

**MAHARASHTRA MUNICIPALITIES BACKWARD CLASS  
PERSONS (RECRUIT IN MUNICIPAL SERVICES) RULES, 1977**

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**1. Short title and application :-**

(1) These rules may be called the Maharashtra Municipalities Backward Class Persons (Recruitment in Municipal Services) Rules, 1977

(2) These rules shall apply to the recruitment to all posts in municipal services and unless otherwise provided, shall not apply to the recruitment to-

- (a) posts to which appointments are made on part-time basis; and
- (b) posts to which appointments are made on contract basis.

**2. Definitions :-**

In these rules unless the context requires otherwise,-

(1)

- (a) "Act" means the Maharashtra Municipalities Act, 1965;
- (b) "Denotified tribes " means the tribes determined as such by the State Government from time to time;
- (c) "municipal services " means the various services under Municipal Councils other than services constituted under Section 75 A of the Act;
- (d) "nomadic tribes" means the tribes determined as such by the

State Government from time to time;

(e) "other backward communities" means the communities determined as such by State Government from time to time;

(f) 'person belonging to backward class " means a person belonging to any of the following castes, tribes and communities, namely:-

(i) Scheduled Castes and Scheduled Castes converts to Buddhism;

(ii) Scheduled Tribes;

(iii) denotified tribes and nomadic tribes; and

[(iv) other backward communities.

(2) Words and expressions used in these rules, but not defined shall have the same meanings respectively assigned to them in the Act.

### **3. Filling of vacancies in municipal services :-**

The municipal Councils shall fill in the vacancies in the municipal services from amongst persons belonging to the different sections of the backward classes in the manner provided in Rule 4.

### **4. Reservation of posts for backward classes in municipal services :-**

(1) Subject to such instructions as the State Government may from time to time issue, whenever any posts in any municipal service are to be filled by nomination, the following percentage of posts, shall be reserved for each section of persons belonging to backward classes, that is to say, -

(i) 13 percent of members of Scheduled Castes and Scheduled Castes converts to Buddhism;

(ii) 7 percent for members of Scheduled Tribes;

(iii) 4 percent for members of denotified tribes and nomadic tribes; and

(iv) 10 percent for members of other backward communities:

Provided that, the percentage of reservation for members of any particular section of backward classes may be increased by the State Government having regard to its population in a particular district.

Explanation:- In calculating the number of vacancies to be reserved for each section of persons belonging to the backward classes, all vacancies existing on the date of commencement of these rules or arising subsequent to that date shall be taken into account. All such vacancies shall be earmarked for each section of persons belonging to the backward classes and when they arise till the requisite quota based on the number of vacancies arising on or after the said date is reached.

(2) Subject to such instruction as the State Government may, from time to time to, issue, whenever any posts in any municipal service are to be filled by promotion, there shall be reservation for each section of persons belonging to the following backward classes in promotion made on the basis of Seniority, subject to fitness for shouldering the higher responsibilities of the higher posts, in grades and services in which the element of nomination does not exceed  $66 \frac{2}{3}$  percent that is to say,-

(i) 13 percent of members of Scheduled Castes and Scheduled Castes converts to Buddhism;

(ii) 7 percent for members of Scheduled Tribes;

(iii) 4 percent for members of denotified tribes and nomadic tribes.

(3) Where the posts reserved for a particular section of the backward classes cannot be filled by candidates of that section, for want of suitable candidates of that section then, the posts shall be kept unfilled and carried forward till they are filled by members of the particular section for whom they are reserved:

Provided that, in the case of recruitment by nomination, such posts shall not be carried forward in this manner for more than 5 years and that the total number of normal reserved posts and the carried forward posts shall not exceed 50 percent of the total number of normal vacant posts on any occasion of recruitment;

Provided further that the surplus above 50 percent shall be carried forward to the subsequent occasion of recruitment, subject to the condition that such posts are not carried forward for more than five years.

(4) In the case of recruitment by promotion, if the number of eligible candidates belonging to three sections of the backward classes mentioned in sub-rule (2) found fit for promotion falls short

of the number of vacancies reserved for either of them during the year, the extent of such shortfall shall be reported by the Chief Officer to the Council along with proposals, if any, for dereservation of vacancies in respect of which shortfall has occurred. If on scrutiny of data, furnished in this regard, any de-reservation is agreed to by the Council the vacancy so de-reserved shall be filled in by any candidate included in the combined select list and the reservation carried forward for the three succeeding recruitment years.