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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
Department of Higher Education
(Integrated Law Cell)
6th Floor, Bikash Bhavan, Salt Lake City
Kolkata, 700091

No. 339-Edn (CS)/OM-74L/2023

Date : 26th May, 2023.

MEMORANDUM

SUBJECT : Reservation of Economically Weaker Sections (EWSs) in admission in the Higher Educational Institution in the State of West Bengal.

In order to enable the Economically Weaker Section (EWSs) who do not come within the purview of the West Bengal State Higher Educational Institutions (Reservation in Admission) Act, 2013, to receive the benefits of admission to Higher Educational Institution, the Government of West Bengal in Higher Education Department have decided to provide the benefit of admission to higher educational institutions in commensurate with the Constitution (One Hundred and Third Amendment) Act, 2019, *read* with O.M No. 325-PAR (AR)/3P-1/2019 Dated 09.07.2019 of Personnel & Administrative Reforms Department, Government of West Bengal, *read* with Memo No. 959-BCW/MR-52/2019 Dated 18.05.2023 of Backward Classes Welfare Department, Government of West Bengal, subject to a maximum limit of ten percent of total number of seats in each category. This will not, however, apply to the Minority educational institutions referred to in clause (1) of article 30 of the Constitution of India.

2. The reservation norms shall apply to the State educational institutions under the Higher Education Department of Government of West Bengal at once and it shall be applicable to :—
 - (a) all Universities, established and incorporated by an Act of the State Legislature and aided fully or partly out of the State's fund;
 - (b) all Government colleges established or administered by the State Government whether directly or indirectly, and affiliated to a University;

- (c) all colleges receiving aid from the State Government in any form or in any manner, whether fully or partly;
 - (d) all unaided/private colleges and private universities incorporated by an Act of State Legislature; and
 - (e) all other institutions imparting education or training or research or other academic activities beyond 10+2 level and receiving aid from the State Government in any form or in any manner, whether fully or partly;
 - (f) “State Government” means the State Government of West Bengal in the Higher Education Department.
3. The Provision of reservations to the Economically Weaker Sections shall be in accordance with the directions contained in O.M No 325-PAR (AR)/3P-1/2019 Dated 09.07.2019 of Personnel & Administrative Reforms Department, Government of West Bengal read with Memo No. 959-BCW/MR-52/2019 Dated 18.05.2023 of Backward Classes Welfare Department, Government of West Bengal and shall be subject to the following :
- (a) Every Higher Educational Institution shall, with the approval of the appropriate authority, make endeavour to increase the number of seats over and above its annual permitted strength in each branch of study or faculty so that the number of seats available, excluding those reserved for the persons belonging to the EWSs, is not less than the number of such seats available, in each category, for the academic session immediately preceding the date of the coming into force of this Memorandum.
 - (b) Where necessary, in order to enable the Higher Educational Institutions to create the physical, academic and other infrastructure so as to cater to the increase in the number of seats, a maximum period of two years beginning with the academic session following the commencement of this Memorandum shall be allowed, and the extent of reservation for the Economically Weaker Section (EWSs) shall be limited for that academic session in such manner that the number of seats made available to the Economically Weaker Sections for each academic session shall not reduce the number and the percentage of reservations provided for SC/ST/OBC categories.
 - (c) In respect of those Higher Educational Institutions where expansion of capacity is not feasible for want of adequate infrastructure or for other reasons, the State Government may, upon being satisfied, re-distribute its quota of stream-wise reserved seats to other institutions in such a manner and to such extent as may be practicable keeping in mind the total seats available for all Higher Educational Institutions in the State taken together for a particular academic session.
 - (d) For filling up of the seats for admission in a particular academic session the following procedure shall be followed :—
 - (i) a general merit list based exclusively on merit irrespective of castes, tribes or classes shall be prepared separately for each course, stream or subject in each Higher Educational Institution to fill up the unreserved seats. Separate merit list of the Economically Weaker Section (EWSs) candidates shall be prepared for each course/stream/subject in each higher educational institution to fill up the seats reserved for these respective categories.
 - (ii) In any case, if a candidate obtains marks lower than the minimum qualifying marks prescribed by the University/ Appropriate Authority for admission to the relevant course, he will not be eligible for admission;
 - (iii) If the reserved seats remain unfilled due to non availability of reserved category candidates, such seats shall be taken up for de-reservation in such manner as may be decided by the Backward Classes Welfare Department;
 - (iv) In every case of admission to general degree courses, technical, professional and post graduate level courses, the EWS certificate issued by the Competent Authority in Government of West Bengal shall be verified by the concerned Higher Educational Institution at the time of admission.
 - (e) Where reservation of seats for one or many programmes or streams in a particular academic session remains unfilled, the following procedure of de-reservation shall be followed :—
 - (i) If, after duly entertaining all applications to fill up reserved seats, it is found that some seats reserved for the Economically weaker Section (EWSs) remain unfilled during the academic session for want of suitable number of candidates from the respective categories, those seats may be de-reserved and filled up by general candidates where it is specified that due process for filling up of the seats by the candidates

