GOVERNMENT OF TRIPURA

THE TRIPURA SCHEDULED CASTES AND SCHEDULED TRIBES RESERVATION RULES,1992

(AS AMENDED UPTO MAY,2007)

DEPARTMENT FOR WELFARE OF SCHEDULED CASTES, OTHER BACKWARD CLASSES AND MINORITIES

AND

TRIBAL WELFARE DEPARTMENT

CONTENTS

Sl. No.	Subject	Provision	Page No
1.	Notification -	1	
2.	Short title and commencement	Rule 1	1
3.	Definition Rule 2	1-2	
4.	Proof of Caste or Tribal Status	Rule 3	2
5.	Further verification of claims of Rule 4	3	

Scheduled Castes and Scheduled Tribes
6. Procedure for issuing Scheduled Caste or Rule 5 3-6

		Scheduled Tribe certificate.	
7.	Cancellation of Scheduled Caste or	Rule 6	6

	Scheduled Tribe certificate.		
8.	Constitution of Selection Committee/ Selection Board/Departmental Promotion Committee etc.	Rule 7	7
9.	Constitution, Powers and Functions of the Scrutiny Committee	Rule 7A	7-10
10.	Direct Recruitment through the Commi-ssion /Selection Committee/Selection Board/Departmental Promotion Committee etc.	Rule 8	10-13
11.	Recruitment by Promotion	Rule 9	13-15
12.	Grouping of isolated Posts.	Rule 10	15
13.	Reservation in appointment by deputation or transfer.	Rule 11	15
14.	Supersession of Scheduled Caste and	Rule 12	15

	Scheduled Tribe candidates.		
15.	Maintenance of records/Roster Registers	Rule 13	16-17
16.	Submission of Annual Reports	Rule 14	17
17.	Appointment of Liaison Officer	Rule 15	18
18.	The duties and responsibilities of a Liaison Officer.	Rule 15A	18-19
19.	Inspection of Records	Rule 16	19
20.	Department administering the Act and the Rules.	Rule 17	20
21.	Repeal and Saving	Rule 18	20
22	Interpretation	Rule 19	21
23.	Form - 1 -	22	
24	Form - 2	-	23-24
25.	Form -3	-	25
26.	Form - 4	-	26
27.	Form - 5 -	27	

GOVERNMENT OF TRIPURA
DEPARTMENT OF WELFARE FOR SCHEDULED CASTES
AGARTALA : TRIPURA

NO.F.2-146/SCW/GL/90 Dated, the 17th September, 1992

NOTIFICATION

In exercise of the powers conferred by Section **17** of the Tripura Scheduled Castes and Scheduled Tribes Reservation Act, 1991 (Tripura Act No. 5 of 1991) the Governor of Tripura has been pleased to make the following Rules, namely :-

1. Short title and commencement .

(1) These Rules may be called [***The Tripura Scheduled Castes and Scheduled Tribes Reservation Rules, 1992]***[1]

2. Definition.

(1) In these rules, unless the context otherwise requires -

["(a) "Act" means "The Tripura Scheduled Castes and Scheduled Tribes Reservation Act, 1991"][2]

(b)"Contingent appointment" includes work charged staff, Muster-roll workers, contingent paid-staff ,daily rated and monthly rated staff, except those required for such casual work e.g. staff for relief work, accident restoration etc. and also muster-roll workers who are engaged locally on casual basis on no work no pay according to necessity of work.

(c) [Director for Welfare of Scheduled Castes and Other Backward Classes]3 means the [Director for Welfare of Scheduled Castes and OtherBackward Classes]3 under the Government of Tripura.

1. Substituted by 'The Tripura Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Services and Posts) (2nd Amendment) Rules,2007 hereinafter shortly called "the 2nd Amendment Rules, 2007"which came into force on and from 2nd April, 2007

* The Tripura Scheduled Cates and Scheduled Tribes (Reservation of Vacancies in Services and Posts) Rules,1992 came into force on and from 2nd October,1992.

2. Substituted by the Second Amendment Rules, 2007.

3. Substituted by the first Amendment Rules, 2000 which came into force from 18th October, 2000.

(d) [Director for Welfare of Scheduled Tribes]1 means the [Director for Welfare of Scheduled Tribes]1 under the Government of Tripura

(e) "Commission" means the Tripura Public Service Commission.

