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2.1.2 Average percentage of seats filled against reserved categories (SC, ST, OBC etc.) as per applicable reservation policy during the year

Number of actual students admitted from the reserved categories year wise during the year

Year	2017-18	2018-19	2019-20	2020-21	2021-22
Number	314	495	634	699	630

2.1.2 Average percentage of seats filled against seats reserved for various categories as per applicable reservation policy during the last five years.(Excluding Supernumerary Seats)

2.1.2.1: Number of actual students admitted from the reserved categories year wise during the last five years

Year	Number of seats earmarked for reserved category as per GOI or State Government rule						Number of students admitted from the reserved category					
	SC	ST	OBC	Divyangjan	Gen	Other Gen (EWS)	SC	ST	OBC	Divyangjan	Gen	Other Gen (EWS)
2017-18	190	18	244	48	452	0	68	2	244	0	282	0
2018-19	308	29	396	77	734	0	96	3	396	0	351	0
2019-20	408	39	524	102	971	187	107	3	524	0	615	19
2020-21	428	41	550	107	1019	187	144	5	550	0	700	37
2021-22	448	43	577	112	1068	199	90	3	537	0	456	29


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अम संख्या-242



रजिस्ट्रेशन नम्बर-एच डब्ल्यू/एनपी 690
लड़कियाँ नः डब्ल्यू पी० - 41
लखनेनक दू पीएल ऐट कन्सेरवशन डेट

सरकारी गजट, उत्तर प्रदेश

उत्तर प्रदेशीय सरकार द्वारा प्रकाशित

असाधारण

विधायी परिशिष्ट

भाग 1 खण्ड (क)

(उत्तर प्रदेश अधिनियम)

लखनऊ, शनिवार, 31 अगस्त, 2002

भाद्रपद 09, 1924 शक सम्वत्

उत्तर प्रदेश सरकार

विधायी अनुभाग-1

संख्या 1576/सत्रह-वि-1-1(क)-11-2002

लखनऊ, 31 अगस्त, 2002

अधिसूचना

विविध

'भारत का संविधान' के अनुच्छेद 200 के अधीन राज्यपाल महोदय ने उत्तर प्रदेश विधान मण्डल द्वारा पारित उत्तर प्रदेश लोक सेवा (अनुसूचित जातियों, अनुसूचित जन-जातियों और अन्य पिछड़े वर्गों के लिए आरक्षण) (संशोधन) विधेयक, 2002 पर दिनांक 29 अगस्त, 2002 को अनुमति प्रदान की और वह उत्तर प्रदेश अधिनियम संख्या 1 सन् 2002 के रूप में 'सर्वसाधारण की सूचनार्थ' इस अधिसूचना द्वारा प्रकाशित किया जाता है :-

उत्तर प्रदेश लोक सेवा (अनुसूचित जातियों, अनुसूचित जन-जातियों और अन्य पिछड़े वर्गों के लिए आरक्षण) (संशोधन) अधिनियम, 2002

(उत्तर प्रदेश अधिनियम संख्या 1 सन् 2002)

(जैसा उत्तर प्रदेश विधान मण्डल द्वारा पारित हुआ)

उत्तर प्रदेश लोक सेवा (अनुसूचित जातियों, अनुसूचित जनजातियों और अन्य पिछड़े वर्गों के लिए आरक्षण) अधिनियम, 1994 का अग्रतर संशोधन करने के लिए