of the specific categories have been followed by the institutions concerned and no suitable candidate of the reserved categories is available to fill up those seats. No vacant reserved seat shall be carried forward to the next academic year, under any circumstances;

- (ii) the Higher Educational Institutions seeking de-reservation shall submit, a statement giving the following particulars :—
- (1) number of candidates who have applied for admission giving break up of Unreserved, Economically weaker Section (EWSs) applicants separately for respective Courses/Streams/Subjects;
 - (2) number of seats reserved for Economically weaker Section (EWSs), for such category of Course/Stream/Subject;
 - (3) number of candidates qualifying for admission and admitted, as such, from reserved category against respective Programmes/Streams/Subjects;
 - (4) the Higher Educational Institutions shall also furnish copies of their admission Notice(s) to show whether, for issue of Forms to Economically weaker Section (EWSs) candidates, the minimum prescribed marks of the Board, Council or University had been indicated, as the qualifying marks for getting admission Forms against the reserved seats.
- (f) The Higher Education Department, Government of West Bengal shall have power to give directions to every State-aided University or State-aided Colleges or Institutions to achieve the objectives of this Memorandum and also to entrust them with such duties and functions as it may deem necessary.
- (g) In case the number of seats reserved for the Economically Weaker Section (EWSs) in Post-graduate and Doctoral courses is less than 0.5 in each stream, a 100 point roster for admission as notified by Labour Department vide No. 50-EMP/1M-25/98 Dated 01.03.2011 read with Notification No. 18-Emp (EC)/LABR-27011(20)/1/2020-EC Dated 07.02.2023 shall be followed so far as admission to Higher Educational Institution is concerned.
- (h) A person belonging to EWS cannot be denied the right to compete for admission against an unreserved vacancy. Person belonging to EWS who will be selected on the basis of merit and not on account of reservation will not be counted towards the quota meant for reservation.
- (i) EWS certificate is valid for the financial year of issuance of certificate.
- (j) An officer not below the rank of Joint Secretary in the Higher Education Department shall act as nodal officer to monitor the implementation of reservation for EWS category.

By order of the Governor,

SILADITYA BASURAY

Senior Special Secretary to the Government of West Bengal.

Government of West Bengal
Backward Classes Welfare Department
Administrative Building, 4th & 5th Floor,
Block-DJ4, Bidhannagar, Sector-II, Kolkata-700 091
website: www.anagrasarkalyan.gov.in/www.bcwdwb.gov.in

No. 959-BCW/ MR-52/2019

Date: 18.05.2023

MEMORANDUM

Sub : Modifications in the guidelines for issuance of certificate and strengthening of reservation system for Economically Weaker Sections (EWS)

In continuation of the Office Memorandum No. 325-PAR(AR)/3P-1/2019 dated 9th July, 2019, issued by the Personnel & Administrative Reforms Department (Administrative Reforms Cell), Government of West Bengal, to provide benefits of reservation in civil posts and services in the Government of West Bengal and also in admission to educational institutions in West Bengal for the Economically Weaker Sections (EWSs), the following modifications are issued in the capacity of Nodal Department for EWS reservation, for receipt and disposal of applications for issuance of EWS certificate and strengthening reservation system for the EWS.