(f) "Form" means a form appended to these rules.

[(g) "Scrutiny Committee" means a committee constituted by the State Government for verification of community status and cancellation of community certificates.

(h) "Sub Committee" means a "Sub Committee" constituted by the State Government by notification in the official gazette at the Block level or Nagar Panchayat level or Municipal level for the purpose of verification of community status of a person who applies for grant of a Scheduled Caste certificate, and in case of Scheduled Tribe certificate, "Sub-Committee" means a "Sub-Committee" constituted at the Sub-Divisional Level by notification in the official gazette.

(i) "Vigilance Cell" means a "Vigilance Cell" attached to the Directorate of Vigilance for the purpose of verification of claims to belong to Scheduled Castes or Scheduled Tribes.

(j) "Member-Secretary" means "Member-Secretary" of the Scrutiny Committee.]2

(2) Other terms used in these rules, but not defined shall have the same meaning as assigned to them by the Act.

3. Proof of Caste or Tribal Status.

The claim that one belongs to Scheduled Caste or Scheduled Tribe shall be proved by a caste or Tribe certificate issued by the competent authority in

Form-1. The [Sub-Divisional Magistrate]3 of the area where an applicant ordinarily resides will be the competent authority to issue a Scheduled Caste or Scheduled Tribe certificate.

1. Substituted by the Second Amendment Rules, 2007.
2. Inserted by the Second Amendment Rules, 2007
3. Substituted by the Second Amendment Rules, 2007

4. Further verification of claims of Scheduled Castes and Scheduled Tribes.

(1) An appointing authority shall verify the caste status of every Scheduled Caste or Scheduled Tribe candidate both at the time of initial appointment and again at the time of promotion to ensure that the Caste which a candidate belongs to has not been de-scheduled after his initial appointment or the candidate has not otherwise become disentitled to the benefits and concessions given to the Scheduled Castes and Scheduled Tribes.

(2) An appointing authority or any other authority who is supposed to accept one's claim to belong to Scheduled Caste or to Scheduled Tribes, if it so considers for any reason to verify the claim of a Scheduled Caste or Scheduled Tribe candidate, may do it through the [Director for Welfare of]1 Scheduled Castes/Scheduled Tribes as the case may be.

[(3) & (4)]2 (Deleted)

5. Procedure for issuing Scheduled Caste or Scheduled Tribe certificate.

(1) A Scheduled Caste certificate or a Scheduled Tribe certificate shall be issued by the[Sub-Divisional Magistrate]3of the Sub-Division where the applicant ordinarily resides according to the following procedures :-

[(a) An application for issuance of a community certificate shall be submitted in the prescribed proforma before seeking admission to any educational institution or an appointment to a post or for any other purpose. On receipt of such application for a Scheduled Caste or Scheduled Tribe certificate the Sub-Divisional Magistrate shall cause a local enquiry through his administrative agency to ascertain if the applicant actually belongs to Scheduled Caste or Scheduled Tribe as the case may be.]3

1. Substituted by the Second Amendment Rules, 2007.

2. Deleted by the Second Amendment Rules, 2007. 3. Substituted by the Second Amendment Rules, 2007.

(b) On getting the enquiry report as stated under sub-rule(a) the [Sub-Divisional Magistrate]1 shall send the application along with the enquiry report to the ***[Block level or Nagar Panchayat Level or Municipal Level Scheduled Castes Welfare Sub-Committee or Sub-Divisional Level Scheduled Tribes Welfare Sub-Committee]2*** if any, constituted by the Government for their opinion as to whether the applicant actually belongs to the Scheduled Caste or Scheduled Tribe.

(c) On getting the opinion of the Scheduled Castes Welfare Sub-Committee or Scheduled Tribes Welfare Sub-Committee as the case may be regarding the caste status of the applicant the concerned [Sub-Divisional Magistrate]1 will verify if the local enquiry report submitted by his subordinate officer and the opinion of the Scheduled Castes Welfare Sub-Committee or the Scheduled Tribes Welfare Sub-Committee concerned are of similar nature for granting a Scheduled Caste certificate or a Scheduled Tribe certificate to an applicant.