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अधिनियम

भारत गणराज्य के तिरपनवें वर्ष में निम्नलिखित अधिनियम बनाया जाता है:-

- उत्तर प्रदेश अधिनियम संख्या 4 सन् 1994 की धारा 2 का संशोधन
- धारा 3 का संशोधन
- 1- (1) यह अधिनियम उत्तर प्रदेश लोक सेवा (अनुसूचित जातियों, अनुसूचित जातियों और अनुसूचित जनजातियों और अन्य पिछड़े वर्गों के लिए आरक्षण (संशोधन) अधिनियम, 2002 कहा जायेगा प्रारम्भ नाम और
- (2) धारा 2, धारा 3, के खण्ड (क) द्वारा यथा प्रतिस्थापित मूल अधिनियम की धारा 3 की उपधारा (1) द्वितीय परन्तुक को छोड़कर धारा 3 के खण्ड (ख) का उपखण्ड (एक) धारा 4, धारा 5 और धारा 6, 15 सितम्बर 2001 को प्रवृत्त हुए समझे जायेंगे धारा 3 के खण्ड (क) के शेष उपबन्ध, खण्ड (ख) का उपखण्ड (दो) और खण्ड (ग) 25 जून 2002 को प्रवृत्त हुए समझे जायेंगे और शेष उपबन्ध तुरन्त प्रवृत्त होंगे।
- 2- उत्तर प्रदेश लोक सेवा (अनुसूचित जातियों, अनुसूचित जनजातियों और अन्य पिछड़े वर्गों के लिए आरक्षण) अधिनियम, 1994 की जिसे आगे मूल अधिनियम कहा गया है।
- (क) धारा-2 में खण्ड (ख) के स्थान पर निम्नलिखित खण्ड रख दिया जायेगा अर्थात:-
- '(ख) 'नागरिकों के अन्य पिछड़े वर्गों' का तात्पर्य अनुसूची-एक में विनिर्दिष्ट नागरिकों के पिछड़े वर्गों से है',
- (ख) खण्ड (ख-1), (ख-2), (ख-3) निकाल दिये जायेंगे।
- 3- मूल अधिनियम की धारा 3 में-
- (क) उपधारा (1), (2), (3) के स्थान पर निम्नलिखित उपधाराएं रख दी जाएंगी, अर्थात:-
- (1) लोक सेवाओं और पदों में, अनुसूचित जातियों, अनुसूचित जनजातियों और नागरिकों के अन्य पिछड़े वर्गों से सम्बन्धित व्यक्तियों के पक्ष में सीधी भर्ती के प्रक्रम पर, उपधारा (5) में निर्दिष्ट रोस्टर के अनुसार रिक्तियों का, जिन पर भर्ती की जानी है, निम्नलिखित प्रतिशत आरक्षित किया जायेगा:-
- (क) अनुसूचित जातियों के मामले में - इक्कीस प्रतिशत
- (ख) अनुसूचित जनजातियों के मामले में - दो प्रतिशत
- (ग) नागरिकों के अन्य पिछड़े वर्गों के मामले में - सत्ताइस प्रतिशत
- परन्तु खण्ड (ग) के अधीन आरक्षण अनुसूची-दो में विनिर्दिष्ट नागरिकों के अन्य पिछड़े वर्गों की श्रेणी पर लागू नहीं होगा।
- परन्तु यह और कि व्यक्तियों की सभी श्रेणियों के लिए रिक्तियों का आरक्षण किसी भर्ती का वर्ष में, उस वर्ष की कुल रिक्तियों के पचास प्रतिशत से अधिक नहीं होगा और साथ ही उस सेवा के संवर्ग की, जिसके लिए भर्ती की जानी है, सदस्य संख्या के पचास प्रतिशत से अधिक नहीं होगा:
- (2) यदि किसी भर्ती का वर्ष के सम्बन्ध के उपधारा (1) के अधीन व्यक्तियों की किसी श्रेणी के लिए आरक्षित कोई रिक्त बिना भरे

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English Translation	of the relevant portion
Amendment of Section 3	<p>3- Section 3 of the Original Act – (A) Following sub-sections will replace sub-sections (1), (2) and (3), means: - “1- On posts and in public services, direct recruitment of individuals belonging to scheduled caste, scheduled tribes and other backward castes, according to the roster for vacancies mentioned in the sub-section 5, following percentage reservation will be applicable: (a) Scheduled caste - twenty one percent (b) Scheduled tribes – two percent (c) Other backward castes – twenty seven percent</p>

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No. 488 (2) XVII-V-I - 1- (KA)6- 1994
Dated, Lucknow, March 23, 1994

In pursuance of the provisions of clause(3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Lok Seva (Anusuchit Jatiyon, Anusuchit Jan-Jatiyon Aur Anya Pichhre Vargon Ke Liye Arakshan) Aduiniyam 1994 (Uttar Pradesh Adhiniyam Sankhya 4 of 1994) as passed by the Uttar Pradesh legislative and assented to by the Governor on March 22, 1994.