1.Nomenclature:

Economically Weaker Sections (EWSs) is a term that describes the persons who are not covered under the scheme of reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes with income and assets below the criteria as set by the government. EWS certificate is the proof that a person belongs to the EWS category and is eligible to avail the reservation benefits meant for the EWS.

2. Quantum of Reservation:

The persons belonging to EWS shall get 10% reservation in direct recruitment in civil posts and services in all its departments/ boards/ corporations/local bodies in the Government of West Bengal and also in admission to Educational Institutions in the state of West Bengal.


18/05

3. Eligibility Criteria for reservation under EWS:

As stated in the Office Memorandum No. 325-PAR (AR)/3P-1/2019 dated 09.07.2019.

4. Issuance of EWS Certificate:

I. Issuing Authority:

The benefit of 10% reservation under EWS category can be availed upon production of a EWS Certificate issued by the following authorities in prescribed format as given in **Annexure- C/Annexure-D:**

- A. Additional District Magistrate in charge of development matters of the District concerned.
- B. District Welfare Officer, Kolkata and Ex-officio Joint Director, BCW & TD in respect of Kolkata covering the jurisdiction of the Kolkata Municipal Corporation.

II. Enquiry, verifying and recommending authority:

Appropriate authorities for conducting enquiry, verification and recommendation of the applications for EWS certificate shall be determined by the issuing authority.

5. Mode of submission of Application:

Application for issuance of EWS Certificate has to be filed online (to be notified later) through the Government portal. Application will be submitted in offline mode at present until the introduction of online system within 3 months.

6. List of supporting documents to be attached with application (Illustrative and not exhaustive):

In addition to the documents as prescribed in the Office Memorandum No. 325-PAR (AR)/3P-1/2019 dated 09.07.2019, self-attested copies of following documents which have to be attached with the application(**Annexure-A**) for EWS Certificate:

- a. Aadhaar Card /Khadyasathi card of applicant.
- b. PAN Card of applicant and other family* members (whichever are applicable).

7. Validity of EWS certificate:

EWS certificate is valid for the financial year of issuance of certificate.



8. EWS certificate to those persons who have shifted from other states and residing in the state of West Bengal:

In case of a person who has shifted from other state, has to be a resident of State of West Bengal to avail reservation under EWS category as per applicable norms of Government of West Bengal.

9. Issuance of EWS certificate for those OBCs who are included in the State list but not in the Central list:

If a person belongs to OBC category (A & B) in the State OBC list of West Bengal but not in the Central OBC list for this state, he/she can apply for EWS certificate for recruitment in civil posts and services and admission in educational institutions under Govt. of India to avail of EWS reservation subject to fulfilling other conditions. Such persons are eligible to obtain EWS certificate in **Annexure-D** format.

Persons already possess EWS certificate in **Annexure-C** format by competent authority, also have to apply for EWS certificate in **Annexure-D** format while seeking reservation in services & posts and admission in educational institutions under Govt. of India.

10. Appellate Authority:

District Magistrate of the concerned district is the Appellate Authority in respect of EWS certificates issued by the Issuing Authority of that district. In Kolkata, Divisional Commissioner, Presidency Division is the Appellate Authority. Decision of the Appellate Authority in cases of appeals shall be final.

11. Effective reservation for EWS:

I. Maintenance of 100-point roster of vacancies in direct recruitment:

Gazette Notification No. 18-Emp(EC)/ LABR-27011(20)/1/2020-EC dated 07.02.2023, issued by Labour Department, Government of West Bengal, is required to be followed for reservation for EWS category for any direct Recruitment.

II. Admission to Educational Institutions:

As stated in the Office Memorandum No. 325-PAR (AR)/3P-1/2019 dated 09.07.2019.



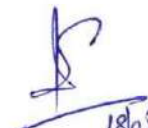
12. Nodal Officer:

Every Government establishment shall appoint a senior officer of the Department as the Nodal Officer to monitor the implementation of reservation for EWS Category.