(d) If the [Sub-Divisional Magistrate]1 is satisfied from the local enquiry report and the opinion of the Scheduled Castes Welfare or Scheduled Tribes Welfare Sub-Committee that the applicant belongs to the Scheduled Caste or Scheduled Tribe as the case may be, he may issue a Scheduled Caste certificate or a Scheduled Tribe certificate to the applicant concerned.

(e) But if the [Sub-Divisional Magistrate]1 finds that the local enquiry report and the opinion of the Scheduled Castes Welfare or Scheduled Tribes Welfare Sub-Committee are different in nature and it is difficult to arrive at definite conclusion regarding the actual caste identity of the applicant concerned he will refer the case along with the local enquiry report and opinion of the Sub-Committee through the District Magistrate and Collector concerned to the [Director for Welfare of Scheduled Castes and Other Backward Classes]1in case of Scheduled Caste certificates and to the [Director for Welfare of Scheduled Tribes]1 in case of Scheduled Tribe certificates for their decision.

1. Substituted by the Second Amendment Rules,2007 2.
Inserted by the Second Amendment Rules, 2007

[(f) When any case is referred to the Director for Welfare of Scheduled Castes and Other Backward Classes or the Director for Welfare of Scheduled Tribes for a decision whether a community certificate should be issued or not, the Director concerned shall cause a thorough enquiry into the matter through the Vigilance Cell. The Director for Welfare of Scheduled Castes and Other Backward Classes or the Director for Welfare of Scheduled Tribes as the case may be, will place the vigilance enquiry report, local enquiry report of the Sub-Divisional Magistrate and opinion of the Sub-Committee concerned before the Scrutiny Committee for a decision. The Committee will examine the Vigilance report and other reports/ records sent by the Sub-Divisional Magistrate and take a decision whether a Caste or a Tribe certificate shall be issued or not. However, before taking a final decision, the Scrutiny Committee shall give the applicant a reasonable opportunity of being heard.

The decision of the Scrutiny Committee shall be final and communicated to the concerned Sub-Divisional Magistrate][1]

(g) The Sub-Divisional Magistrate shall act on the decision of the [***Scrutiny Committee as communicated by the]***[2] [Director for Welfare of Scheduled Castes and Other Backward Classes][3] or Scheduled Tribes.

(2) (a) A competent authority, if satisfied , may issue a ***[Community]***[2] certificate to an applicant who has migrated to Tripura from another State on production of the genuine community certificate issued to his father by the prescribed authority of the State of his father's origin. If the competent authority feels that before issuing such a community certificate a detailed enquiry is necessary through the applicant's State of origin, he may do so.

(b) The certificate under clause(a) may be issued irrespective of whether the Caste/Tribe in question is included in the list of Scheduled Castes or Scheduled Tribes of Tripura or not.

1. Substituted by the Second Amendment Rules, 2007.

2. Inserted by the Second Amendment Rules, 2007. 3. Substituted by the Second Amendment Rules, 2007.

(c) When a [***community certificate]***[1]under clause (a) of sub-rule (2) is issued the competent authority shall indicate in a note below the certificate in block letters that "THIS COMMUNITY CERTIFICATE HOLDER IS A MIGRANT TO TRIPURA".

(d) A community certificate holder who has migrated to Tripura from his State of origin for the purpose of seeking education, employment etc. will be deemed to be Scheduled Caste/Tribe of the State of his origin and will be entitled to derive benefits from the State of his origin and not from Tripura.

[***6. Cancellation of Scheduled Caste or Scheduled Tribe certificate***

An authority who issued a Scheduled Caste Certificate or Scheduled Tribe certificate to any one may, at a subsequent stage cancel it, if after an enquiry and after giving the party concerned an opportunity of being heard, it finds that the person to whom the Community Certificate was issued does not actually belong to the Scheduled Caste or the Scheduled Tribe, as the case may be.

Provided that in cancelling a Scheduled Caste Certificate, the issuing authority shall obtain the views of the concerned Block Level or Nagar Panchayat Level or Municipal Level Scheduled Castes Welfare Sub-Committee and in cancelling a Scheduled Tribe certificate, the issuing authority shall obtain the views of the Sub-Divisional Level Scheduled Tribes Welfare Sub-Committee, if any, constituted by the Government, as to whether the certificate holder belongs to Scheduled Caste or Scheduled Tribe and the views s Castes Welfare or Scheduled

Tribes Welfare Sub-Committee shall form a part of the order cancelling the certificate in question.