**THE UTTAR PRADESH PUBLIC SERVICES (RESERVATION
FOR SCHEDULED CASTES,
SCHEDULED TRIBES AND OTHER BACK-WARD CLASSES)
ACT, 1994**

(U.P. Act no. 4 of 1994)
(As passed by the U.P. Legislative Assembly)

**AN
ACT**

to provide for the reservation in public services and posts in favour of the persons belonging to the Scheduled Castes, Scheduled Tribes and other Backward Classes of citizens and for matters connected there with a incidental thereto.

IT IS HEREBY enacted in the Forty-fifth Year of the Republic of India as follows :-

Short title and
commencement
Definitions

1. (1) This act may be called the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and Other backward Classes) Act, 1994.

(2) It shall be deemed to have come into force on December 11, 1993.

2. In this Act, -

(a) "appointing authority" in relation to public services and posts means the authority empowered to make appointment to such services or posts;

(b) "other backward classes of citizens" means the backward classes of citizens specified in Schedule I;

(c) "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 as defined in clause (f) of section 2 of the Uttar Pradesh Co-operative Societies Act, 1965 in which not

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less than fifty-one percent of the share capital of the society is held by the state Government:

(iii) a Board or a Corporation or a statutory body established by or under a central or a Uttar Pradesh Act which is owned and controlled by the State Government, or a Government company as defined in section 617 of the Companies Act, 1956 in which not less than fifty-one percent of the paid up share capital is held by the State Government:

(iv) an educational institution owned and controlled by the State Government or which receives grants in aid from the State Government, including a university established by or under a Uttar Pradesh Act, except an institution established and administered by minorities referred to in clause (1) of Article 30 of the Constitution:

(v) respect of which reservation was applicable by Government orders on the date of the commencement of this Act and which are not covered under sub-clauses (i) to (iv),

(d) "year of recruitment" in relation to a vacancy means a period of twelve months commencing on the first of July of a year within which the process of direct recruitment against such vacancy is initiated.

3. (1) In public services and posts, there shall be reserved at the stage of direct recruitment, the following percentages of vacancies to which recruitments are to be made in accordance with the roster referred to in sub-section (5) in favour of the persons belonging to Scheduled Castes, Scheduled Tribes and other backward classes of citizens:

(a) in the case of Scheduled Castes	twenty one percent:
(b) in the case of Scheduled Tribes	two percent:
(c) in the classes of other backward classes of citizens	twenty seven percent:

Provided that the reservation under clause (b) shall not apply to the category of other backward classes of citizens specified in Schedule II.

(2) If, even in respect of any year of recruitment, any vacancy reserved for any category of persons under sub-section (1) remains unfilled, special recruitment shall be made for such number of times, not exceeding three, as may be considered necessary to fill such vacancy from amongst the persons belonging to that category.

(3) If, in the third such recruitment referred to in sub-section (2), suitable candidates belonging to the Scheduled Tribes are not available to fill the vacancy reserved for them, such vacancy shall be filled by persons belonging to the Scheduled Castes.

(4) Where, due to non-availability of suitable candidates any of the vacancies reserved under sub-section (1) remains unfilled even after special recruitment referred to in sub-section (2), it may be carried over to the next year commencing from first of July, in which recruitment is to be made, subject to the condition that in that

Reservation in
favour of
Scheduled
Castes
Scheduled
Tribes and
other
Backward
Classes

