

SOCIAL WELFARE SECRETARIAT

Sub: Reservations for admission to the Educational Institutions as per Article 15(4) and Employment as per Article 16(4) of the Constitution of India and New Creamy Layer Policy Orders.....reg.

Read: 1. G.O. No. SWD 150 BCA 94 Dated: 17-09-94
2. G.O. No. SWD 251 BCA 94 Dated: 31-01-95
3. G.O. No. SWD 394 BCA 94 Dated: 14-02-96
4. Letter No. KSCBC:MS/Reports/2000-01 Dated: 14-12-2000 of the Member Secretary Karnataka State Commission for Backward Classes.

Preamble:

In Govt. Order Dated: 17-09-94 read (1) above, Govt. have formulated reservation policy for Schedule Casts and Scheduled Tribes and other Backward Classes for admissions to professional courses for the year 1994-95 as per the lists of castes enclosed thereto as follows:

CATEGORY-I	4%
CATEGORY-II (A)	15%
CATEGORY-II (B)	4%
CATEGORY-III (A)	4%
CATEGORY-III (B)	5%
SCHEDULED CASTES	15%
SCHEDULED TRIBES	3%

2. Under the said order Dated: 17-09-94 it has also been stated that no person other than belonging to Scheduled Castes, Scheduled Tribes and Category-I of Backward Classes shall be entitled to the benefit of reservation for admission to professional courses unless he/she satisfies the conditions of the creamy layer specified there under.

3. In G.O. Dated: 31-01-1995 read at Sl. No. 2 above, the aforesaid reservation and creamy layer policy envisaged in the order Dated: 17-09-94 read at Sl. No. (1), has been made applicable to the employment too, under Article 16(4) of the Constitution of India.


4. In G.O. Dated: 14-02-96 read at Sl. No. (3) above the Creamy Layer Policy existed as on 01-01-95 for the purpose of admission to the professional courses was also made applicable to employment with retrospective effect from 01-01-94.

5. In Writ Petition No. 438/94 the Hon'ble Supreme Court of India have passed an Interim order stating that the reservation in any case should not exceed 50%. Similar writs bearing No. 417/94, and 694/94 are pending disposal before the Hon'ble Supreme Court. Therefore, in G.O. No. SWD 61 BCA 95 Dated: 28-12-95 the currency of the 50% reservation specified in G.O. Dated: 17-09-94 and 13-01-95 has been extended till the final decision in WP No. 438/94, 471/94 and 694/94 is taken by Hon'ble Supreme Court.

6. Now the Karnataka State Commission for Backward Classes have submitted special report and 71 advices vide their letter Dated: 04-12-2000 read at Sl. No. 4 above. Pending consideration of the entire report, the Government have examined in detail the Creamy Layer Policy contained in the Special Report and 71 Advices, relating to inclusions, deletions, correction of spellings etc. and have made the following orders.

1585-1


PRINCIPAL
VIVEKANANDA DEGREE COLLEGE
BENGALURU-55


PRINCIPAL
VIVEKANANDA DEGREE COLLEGE
BENGALURU-55

The above translation of the ಕರ್ನಾಟಕ ರಾಜ್ಯ ಹಿಂದುಳಿದ ವರ್ಗಗಳ ಆಯೋಗ ಅಧಿನಿಯಮ, 95, (1995ರ ಕ.ಆ.ಸಂಖ್ಯೆ:28) was published in the Official Gazette under clause (3) of Article 348 of the constitution of India.

By Order and in the name of the Governor of Karnataka

Sd/-

(D. BASAVARAJU)

Secretary to Government and Draftsman,
Department of Law and Parliamentary Affairs

GOVERNMENT OF KARNATAKA

No. SWD 147 BCA 96

Karnataka Government Secretariat

M.S. Building,

Bangalore, dated 3.6.1999

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 17 of the Karnataka State Commission for Backward Classes Act, 1995 (Karnataka Act 28 of 1995), The Government of Karnataka hereby makes the following rules, namely:-

1. Title and Commencement:-

- (1) These rules may be called the Karnataka State Commission for Backward Classes Rules, 1999.
- (2) They shall come into force from the date of their publication in the official gazette.

2. Definitions:- In these rules, unless the context otherwise requires:-

- (1) 'Act' means the Karnataka State Commission for Backward Classes Act, 1995 (Karnataka Act 28 of 1995)
- (2) 'Chairman' means the Chairman of the Commission nominated by the Government under sub-section (2) of section 3 of the Act :
- (3) 'Government' means the Government of Karnataka.

3. Salary and Allowance of the Chairman, Members and Staff of the Commission:-

- (1) The Chairman shall be entitled to the pay and allowances including traveling and daily allowance etc. as per applicable to a High Court Judge and are in force from time to time.
- (2) The members other than the Member Secretary, shall be entitled to salary, allowances, traveling allowance and daily allowance etc., as in force from time to time and as applicable to the Members of the Karnataka Public Service Commission.

(3) The posts of the Commission shall be filled by deputation of the officers/officials having equivalent pay scales and grade, from any of the State Civil Services / Universities / Local Authorities / Public Sector Undertakings / Statutory Boards / Corporations or by way of Contract appointments persons retired on superannuation from any of the above services.

(4) The appointments on deputation and contract appointments shall be as per the provisions of the Karnataka Civil Services Rules, the Karnataka Civil Services (General Recruitment) Rules, 1977 and any other orders of Government in force from time to time.

By Order and in the name of the Governor of Karnataka

Sd/-

Under Secretary to Government
Social Welfare Department


PRINCIPAL
VIVEKANANDA DEGREE COLLEGE
BENGALURU-55


PRINCIPAL
VIVEKANANDA DEGREE COLLEGE
BENGALURU-55