Provided further that the Scrutiny Committee shall also be competent to cancel a community certificate issued by a competent authority. For arriving at a decision whether the community certificate in question shall be cancelled or not, the Scrutiny Committee shall follow the procedure prescribed in Rule 7A hereinafter along with reports/records obtained from the competent authority.] [1]

1. Substituted by the Second Amendment Rules, 2007.

7. Constitution of Selection Committee/Selection Board/ Departmental promotion Committee etc.

(1) Notwithstanding anything contained in any other service rules, regulation or orders in force in constituting a Selection Committee/Selection Board /Departmental Promotion Committee or any other agency/forum by whatever name it goes, for direct recruitment or promotion to any post or service the [Director for Welfare of Scheduled Castes and Other Backward Classes]2 and the [Director for Welfare of Scheduled Tribes]1 or their representatives shall be associated as permanent members of the Selection Committee/Selection Board/Departmental Promotion Committee etc.

(2) The [Director for Welfare of Scheduled Castes and Other Backward Classes]2 and the [Director for Welfare of Scheduled Tribes]1 may authorise officers of their Directorates to represent them on the Selection Committee/Selection Board/Departmental Promotion Committee etc. as mentioned under Sub-rule (1) if the Director is unable to attend.

(3) With respect to [**….**]3 reservation, the opinion of the [Department for Welfare of Scheduled Castes ,Other Backward Classes and Minorities]2 and [Tribal Welfare Department]1 shall be final.

[7A Constitution, Powers and Functions of the Scrutiny Committee.

(1) At the State Level there shall be two Scrutiny Committees as follows -

(a) For verification of community status of Scheduled Caste Certificate holders, the Scrutiny Committee shall consist of :-

(i) The Secretary-in-charge of Department for Welfare of Scheduled Castes, Other Backward Classes and Minorities

- Chairman.

(ii) The Director for Welfare of Scheduled Castes and Other Backward Classes

- Member-Secretary

(iii) Joint Secretary or Deputy Secretary of the Law Department] [1]

- Member

1. Substituted by the Second Amendment Rules, 2007
2. Substituted by the First Amendment Rules, 2000.
3. Omitted the word “this” s, 2000.

[(iv) Additional Director or Joint Director or Deputy Director for Welfare of Scheduled Castes & Other Backward Classes -

- Member

(b) For verification of community status of Scheduled Tribe certificate holders, the Scrutiny Committee shall consist of :-

(i) The Secretary-in-charge of the Tribal Welfare Department

- Chairman

(ii) The Director for Welfare of Scheduled Tribes

- Member-Secretary

(iii) The Director, Tribal Research Institute

- Member

(iv) Joint Secretary or Deputy Secretary of the Law Department]1

- Member

[(2) Director of Vigilance shall constitute a vigilance cell consisting of Senior Deputy Superintendent of Police in over-all charge and such number of Police Inspectors and Sub-Inspectors to investigate into the community status and claims as may be required.

(3) The Investigating Officer would go to the local place of residence and original place from which the candidatehails and usually resides or in case of migration to the town or city, the place from which he originally hailed. He should personally verify and collect all the facts of the social status claimed by the certificate holder or the parent or guardian, as the case may be. He should also examine the school records, birth registration, if any. He should also examine the parent, guardian or the certificate holder in relation to their caste etc. or such other persons who have knowledge of the community status of the certificate holder and submit a report to the Director of Vigilance who will verify the correctness of the report and transmit it to the Member-Secretary of the Scrutiny Committee concerned together with all particulars as envisaged in the proforma, in particular, of the Scheduled Tribes relating to their peculiar anthropological and ethnological traits, deity, rituals, customs, mode of marriage, death ceremonies, method of burial of dead bodies etc. by the castes or tribes or tribal communities concerned etc.