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Responsibility and powers for compliance of the Act	<p>year total reservation of vacancies for all categories of persons mentioned in sub-section (1) shall not exceed fifty percent of the total vacancies.</p> <p>(5) The State Government shall, for applying the reservation under sub-section (1) by a notified order issue a roster which shall be continuously applied till it is exhausted.</p> <p>(6) If a person belonging to any of the categories mentioned in sub-section (1) gets selected on the basis of merit in an open competition with general candidates, he shall not be adjusted against the vacancies reserved for such category under sub-section (1).</p> <p>(7) if, on the date of commencement of this Act, reservation was in force under Government Orders for appointment to posts to be filled by promotion, such Government Orders shall continue to be applicable till they are modified or revoked.</p>
Penalty	<p>4. (1) The State Government may, by notified order, entrust the appointing authority or any officer or employee with the responsibility of ensuring the compliance of the provisions of this Act.</p> <p>(2) The State Government may, in the like manner, invest the appointing authority or officer or employee referred to in sub-section (1) with such powers or authority as may be necessary for effectively discharging the responsibility entrusted to him under sub-section (1).</p> <p>5. (1) Any appointing authority or officer or employee entrusted with the responsibility under sub-section (1) of section 4 who wilfully acts in a manner intended to contravene or defeat the purpose of this Act shall, on conviction, be punishable with imprisonment which may extend to three months or with fine which may extend to one thousand rupees or with both.</p>
Power to call for record	<p>(2) No court shall take cognizance of an offence under this section except with the previous sanction of the State Government or officer authorized in this behalf by the State Government by an order.</p> <p>(3) An offence punishable under sub-section (1) shall be tried summarily by a Metropolitan magistrate or a Judicial magistrate to of the first class and the provisions of sub-section (1) of section 262, section 263, section 264 and section 265 of the code of criminal Procedure, 1973 shall mutatis mutandis apply.</p> <p>6. If it comes to the notice of the State Government, that any person belonging to any of the categories mentioned in sub-section (1) of section 3 has been adversely affected on account of non compliance of the provisions of this Act or the rules made there under or the Government orders in this behalf by the appointing authority, it may call for such records and take such action as it may</p>

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Representation in Selection Committee	consider necessary. 7. The State Government may, by order, provide for nomination of officers for giving representation to the Scheduled Castes, Scheduled Tribes, and other backward classes of citizens in the Selection Committee to such extent and in such manner as it may consider necessary where such Committee is constituted either under the service rules or otherwise.
Concession and realization	8. The State Government may, in favour of the categories of persons mentioned in sub-section (1) of section 3 by order, grant such concessions in respect of fees for any competitive examination or interview and relaxation in upper age limit, as it may consider necessary. (2) The Government orders in force on the date of the commencement of this Act, in respect of concessions and relaxations, including concession in fees for any competitive examination or interview and relaxation in upper age limit and those relating to recreation in direct recruitment and promotion, in favour of categories of persons referred to in sub-section (1) which are not in consistent with the provisions of this Act, shall continue to be applicable till they are modified or revoked, as the case may be.
Caste certificate	9. For the purpose of reservation provided under this Act caste certificate shall be issued by such authority or officer and in such manner and form as the State Government may, by order provide.
Removal of difficulties	10. If any difficulty arises in giving effect to the provision of this Act, the State Government may, by a notified order, make such provisions not inconsistent with the provisions of this Act as appears to it to be necessary or expedient for removing the difficulty.
Protection of action taken in good faith	11. No suit, prosecution or other legal proceedings shall lie against the State Government or any person for anything which is in good faith done or intended to be done, in pursuance of this Act or the rules made thereunder.
Power to make Rules	12. The State Government may, by notification, make rules for carrying out the purposes of this Act.
Power to amend the Schedules	13. The State Government may, by notification amend the Schedules and upon the publication of such notification in the gazette, the Schedules shall be deemed to be amended accordingly.
Laying of Order etc.	14. Every order made under sub-section (5) of section 3, sub-section (1) and (2) of section 4 and section 10 and every notification issued under section 13 shall be laid, as soon as may be, before both the Houses of State Legislature and the provisions of sub-section (1) of section 23-A of the Uttar Pradesh General classes Act, 1904 shall apply as they apply in respect of rules made by the State Government under any Uttar Pradesh Act.

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Savings

15. (1) The provisions of this Act shall not apply to cases in which selection process has 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.

Explanation: For the purposes of this sub-section the selection process shall be deemed to have been initiated where, under the relevant service rules, recruitment is to be made on the basis of -

(i) written test or interview only, the written test or the interview, as the case may be, has started, or

(ii) both written test and interview, the written test has started.

(2) The provisions of this Act shall not apply to the appointment, to be made under the Uttar Pradesh Recruitment of Dependent of Government Servant dying in Harness Rules, 1974.

U.P. Act no. 21
of 1989 U.p.
Act no. 3 of
1993
Repeal and
savings

16. (1) The Uttar Pradesh Public Services (Reservation for Backward Classes) Act, 1989, The Uttar Pradesh Public Services (Reservation for Scheduled Castes and Scheduled Tribes) Act, 1993 and the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and other backward Classes) Ordinance, 1994 are hereby repealed.

