upon every admission authority or 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 admission authority or appointing authority or officer 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.

Penalty. **9.** (1) Any admission authority or appointing authority or officer or employee entrusted with the duty or responsibility who wilfully acts in a manner intended to contravene or defeat the purpose 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.

**10.** When it comes to the notice of the Government or is brought to its notice that any person belonging to Socially and Educationally Backward Classes (SEBC) is adversely affected, on account of non-compliance with the provisions of this Act or the rules made thereunder or the Government orders issued in this behalf, by any admission authority or appointing authority, it may call for such records and pass such appropriate orders as it deems fit.

Power to call for records.

**11.** The Government may, by an order, provide for nomination of officers belonging to Socially and Educationally Backward Classes (SEBC) in selections, screening and Department Committee for the purpose of selecting persons for appointment to public services and posts.

Representation in selection Committee.

**12.** Any admissions or appointments made in contravention of the provisions of this Act shall be void.

Irregular admissions and appointments void.

**13.** The Competent Authority appointed under section 6 shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

45 of 1860.

Competent Authority to be public servant.

**14.** No suit, prosecution or other legal proceeding shall lie against the Competent Authority or its officers, for anything which is in good faith done or intended to be done under this Act or the rules or orders made thereunder.

Protection of action taken in good faith.

**15.** (1) The State 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 any 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 notification of such decision 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.

**16.** (1) The provisions of this Act shall not apply to the 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 the 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, written test and interview and such written test has started.

(2) The provisions of this Act shall not apply to admissions in educational institutions and the cases in which the admission 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 the Government orders, as they stood before such commencement.

Explanation.—For the purposes of this section, the admission process shall be deemed to have initiated where,—

(i) admission is to be made on the basis of any entrance test, and procedure for such entrance test has started ; or

(ii) in case of admission to be made other than on the basis of entrance test, the last date for filling up the application form is lapsed.

Power to  
remove  
difficulty.

**17.** (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, as 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 the purpose of removing the difficulty :

Provided that, no such order shall be made after expiry of the period of two years from the date of commencement of this Act.

(2) Every order made under sub-section (1) shall be laid, as soon as may be, after it is made, before each House of the State Legislature.

Repeal and  
savings.

**18.** (1) On the commencement of this Act, the Maharashtra State Reservation (of seats for admission in educational institutions in the State and for appointments or posts in the public services under the State) for Educationally and Socially Backward Category (ESBC) Act, 2014 shall stand repealed.

Mah. I of  
2015.

(2) The repeal of the said Act shall not affect,—

(i) anything done or any action taken or purported to have been done or taken including any rule, notification, order, circular or direction issued under the Act so repealed ; or

(ii) any appointment made, any selection process initiated, admissions taken in any educational institutions, any right, privilege, obligation or liability acquired, accrued or incurred under the Act so repealed ; or

(iii) any penalty, confiscation or punishment incurred in respect of any contravention under the Act so repealed ; or

(iv) any investigation, legal proceeding or remedy instituted before the commencement of this Act may be continued or enforced as if this Act has not been enacted ;

(v) any declaration made in pursuance of the provisions of the Maharashtra State Reservation (of seats for admission in educational institutions in the State and for appointments or posts in the public services under the State) for Educationally and Socially Backward Category (ESBC) Act, 2014 and such declaration shall continue to be in force as if it is made under this Act.

Mah. I  
of 2015.

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