• **List of Annexure:**

- A. Form of Application for Economically Weaker Sections (EWS) Certificate.
- B. Self-Declaration in regard to caste, family income and assets by the applicant or by the guardian in case of minor seeking EWS Certificate.
- C. Statutory format of EWS certificate (applicable in this state)
- D. Format of EWS certificate to persons who seek EWS reservation under Government of India.


Chief Secretary
to the Government of West Bengal


18/05

Copy forwarded for kind information and taking necessary action to:-

1-64. Additional Chief Secretary/ Principal Secretary/ Secretary,
Department with request to circulate among all stakeholders under their kind
control.

65. Divisional Commissioner (All).

66-87. District Magistrate (All).

88-111. PO Cum DWO/ DWO (All).

112-180. Sub-Divisional Officer (All).

181. PS to Minister of State (IC), BCW Department and TD Department.

182. PS to Chief Secretary.

183. PS to Additional Chief Secretary, P & AR Department.

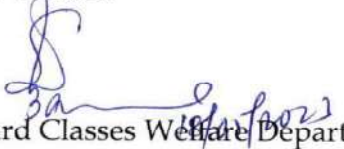
184. IT cell of the BCW department for uploading in the official website of the
department.

185. Guard file of the Reservation Cell, BCW department.


Secretary, Backward Classes Welfare Department
Government of West Bengal

Copy forwarded for information to:-

1. Secretary, Department of Social Justice and Empowerment, Government of
India, 604, A-wing, Shastri Bhawan, New Delhi- 110001.


Secretary, Backward Classes Welfare Department
Government of West Bengal

ANNEXURE-A

FORM OF APPLICATION FOR ECONOMICALLY WEAKER SECTIONS (EWS) CERTIFICATE

(To be filled up in offline/online mode)

Recent self-
attested
passport size
photograph of
the applicant

- i. (a) Full Name of Applicant :
(b) Aadhaar No:
- ii. (a) Father's /Mother's Name :
(b) Aadhaar No :
- iii. Date of Birth:
- iv. Place of Birth:

Village/ Ward	Police Station	District	State

- v. Address since birth

(a) Present Address:

Para/ House No./ Road/ Village	Ward No. /G.P.	Post Office	Police Station	District	State	Pin

(b) Other Address(s) (if any):

Para/ House No./ Road/ Village	Ward No./ G.P.	Post Office	Police Station	District	State	Pin

- vi. Nationality:
- vii. Religion:
- viii. Caste:
- ix. Gender: Male/Female/Transgender/ Others

x. Details of two (2) referees:

Name of 1st referee	Address of 1st referee	Name of 2nd referee	Address of 2nd referee

xi. Whether the applicant or his family migrated from other State/Country?:Yes/No

xii. If point no. xi. is 'Yes'

Domicile status in West Bengal (in years):

xiii. Address in his/her State of origin:

Village / Ward	Police Station	District	State	Country	Year

xiv. Income and Asset details:

(a) Income details:

Family members	Gross annual income from different sources					
	PAN No.	Salary	Business	Agriculture	Profession	Other Sources (Please specify)
Self						
Father						
Mother						
Spouse						
Sibling below 18 years (1)						
Sibling below 18 years (2)						
Sibling below 18 years (3)						
Child below 18 years (1)						

Child below 18 years(2)						
Child below 18 years(3)						

Rows may be deleted or added.

(b) Asset details:

Family members	Agricultural land	
	Area (in acres)	Location
Self		
Father		
Mother		
Spouse		
Sibling below 18 years (1)		
Sibling below 18 years (2)		
Sibling below 18 years (3)		
Child below 18 years (1)		
Child below 18 years (2)		
Child below 18 years (3)		

Family members	Residential flat	
	Area (in sq. ft.)	Location
Self		
Father		
Mother		

Spouse		
Sibling below 18 years (1)		
Sibling below 18 years (2)		
Sibling below 18 years (3)		
Child below 18 years (1)		
Child below 18 years (2)		
Child below 18 years (3)		

Family members	Residential plot in notified municipalities	
	Area (in sq. yards)	Location
Self		
Father		
Mother		
Spouse		
Sibling below 18 years (1)		
Sibling below 18 years (2)		
Sibling below 18 years (3)		
Child below 18 years (1)		
Child below 18 years (2)		
Child below 18 years (3)		

Family members	Residential plot in areas other than notified municipalities	
	Area (in sq. yards)	Location
Self		
Father		
Mother		
Spouse		
Sibling below 18 years (1)		
Sibling below 18 years (2)		
Sibling below 18 years (3)		
Child below 18 years (1)		
Child below 18 years (2)		
Child below 18 years (3)		

Rows may be deleted or added.