U.P. Ordinance
no. 5 of 1994

(2) Not with standing Such repeal, anything done or any action taken under the provisions of the Acts and the ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of this Act as if the provisions of this Act were in force at all material times.

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उत्तर प्रदेश असाधारण गजट, 31 अगस्त, 2020

No. 1577(2)/LXXIX-V-1-20-1(ka)-4-20

Dated Lucknow, August 31, 2020

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Lok Sewa (Arthik Roop se Kamjor Vargon ke Liye Arakshan) Adhiniyam, 2020 (Uttar Pradesh Adhiniyam Sankhya 10 of 2020) as passed by the Uttar Pradesh Legislature and assented to by the Governor on August 28, 2020. The Karmik Anubhag-2, is administratively concerned with the said Adhiniyam.

THE UTTAR PRADESH PUBLIC SERVICES (RESERVATION FOR
ECONOMICALLY WEAKER SECTIONS) ACT, 2020

(U.P. Act No. 10 OF 2020)

[As passed by the Uttar Pradesh Legislature]

AN

ACT

to provide for the reservation in public services and posts in favour of the persons belonging to the Economically Weaker Sections of citizens in addition to the existing reservation applicable in the State and for matters connected therewith or incidental thereto.

IT IS HEREBY enacted in the Seventy-first Year of the Republic of India as follows:-

Short title and commencement

1. (1) This Act may be called the Uttar Pradesh Public Services (Reservation for Economically Weaker Sections) Act, 2020.

(2) It shall be deemed to have come into force on February 1, 2019.

Definitions

2. In this Act, unless the context otherwise requires,-

(a) "appointing authority" in relation to public services and posts means the authority empowered to make appointment to such services or posts;

(b) "Economically Weaker Sections of citizens" means the persons belonging to Economically Weaker Section, as defined in the Office Memorandum F. No. 36039/1/2019 Estt. (Res), dated 19-01-2019 of D.O.P.T. Ministry of Personnel and Public Grievance and Pension, Government of India for the time being in force;

(c) "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 as defined in clause (f) of section 2 of the Uttar Pradesh Co-operative Societies Act, 1965 in which not less than fifty-one per cent of the share capital of the society is held by the State Government;

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(iii) a Board or a corporation or a statutory body established by or under a Central or Uttar Pradesh Act which is owned and controlled by the State Government, or a Government company as defined in section 617 of the Companies Act, 1956 in which not less than fifty-one per cent of the paid up share capital is held by the State Government;

(iv) an educational institution owned and controlled by the State Government or which receives grants in aid from the State Government, including a University established by or under an Uttar Pradesh Act, except an institution established and administered by minorities referred to in clause (1) of Article 30 of the Constitution;

(v) in respect of which reservation was applicable by the Government orders on the date of commencement of this Act and are not covered under sub-clauses (i) to (iv) ;

(d) "Reservation" means reservation for Economically Weaker Section in vacancies of posts and services in the State of Uttar Pradesh;

(e) "year of recruitment" in relation to a vacancy means a period of twelve months commencing on the first of July of a calendar year within which the process of direct recruitment against such vacancy is initiated.

3. (1) In public services and posts, at the stage of direct recruitment, ten per cent of vacancies to which recruitment are to be made, there shall be reserved in favour of the persons belonging to Economically Weaker Sections of citizens:

Reservation in favour of Economically Weaker Section

Provided that the reservation shall not apply to the category of Economically Weaker Sections of citizens specified in the Schedule to this Act:

Provided further that the candidates from out of the State of Uttar Pradesh shall not be eligible for benefits of reservation under this Act.

(2) The reservation under this section shall be in addition to the reservation provided under the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes) Act, 1994.

(3) The office memorandum issued by Karmik Anubhag-2 vide no. 1/2019/4/1/2202/ka-2/19T.C.II, dated 18.02.2019 shall be deemed to have been issued under this section.

(4) For applying the reservation under sub-section (1), roster has been issued by notification O.M. No. 5/2019/4/1/2002/ka-2/2019T.C.-I, dated 13th August, 2019 by the State Government which shall be continuously applied till it is exhausted.

