

The Odisha Gazette



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1027 CUTTACK, THURSDAY, JUNE 26, 2014/ASADHA 5, 1936

No. 17025—Emp-I-(A)-51/2013

GOVERNMENT OF ODISHA

S.T. & S.C. DEVELOPMENT DEPARTMENT

RESOLUTION

The 24th June 2014

It is provided in the Odisha Reservation of Posts and Services for (Socially and Educationally Backward Classes) Act, 2008 that there shall be reserved twenty-seven percentum of the posts and services under the State, in case of direct recruitment for the Socially and Educationally Backward Classes subject to exclusion of creamy layer.

2. Such percentage of reservation along with the percentage of reservation allowed in favour of Scheduled Castes and Scheduled Tribes exceeds the limit of 50%. Hence the above mentioned Act was challenged before the Odisha Administrative Tribunal in O.A. No. 1417/2012. Hon'ble Tribunal in their judgement dated 12-12-1013 have quashed the above mentioned Act and has given a direction to the Government to modify the advertisement to the extent that reservation of posts shall not exceed the ceiling limit of 50% in total in respect of SC, ST, SEBC categories of candidates.

3. As the reservation in favour of SC is 16.25% and in case of ST is 22.50% it is necessary to limit the percentage of reservation in favour of SEBC at 11.25% till final judgement is passed by the Hon'ble High Court where the above judgement of the Hon'ble OAT has been challenged in W.P. (C) No. 7504/2014.

4. While admitting the writ petition the Hon'ble High Court have given direction to the State Government to furnish quantifiable data in respect of SEBC category in the State Services. For collection of such quantifiable data, more time is required.

5. In view of the position mentioned above Government of Odisha have been pleased to direct that in case of direct recruitment to the posts and services under the State there shall be reservation of posts and services in favour of SEBC to the extent of 11.25% as an interim measure till the adjudication process reaches its final conclusion.

6. This Resolution shall come into force on the date of its publication in the *Odisha Gazette* :

Provided that the percentage of reservation for SEBC specified in the advertisement for recruitment to the posts and services under the State, already made during the period from the date of commencement of the above mentioned Act, i.e., the 7th February 2009 to the date of publication of this Resolution in the *Odisha Gazette*, except where appointment has already been made shall be deemed to be 11.25%.

ORDER—Ordered that this Resolution be published in the extraordinary issue of the *Odisha Gazette* & copies thereof be sent to all Departments of Government/all HODs/Member, Board of Revenue/all RDCs/all Collectors.

By order of the Governor

SANJEEB KUMAR MISHRA

Commissioner-cum-Secretary to Government

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No. 1130 CUTTACK, WEDNESDAY, JULY 16, 2014/ASADHA 25, 1936

S.T. & S.C. DEVELOPMENT DEPARTMENT

CORRIGENDUM

The 25th June 2014

No. 17061—EMP.-I(A)-51/2013-SSD.—The date of judgement of Hon'ble OAT in O. A. No. 1417/2012 appearing in 2nd Para. of ST & SC Development Department Resolution No. 17025, dated the 24th June 2014 may be read as "dated the 12th December 2013" instead of "dated the 12th December 1013".

A. B. OTA

Director (ST)-cum-
Additional Secretary to Government