(4) The Member-Secretary of the Scrutiny Committee concerned, on receipt of the report from the Director of Vigilance if finds the claim for

1 .Substituted by the Second Amendment Rules, 2007.

community status is not genuine or doubtful or spurious or falsely or wrongly claimed, the Member-Secretary concerned shall issue show-cause notice supplying a copy of the report of the vigilance officer to the community certificate holder by a registered post with acknowledgement due or through the head of the institution or office concerned in which the certificate holder is studying or employed. The notice should indicate that the representation or reply, if any, would be made within two weeks from the date of the receipt of the notice and in no case, on request, not more

than 30 days from the date of receipt of the notice. In case, the certificate holder seeks an opportunity of hearing and claims an inquiry to be made in that behalf, the Member-Secretary on receipt of such representation or reply shall convene the meeting of the committee and the Chairperson of the Committee shall give a reasonable opportunity to the certificate holder and in case the certificate holder is a minor to the parent or guardian to adduce all evidences in support of his claim. A public notice by beat of drum or any other convenient mode may also be published in the village or locality and if any person or association opposes such a claim, an opportunity to adduce evidence may also be given to him or it. After giving such opportunity in person or through counsel, the Committee may make such inquiry as it deems expedient and consider the claims vis-a-vis the objections raised by the certificate holder or opponent and pass an appropriate order with brief reasons in support thereof.

Provided that in case a certificate holder engages a legal practitioner to represent his case before the Scrutiny Committee, the Director for Welfare of Scheduled Castes and Other Backward Classes or the Director for Welfare of Scheduled Tribes as the case may be, may engage a lawyer.

Provided further that before passing a final order, the Committee shall also take into consideration the local enquiry report of the Sub-Divisional Magistrate and opinion of the Sub-Committee concerned.

(5) In case the report is in favour of the certificate holder and found to be genuine and true, no further action need be taken except where the report or the particulars given are procured or found to be false or fraudulently obtained and in the latter event the same procedure as is envisaged in sub-rule (4) shall be followed.

(6) The inquiry should be completed as expeditiously as possible preferably by day-to-day proceedings within such period not exceeding two months. If after inquiry, the Caste Scrutiny Committee finds the claim to be false or spurious, the Committee shall pass an order cancelling the][1]

1. Inserted by the Second Amendment Rules, 2007

[certificate issued and confiscate the same. The Committee shall communicate within one month from the date of the conclusion of the proceedings the result of enquiry to the certificate holder and in case the certificate holder is a minor to his parent or guardian.

(7) In case of any delay in finalising the proceedings, and in the meanwhile the last date for admission into an educational institution or appointment to an office or post is getting expired, the certificate holder be admitted by the Principal or such other authority competent in that behalf or appointed on the basis of the community status certificate already issued, on an affidavit duly sworn by the parent or guardian or certificate holder before the competent officer or non-official and such admission or appointment should be only provisional, subject to the result of the inquiry by the Scrutiny Committee.

(8) In case, the certificate obtained or community status claimed is found to be ian or certificate holder as

the case may be, shall be prosecuted for making the false claim. If the prosecution ends in a conviction and sentence of the accused, it shall be regarded as an offence involving moral turpitude, a disqualification for elective posts.

(9) As soon as the findings is recorded by the Scrutiny Committee holding that the certificate obtained was false and the certificate is cancelled and confiscated, it shall be communicated to the head of the Educational institution concerned or the appointing authority by registered post with acknowledgement due with a request to cancel the admission or the appointment. The head of the educational institution responsible for making the admission or the appointing authority, shall cancel the admission or appointment as the case may be without any further notice to the certificate holder and debar him from further study or continue in office in a post][1]

8. Direct Recruitment through the Commission/Selection Committee/ Selection Board/Departmental Promotion Committee etc.

(1) While making a request to the Commission or to the Selection Committee/Selection Board for recommending candidates for direct recruitment the appointing authority shall also furnish information about the reservation in favour of candidates belonging to the Scheduled Castes and the Scheduled Tribes. The information should be based on the inspection report of 100 point Roster showing position up to the year in which recruitment is proposed in respect of

1. Inserted by the Second Amendment Rules, 2007

the concerned post or service as may be furnished jointly by the [Director for Welfare of Scheduled Castes and Other Backward Classes]1 and the [Director for Welfare of Scheduled Tribes]2 or their representatives. The inspection report is to be furnished in

Form - 2.

(2) The inspection report shall form a part of the records of minutes/proceedings of Commission/Selection Committee /Selection Board /Departmental Promotion Committee.