(5) If a person belonging to Economically Weaker Sections of citizens gets selected on the basis of merit in an open competition with unreserved candidates, he shall not be adjusted against the vacancies reserved for such category under sub-section (1).

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Responsibility
and powers for
compliance of
this Act

(6) "Where in any particular recruitment year any vacancy earmarked under sub-section (1) for Economically Weaker Sections cannot be filled up due to non availability of a suitable candidate belonging to Economically Weaker Sections such vacancies shall not be carried forward to the next recruitment year as backlog and the said vacancy shall be filled by the eligible candidates of unreserved category."

4. (1) The State Government may, by notified order, entrust the appointing authority or any officer or employee with the responsibility of ensuring the compliance of the provision of this Act.

(2) The State Government may, in the like manner, invest the appointing authority or officer or employee referred to in sub-section (1) with such powers or authority as may be necessary for effectively discharging the responsibility entrusted to him under sub-section (1).

Penalty

5. (1) Any appointing authority or officer or employee entrusted with the responsibility under sub-section (1) of section 4 who willfully acts in a manner intended to contravene or defeat the purpose of this Act shall, on conviction, be punishable with imprisonment which may extend to three months or with fine which may extend to one thousand rupees or with both.

(2) No court shall take cognizance of an offence under this section except with the previous sanction of the State Government or an officer authorized in this behalf by the State Government by an order.

(3) An offence punishable under sub-section (1) shall be tried summarily by a Metropolitan Magistrate or a Judicial Magistrate of the first class and the provision of sub-section (1) of section 262, section 263, section 264 and section 265 of the Code of Criminal Procedure, 1973 shall *mutatis mutandis* apply.

Power to call for
record

6. If it comes to the notice of the State Government, that any person belonging to Economically Weaker Sections mentioned in sub-section (1) of section 3 has been adversely affected on account of non compliance of the provisions of this Act or the rules made thereunder or the Government orders issued in this behalf by the appointing authority, it may call for such records and take such action as it may consider necessary.

Income and
Assets
certificate

7. For the purpose of reservation provided under this Act, income and assets certificate shall be issued by such authority or officer not below the rank of Tehsildar in the State and in such manner and in such form as the State Government may, by order, provide.

Removal of
difficulties

The office memorandum no. 1/2019/4/1/2002/ka-2/19T.C.II, dated 18th February, 2019 shall be deemed to have been issued under this section.

8. If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by a notified order, make such provisions not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for removing the difficulty:

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

Dr

Registrar
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Jaunpur



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9. No suit, prosecution or other legal proceedings shall lie against the State Government or any person for anything which is done or intended to be done in good faith in pursuance of this Act or the rules made thereunder. Protection of action taken in good faith

10. The State Government may, by notification, make rules for carrying out the purposes of this Act. Power to make rules

11. The State Government may, by notification amend the Schedule and upon the publication of such notification in *Gazette*, the Schedule shall stand amended accordingly. Power to amend the Schedule

12. Every order made under sub-section (4) of section 3 and sections 4 and 8 shall be laid as soon as may be, before each House of the State Legislature and the provisions of sub-section (1) of section 23-A of the Uttar Pradesh General Clauses Act, 1904 shall apply as they apply in respect of rules made by the State Government under any Uttar Pradesh Act. Laying of Order etc.

13. The provisions of this Act shall not apply to cases in which selection process has been initiated before commencement of this Act and such cases shall be dealt with in accordance with the provisions of law and Government order 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, recruitment is to be made on the basis of-

(i) written test or interview only, the written test or the interview, as the case may be, has started, or

(ii) both written test and interview, the written test has started.

(2) The provisions of this Act shall not apply to appointment, to be made under the Uttar Pradesh Recruitment of Dependent of Government Servant Dying in Harness Rules, 1974.

SCHEDULE

[See Section 3 (1)]

Persons whose family owns or possesses any of the following assets shall be excluded from being identified as EWS (Economically Weaker Section), 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.

The income and assets of the families as mentioned above would be required to be certified by an officer not below the rank of Tehsildar in State. The officer who issues the certificate would do the same after carefully verifying all relevant documents.

