
**Uttar Pradesh Public Services (Reservation For Scheduled
Castes, Scheduled Tribes And Other Backward Classes)
(Amendment) Act, 2002**

1 of 2002

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**Uttar Pradesh Public Services (Reservation For Scheduled
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An Act further to amend the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes) Act, 1994 It is hereby enacted in the Fifty-third Year of the Republic of India as follows:-- 1. Received the assent of the Governor on August 29, 2002 and published in the U.P. Gazette, Extra., Part I. Section (Ka), dated 31st August, 2002, pp. 6-10

1. Short Title And Commencement :-

(1) This Act may be called the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes) (Amendment) Act, 2002.

(2) Section 2, sub-section (1) of Section 3 of the principal Act, except the second proviso thereto, as substituted by clause (a) of Section 3, sub-clause (i) of clause (b) of Section 3, Section 4, Section 5 and Section 6 shall be deemed to have come into force on September 15, 2001; the remaining provisions of clause (a) sub-clause (ii) of clause (b) and clause (c) of Section 3 shall be deemed to have come into force on June 25, 2002, and the

remaining provisions shall come into force at once.

2. Amendment Of Section 2 Of U.P. Act No. 4 Of 1994 :-

In Section 2 of the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes) Act, 1994, hereinafter referred to as the principal Act,--

(a) for clause (b) the following clause shall be substituted, namely:--

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

(b) clauses (b-1), (b-2) and (b-3) shall be omitted.

3. Amendment Of Section 3 :-

In Section 3 of the principal Act,--

(a) for sub-sections (1), (2) and (3) the following sub-section shall be substituted, namely:--

"(1) In public services and posts, there shall be reserved at the stage of direct recruitment, the following percentage 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 per cent;

(b) in the case of Scheduled Tribes Two per cent;

(c) in case of Other Backward Classes of citizens Twenty-seven per cent:

Provided that the reservation under clause (c) shall not apply to the category of Other Backward Classes of citizens specified in Schedule II:

Provided further that reservation of vacancies for all categories of persons shall not exceed in any year of recruitment fifty per cent of the total vacancies of that year as also fifty per cent of the cadre strength of the service to which the recruitment is to be made;

(2) If, in respect of any year of recruitment any vacancy reserved for any category of persons under sub-section (1) remains unfilled, such vacancy shall be carried forward and be filled through special recruitment in that very year or in succeeding year or years of recruitment as a separate class of vacancy and such class of vacancy shall not be considered together with the vacancies of the year of recruitment in which it is filled and also for the purpose of determining the ceiling of fifty per cent reservation of the total

vacancies of that year notwithstanding anything to the contrary contained in sub-section (1);

(3) Where a vacancy reserved for the Scheduled Tribes remains unfilled even after three special recruitments made under sub-section (2), such vacancy may be filled from amongst the persons belonging to the Scheduled Castes";

(b) (i) sub-sections (3-A), (3-B) shall be omitted;

(ii) sub-section (4) shall be omitted;

(c) for sub-section (5), the following sub-section shall be substituted, namely:--

"(5) The State Government shall for applying the reservation under subsection (1), by a notified order, issue a roster comprising the total cadre strength of the public service or post indicating therein the reserve points and the roster so issued shall be implemented in the form of a running account from year to year until the reservation for various categories of persons mentioned in sub-section (1) is achieved and the operation of the roster and the running account shall, thereafter, come to an end, and when a vacancy arises thereafter in public service or post the same shall be filled from amongst the persons belonging to the category to which the post belongs in the roster."

4. Substitution Of Schedule-I :-

For Schedule-I, to the principal Act, the following Schedule shall be substituted, namely:--

"SCHEDULE-I

[See Section 2(b)]

1. Ahir, Yadav, Gwala, Yaduvanshiya
2. Sonar, Sunar, Swarnkar
3. Jat
4. Kurmi, Chanau, Patel, Patanwar, Kurmi-Mall, Kurmi-Seinthwar
5. Giri
6. Gujar
7. Gosain
8. Lodh, Lodha, Lodhi, Lot, Lodhi-Rajput
9. Kamboj
10. Arakh, Arakvanshiya
11. Kachchi, Kachchi-Kushwaha, Shakya
12. Kahar, Kashyap
13. Kewat, Mallah, Nishad
14. Kisan

15. Koeri
16. Kumhar, Prajapati
17. Kasgar
18. Kunjra or Raeen
19. Gareria, Pal, Vaghel
20. Gaddi, Ghoshi
21. Chikwa, Qassab Qureshi, Chak
22. Chhippi, Chipa
23. Jogi
24. Jhoja
25. Dhafali
26. Tamoli, Barai, Chaurasia
27. Teli, Samani, Rogangar, Sahu, Rauniar, Gundhi Arrak
28. Darji Idrisi, Kakutstha
29. Dhiver
30. Naqqal
31. Nat (Those not included in Scheduled Castes category)
32. Naik
33. Faqir
34. Banjara, Ranki, Mukeri, Mukerani
35. Barhai, Saifi, Vishwakarma, Panchal, Ramgadhiya, Jangir, Dhiman
36. Bari
37. Beragi
38. Bind
39. Biyar
40. Bhar, Raj-Bhar
41. Bhurji, Bharbhunja, Bhooj, Kandui, Kashaudhan
42. Bhathiara
43. Mali, Saini
44. Sweeper (Those not included in Scheduled Caste Category), Halalkhor
45. Lohar, Lohar-Saifi
46. Lonia, Nonia, Gole-Thakur, Lonia-Chauhan
47. Rangrez, Rangwa
48. Marchcha
49. Halwai, Modanwal
50. Hajjam, Nai, Salmani, Savita, Sriwas
51. Rai Sikh
52. Sakka-Bhisti, Bhisti-Abbasi
53. Dhobi (Those not included in the Scheduled Castes or Scheduled Tribes category)

54. Kasera, Thathera, Tamrakar
55. Nanbai
56. Mirshikar
57. Shekh Sarwari (Pirai), Peerahi
58. Mev, Mewati
59. Koshta/Koshti
60. Ror
61. Khumra, Sangatarash, Hansiri
62. Mochi
63. Khagi
64. Tanwar Singharia
65. Katuwa
66. Maheegeer
67. Dangi
68. Dhakar
69. Gada
70. Tantawa
71. Joria
72. Patwa, Patahara, Patehara, Deovanshi
73. Kalal, Kalwar, Kalar
74. Manihar, Kacher, Lakhara
75. Murao, Murai, Maurya
76. Momin (Ansar)
77. Muslim Kayastha
78. Mirasi
79. Naddaf (Dhuniya), Mansoori, Kandere, Kadera, Karan (Karn)".

5. Amendment Of Schedule-Ii :-

In Schedule-II to the principal Act,--

- (a) in Article I, the words "or has been" shall be omitted;
- (b) in Article II, in clause (A) in sub-clause (e) for the word (---) appearing in Hindi version words (---) shall be substituted.

6. Omission Of Schedule-Iii :-

Schedule-III to the principal Act shall be omitted.

7. Repeal And Saving :-

(1) The Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes) (Amendment) Ordinance, 2002 (U.P. Ordinance No. 2 of 2002) and

the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes) (Second Amendment) Ordinance, 2002 (U.P. Ordinance No. 7 of 2002) are hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act as amended by the Ordinances referred to in sub-section (1) shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act as if the provisions of this Act were in force at all material times.