Date:

(Signature of applicant/ guardian in case of minor)

Properties held by each of the family* members in different locations have to be clubbed together.

xv. List of Documents enclosed:

Acknowledgement Slip

Scanned

Photograph

Application No.

Date:

Applicant's Name:

Father's Name:

Address:

Applied for: Income & Asset Certificate for Economically Weaker Sections (EWS)

.....

N .B.

- i. Please use Application No. for further reference.
- ii. Applicant is to appear for hearing at the concerned BDO / SDO/ DWO , Kolkata office on 2nd or 4th Wednesday of any month within next 60 days between 12 noon and 3 pm after online submission of application.
- iii. Please bring original documents along with self attested photocopies of all supporting documents for verification at the time of hearing.
- iv. Self Declaration by the applicant seeking Income and Asset Certificate in regard to caste, family income and assets in prescribed format (Annexure-B) are required to be submitted at the time of hearing.

Date:

ANNEXURE-B

**Self Declaration by the applicant seeking EWS Certificate in regard to caste, family income
and assets or by the guardian in case of minor**

(To be submitted at the time of hearing)

I, Sri / Smt.....son/daughter/ward of
Sri.....,residing
atWest
Bengal, do hereby declare that I belong to..... Caste which is not covered
under the reservation scheme for the Scheduled Caste / Scheduled Tribe / Other Backward
Classes Category- A/ Category - B in West Bengal and gross income (from salary, agriculture,
business, profession etc.) of my family from all sources is below Rs. 8.00 (Rupees eight lakh)
lakh.

Further, I also declare that my family* do not possess any of the following assets:

- a) 5 (five) acres of agricultural land and above;
- b) Residential flat of 1000 sq. ft. and above;
- c) Residential plot of 100 sq. yards and above in notified Municipalities;
- d) Residential plot of 200 sq. yards and above in areas other than the notified
Municipalities.

Date:

(Signature of applicant/ guardian in case of minor)

*Family for this purpose will include the person seeks EWS certificate, his/ her parents and
siblings below the age of 18 years and also his/ her spouse and children below the age of 18
years.

ANNEXURE-C
Government of West Bengal
(Name & Address of the authority issuing the certificate)

INCOME & ASSEST CERTIFICATE TO BE PRODUCED BY ECONOMICALLY WEAKER SECTIONS

Certificate No. _____ Date: _____

VALID FOR THE YEAR _____

This is to certify that Shri/Smt./Kumari _____
son/daughter/ward of _____
permanent resident of Village/Street _____, Post Office
_____, District _____ in the State/Union Territory
_____, Pin Code _____ whose photograph is attested below
belongs to Economically Weaker Sections, since the gross annual income* of his/her
family** is below Rs. 8 Lakh (Rupees Eight Lakh only) for the financial year _____.
His/her family does not own or possess any of the following assets***.

- i. 5 acres of agricultural land and above;
- ii. Residential flat of 1000 sq. ft. and above;
- iii. Residential plot of 100 sq. yards and above in notified municipalities;
- iv. Residential plot of 200 sq. yards and above in areas other than the notified municipalities.

Shri/Smt./Kumari _____ belongs to the _____ Caste which
is not recognized as a Scheduled Caste, Scheduled Tribe and Other Backward Classes
(Category-A and Category-B in current state list) in the State of West Bengal.

Recent
Passport size
photograph of
the applicant

Signature of Issuing Authority

Designation

Seal of Office

*Note1: Income covered all sources i.e. salary, agriculture, business, profession, etc.

**Note 2: The term "Family" for this purpose includes 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.

***Note 3: The property held by a "Family" in different locations or different places/cities have been clubbed while applying the land or property holding test to determine EWS status.