Dr



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उत्तर प्रदेश असाधारण गजट, 31 अगस्त, 2020

STATEMENT OF OBJECTS AND REASONS

In accordance with the provisions of the Constitution (One Hundred and Third Amendment) Act, 2019 and with reference of Government of India, Ministry of Personnel, Public Grievances and Pensions Department of Personnel and Training vide O.M. No. 36039/1/2019-Estt. (Res.), dated 19th January, 2019, has been made provision of 10 per cent reservation to Economically Weaker Sections (EWSs) in civil posts and services in the Government of India.

It has therefore been decided to make a law to provide 10 per cent reservation in Public Services and Posts in favour of persons belonging to the Economically Weaker Sections (EWSs) of citizens in addition to the existing scheme of reservations for the Scheduled Castes, the Scheduled Tribes and the Socially and Educationally Backward Classes in the State and for matters connected therewith or incidental thereto.

The Uttar Pradesh Public Services Reservation for Economically Weaker Sections Bill, 2020 is introduced accordingly.

By order,
J. P. SINGH-II,
Pramukh Sachiv.

पी०एस०यू०पी०-ए०पी० 195 राजपत्र-2020-(572)-599 प्रतियां-(कम्प्यूटर/टी०/ऑफसेट)।
पी०एस०यू०पी०-ए०पी० 153 सा० विधायी-2020-(573)-300 प्रतियां-(कम्प्यूटर/टी०/ऑफसेट)।

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रजिस्ट्री सं० एल—(एन)04/0007/2003—16

REGISTERED NO. DL—(N)04/0007/2003—16



भारत का राजपत्र
The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 1

PART II—Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 59]

नई दिल्ली, बुधवार, दिसम्बर 28, 2016/पौष 07, 1938 (शक)

No. 59] NEW DELHI, WEDNESDAY, DECEMBER 28, 2016/PAUSHA 07, 1938 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 28th December, 2016/Pausha 17, 1938 (Saka)

The following Act of Parliament received the assent of the President on the 27th December, 2016, and is hereby published for general information:—

THE RIGHTS OF PERSONS WITH DISABILITIES ACT, 2016

(No. 49 of 2016)

[27th December, 2016]

An Act to give effect to the United Nations Convention on the Rights of Persons with Disabilities and for matters connected therewith or incidental thereto.

WHEREAS the United Nations General Assembly adopted its Convention on the Rights of Persons with Disabilities on the 13th day of December, 2006;

AND WHEREAS the aforesaid Convention lays down the following principles for empowerment of persons with disabilities,—

- respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons;
- non-discrimination;
- full and effective participation and inclusion in society;
- respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;

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THE GAZETTE OF INDIA EXTRAORDINARY

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CHAPTER VI

SPECIAL PROVISIONS FOR PERSONS WITH BENCHMARK DISABILITIES

- 35 of 2009.
31. (1) Notwithstanding anything contained in the Rights of Children to Free and Compulsory Education Act, 2009, every child with benchmark disability between the age of six to eighteen years shall have the right to free education in a neighbourhood school, or in a special school, of his choice. Free education for children with benchmark disabilities.
- (2) The appropriate Government and local authorities shall ensure that every child with benchmark disability has access to free education in an appropriate environment till he attains the age of eighteen years.
32. (1) All Government institutions of higher education and other higher education institutions receiving aid from the Government shall reserve not less than five per cent. seats for persons with benchmark disabilities. Reservation in higher educational institutions.
- (2) The persons with benchmark disabilities shall be given an upper age relaxation of five years for admission in institutions of higher education.
33. The appropriate Government shall—
- (i) identify posts in the establishments which can be held by respective category of persons with benchmark disabilities in respect of the vacancies reserved in accordance with the provisions of section 34;
- (ii) constitute an expert committee with representation of persons with benchmark disabilities for identification of such posts; and
- (iii) undertake periodic review of the identified posts at an interval not exceeding three years. Identification of posts for reservation.
34. (1) Every appropriate Government shall appoint in every Government establishment, not less than four per cent. of the total number of vacancies in the cadre strength in each group of posts meant to be filled with persons with benchmark disabilities of which, one per cent. each shall be reserved for persons with benchmark disabilities under clauses (a), (b) and (c) and one per cent. for persons with benchmark disabilities under clauses (d) and (e), namely:—
- (a) blindness and low vision;
- (b) deaf and hard of hearing;
- (c) locomotor disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy;
- (d) autism, intellectual disability, specific learning disability and mental illness;
- (e) multiple disabilities from amongst persons under clauses (a) to (d) including deaf-blindness in the posts identified for each disabilities. Reservation.
- Provided that the reservation in promotion shall be in accordance with such instructions as are issued by the appropriate Government from time to time:
- Provided further that the appropriate Government, in consultation with the Chief Commissioner or the State Commissioner, as the case may be, may, having regard to the type of work carried out in any Government establishment, by notification and subject to such conditions, if any, as may be specified in such notifications exempt any Government establishment from the provisions of this section.
- (2) Where in any recruitment year any vacancy cannot be filled up due to non-availability of a suitable person with benchmark disability or for any other sufficient reasons, such vacancy shall be carried forward in the succeeding recruitment year and if in the succeeding recruitment year also suitable person with benchmark disability is not available, it may first be filled by interchange among the five categories and only when there is no person with disability available for the post in that year, the employer shall fill up the vacancy by appointment of a person, other than a person with disability.

