

Ten percent reservation in favour of
Economically Weaker Sections in
Gujarat State.

Government of Gujarat
Social Justice & Empowerment Department.
Resolution No.EWS/122019/45903/A
Sachivalaya, Gandhinagar
Dt.23/01/2019

Read :

- (1) The Constitution (One Hundred and Third Amendment) Act-2019.
- (2) Government of India, Ministry of Human Resource Development, Deptt. of Higher Education, OM No. F. No. 12-4/2019-U1, dt. 17/01/2019
- (3) Government of India, Ministry of Personnel, Public Grievances and Pensions, Deptt. of Personnel and Training, OM No. F.No.-36039/1/2019-Estt.(Res.) dt.19/01/2019.

Preamble

Whereas at present under Articles-15 and 16, Scheduled Castes, Scheduled Tribes and Socially and Educationally Backward Classes/Other Backward Classes are availing the constitutional benefit of reservation in the admission to the educational institutions, including private educational institutions, whether aided or unaided, and reservation in the civil posts and services also under the Gujarat State in the ratio of 7% for Scheduled Castes, 15% for Scheduled Tribes and 27% for Socially and Educationally Backward Classes / Other Backward Classes.

And Whereas Parliament of India, vide the Constitution (One Hundred and Third Amendment) Act-2019, has amended the Articles-15 and, 16 and provisions have been made for reservation in admission in educational institutions and appointments in civil posts and services under State in favour of Economically Weaker Sections of citizens in addition to the existing categories such as Scheduled Castes, Scheduled Tribes and Socially and Educationally Backward Classes. This Constitutional Amendment has come into force with effect from dt. 14/1/2019.

And therefore now Gujarat State is empowered under Part-III of the Constitution of India to make special provisions for reservations in favour of persons who are not covered under the existing scheme of reservation for Scheduled Castes, Scheduled Tribes and Socially and Educationally Backward Classes, hence the following resolution is passed.

Resolution

1. There shall be 10% reservation in favour of Economically Weaker Sections(EWSs) of citizens / persons who are not covered under the existing scheme of reservation for Scheduled Castes, Scheduled Tribes and Socially and Educationally Backward Classes, in the admissions to the educational institutions, including private educational institutions, whether aided or unaided, as prevalent at present, and in the appointments in civil posts and services under the State of Gujarat. This reservation in educational institutions would not apply to the minority educational institutions referred to in clause (1) of Article-30 of the Constitution of India.
2. This 10% reservation shall be in addition to the existing reservation of 7%, 15% and 27% respectively for Scheduled Castes, Scheduled Tribes, and Socially and Educationally Backward Classes.
3. The eligibility criteria for identification of the Economically Weaker Sections of the citizens/persons shall be as under :

Persons whose annual family income is less than Rs. 8.00 lakhs are to be identified as EWSs. Family, for this purpose, will include the person who seeks benefit of reservation, his/her parents and siblings below the age of 18 years as also his/her spouse and children below the age of 18 years. The income shall include income from all sources i.e. salary, agriculture, business, profession etc. and it will be income for the financial year prior to the year of application.
4. Certificates for eligibility for reservation in favour of Economically Weaker Sections of citizens shall be in the format as prescribed. Competent authorities to issue such certificates for the reservation under the State Government shall be as under :
 - (1) District Magistrate/Additional District Magistrate/Collector/Additional Collector/Dy. Collector / Asst. Collector