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[PART II—

Provided that if the nature of vacancies in an establishment is such that a given category of person cannot be employed, the vacancies may be interchanged among the five categories with the prior approval of the appropriate Government.

(3) The appropriate Government may, by notification, provide for such relaxation of upper age limit for employment of persons with benchmark disability, as it thinks fit.

Incentives to employers in private sector.

35. The appropriate Government and the local authorities shall, within the limit of their economic capacity and development, provide incentives to employer in private sector to ensure that at least five per cent. of their work force is composed of persons with benchmark disability.

Special employment exchange.

36. The appropriate Government may, by notification, require that from such date, the employer in every establishment shall furnish such information or return as may be prescribed by the Central Government in relation to vacancies appointed for persons with benchmark disability that have occurred or are about to occur in that establishment to such special employment exchange as may be notified by the Central Government and the establishment shall thereupon comply with such requisition.

Special schemes and development programmes.

37. The appropriate Government and the local authorities shall, by notification, make schemes in favour of persons with benchmark disabilities, to provide,—

(a) five per cent. reservation in allotment of agricultural land and housing in all relevant schemes and development programmes, with appropriate priority to women with benchmark disabilities;

(b) five per cent. reservation in all poverty alleviation and various developmental schemes with priority to women with benchmark disabilities;

(c) five per cent. reservation in allotment of land on concessional rate, where such land is to be used for the purpose of promoting housing, shelter, setting up of occupation, business, enterprise, recreation centres and production centres.

CHAPTER VII

SPECIAL PROVISIONS FOR PERSONS WITH DISABILITIES WITH HIGH SUPPORT NEEDS

Special provisions for persons with disabilities with high support.

38. (1) Any person with benchmark disability, who considers himself to be in need of high support, or any person or organisation on his or her behalf, may apply to an authority, to be notified by the appropriate Government, requesting to provide high support.

(2) On receipt of an application under sub-section (1), the authority shall refer it to an Assessment Board consisting of such Members as may be prescribed by the Central Government.

(3) The Assessment Board shall assess the case referred to it under sub-section (1) in such manner as may be prescribed by the Central Government, and shall send a report to the authority certifying the need of high support and its nature.

(4) On receipt of a report under sub-section (3), the authority shall take steps to provide support in accordance with the report and subject to relevant schemes and orders of the appropriate Government in this behalf.

CHAPTER VIII

DUTIES AND RESPONSIBILITIES OF APPROPRIATE GOVERNMENTS

Awareness campaigns.

39. (1) The appropriate Government, in consultation with the Chief Commissioner or the State Commissioner, as the case may be, shall conduct, encourage, support or promote awareness campaigns and sensitisation programmes to ensure that the rights of the persons with disabilities provided under this Act are protected.

(2) The programmes and campaigns specified under sub-section (1) shall also,—

(a) promote values of inclusion, tolerance, empathy and respect for diversity;

(b) advance recognition of the skills, merits and abilities of persons with disabilities and of their contributions to the workforce, labour market and professional fee;

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