- (2) Revenue officers not below the rank of the Mamlatdar / Tehsildar
 - (3) Taluka Vikas Adhikari (TDO)
 - (4) District Dy. Director, (Developing Caste Welfare) / Social Welfare Officer (Developing Caste Welfare)
 - (5) It is clarified here that, for the reservation under Central Government the Competent authorities for issuing Certificates for eligibility shall be Officers not below the rank of Tehsildar/Mamlatdar.
5. When eligibility certificate in favour of Economically Weaker Sections of citizens is denied by the certificate issuing authority or when such certificate is found to be issued wrongly, the appellate authorities and procedure shall be as under :
- (1) Where the decision is taken by the Mamlatdar /Tehsildar/ Taluka Development Officer / Dy. Director (Developing Caste Welfare)/ Social Welfare Officer (Developing Caste Welfare), the appellate authority shall be the Prant Officer / Dy. Collector / Asst. Collector.
 - (2) Where the decision is taken by the Additional Collector/Prant Officer / Dy. Collector / Asst.Collector, the Appellate authority shall be Collector.
 - (3) Where the decision is taken by the Collector, the appellate authority shall be the State Level Scrutiny Committee.
 - (4) The appellate authorities shall dispose the appeals before them as far as possible within 30 days from the receipt of such appeals.
 - (5) The record being created while issuing the eligibility certificates and disposing the appeals shall be maintained permanently.
6. This 10% reservation policy introduced by Gujarat State shall be applicable for the admissions and appointments under Gujarat State and shall be available to the original inhabitant of Gujarat State i.e. those who have been permanently settled in Gujarat State on or prior to 1-4-1978.
7. Thirty three percent of posts from within 10% quota shall be further sub-reserved for women belonging to the same Economically Weaker Sections.
8. This resolution has come into force with effect from Dt.14-01-2019. General Administrative Department and other concerned nodal administrative departments such as Education Department, Health and Family Welfare Department etc. shall have to issue necessary further detailed resolutions, orders and circulars to facilitate the implementation of this policy of 10% reservation, while keeping in mind, where it is required, the guidelines issued by Government of India

9. This resolution is issued with the concurrence of General Administrative Department vide its note Dt. 23.01.2019

By order and in the name of Governor of Gujarat.



(K.G.Vanzara)

Additional Secretary

Social Justice and Empowerment Deptt.

Copy to:-

- Principal Secretary to Hon. Governor, Raj Bhavan, Gandhinagar.*
- Principal Secretary to Hon. Chief Minister, Gujarat State, Gandhinagar
- Personal Secretary to Hon. Dy.Chief Minister, Gujarat State, Gandhinagar
- Personal Secretary to Leader of Opposition, Gujarat Vidhansabha, Gandhinagar
- Personal Secretary to Minister, Social Justice and Empowerment Department, Gujarat State, Gandhinagar.
- Personal Secretary to Minister of State, (Welfare of Socially and Educationally Backward Classes), Gujarat State, Gandhinagar.
- Personal Secretaries to All Ministers, Gujarat State, Gandhinagar.
- Personal Secretaries to all the Hon'ble Ministers of State, Sachivalaya, Gandhinagar.
- Additional Chief Secretary, General Administrative Department, Gujarat State, Gandhinagar.
- Additional Chief Secretary to Revenue Department, Sachivalaya, Gandhinagar - for information and with a request to send it to all the officers authorized in this regard.
- Additional Chief Secretary, Health and Family Welfare Department, Sachivalaya, Gandhinagar.
- Principal Secretary, Education Department, Sachivalaya, Gandhinagar.
- Principal Secretary, Panchayat, Rural Housing and Rural Development Department, Sachivalaya, Gandhinagar.
- The Director of Information, Gujarat State, Gandhinagar – with a request to publish a press note in this regard.
- The Secretary, Gujarat Public Service Commission, Near Chh-3 circle, Chh Road, Gandhinagar.

- The Secretary, Gujarat Panchayat Service Selection Board, 5th Floor, Block-2, Karmyogi Bhavan, Gandhinagar.
- The Secretary, Gujarat Subordinate Service Selection Board, 1st Floor, Block-2, Karmyogi Bhavan, Gandhinagar.
- The Director, Developing Caste Welfare, Gujarat State, Dr. Jivraj Mehta Bhavan, Gandhinagar.
- All the District Collectors – With a request to send it to all the officers working under him/her).
- All the District Development Officers.
- All the Deputy Directors (D.C.)/District Social Welfare Officer (D.C.) – through D.C. Office.
- The Computer Branch, Social Justice and Empowerment Department, Sachivalaya, Gandhinagar – With a request to publish it online with GR of the Branch.
- National Informatics Centre, Block No. 13, 2nd floor, New Sachivalaya, Gandhinagar.
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- Branch Select File.

* By letter.