(3) [deleted]3

(4) The Commission or the Selection Committee/Selection Board etc. as the case may be, shall furnish its recommendations about such number of candidates as provided in the respective service rules [……]4

(5) The Commission or the Selection Committee/Selection Board etc. shall also furnish to the appointing authority separate lists of candidates recommended by it, namely one in respect of Scheduled Castes, one in respect of Scheduled Tribes and the other in respect of general candidates. A separate combined list of all categories of candidates in order of their merit/preference shall also be furnished by the Commission or the Selection Committee/Selection Board etc. as the case may be.

Provided that a Scheduled Caste or Scheduled Tribe candidate who occupies on merit **[or seniority or seniority-cum-fitness etc.]5** an unreserved point of the 100-Point Roster in the combined list shall not be shown against any reserved point.

[Provided further that at the time of recommending candidates for appointment to any post, the names against unreserved (vacant posts)2 shall first be recommended in order of their merit or seniority or seniority-cum-fitness etc., as the case may be, and then the names against reserved vacant posts shall be recommended.]5

(6) The appointing authority shall then proceed to make appointment in accordance with the roster shown in the Schedule to the Act.

(7) The seniority list of the candidates so appointed shall be determined in order of their merit/preference as shown in the combined list furnished by the Commission or by the Selection Committee /Selection Board etc.

1. Substituted by the First Amendment Rules, 2000.
2. Substituted by the Second Amendment Rules, 2007.
3. Deleted by the Second Amendment Rules, 2007.
4. Deleted by the Second Amendment Rules,2007.
5.Inserted by the First Amendment Rules,2000

12

(8) (a) If it is found that the required number of Scheduled Castes candidates or Scheduled Tribe candidates for filling up reserved [vacant posts]1 are not available the appointing authority may initiate a proposal for filling up the reserved vacant posts by exchange method, i.e. for filling up the vacant posts reserved for Scheduled Tribe candidates, by available Scheduled Caste candidates or for filling up the vacant posts reserved for Scheduled Caste candidates, by available Scheduled Tribe candidates. He shall send the proposal to the [Department for Welfare of Scheduled Castes, Other Backward Classes and Minorities]2 and to Tribal Welfare Department for their concurrence. When

concurrence is received the appointing authority will make appointment subject to the condition that the [vacant posts]1 will be carried forward.

(b) If candidate belonging to Scheduled Castes or Scheduled Tribes is not available by exchange method, then the [vacant post]1 may be filled up by deputation /transfer according to concerned Recruitment Rules.

[Provided that notwithstanding anything contained in any other rules a reserved [vacant post]1 may be filled up by deputation/reserved category of officers/employees holding analogous posts of identical scale of pay and in case of non-availability of officers/employees holding analogous posts, by deputation of reserved category of officers /employees holding lower posts equivalent to the feeder posts.]3

(c) If the required number of candidates are not available even after further attempt within a recruitment year the reserved [vacant posts]1 shall be carried forward to the next recruitment year.

(9) (a) If the appointing authority after observing the procedures of sub-rule (8), considers it necessary to fill up any reserved vacant post by candidate of unreserved category in the exigencies of public service he may initiate a proposal for de-reservation of the required number of reserved [vacant posts.]1 Proposal for de-reservation of [vacant posts]1 reserved for Scheduled Caste shall be sent to the [Department for Welfare of Scheduled Castes, Other Backward Classes and Minorities]2 and proposal for de-reservation of [vacant posts]1

1. Substituted by the Second Amendment Rules, 2007

2. Substituted by the First Amendment Rules, 2000

3. Inserted by the First Amendment Rules, 2000

reserved for Scheduled Tribes to the Tribal Welfare Department for their concurrence. On getting the concurrence of the Tribal Welfare Department or [Department for Welfare of Scheduled Castes, Other Backward Classes and Minorities]2 as the case may be, the administrative Department concerned will obtain approval of the Council of Ministers and then issue notification de-reserving [vacant posts.]1

(b) When a vacancy against any post or service is de-reserved it shall be carried forward.

c) [Department for Welfare of Scheduled Castes, Other Backward Classes and Minorities]2 or Tribal Welfare Department may accord concurrence for de-reservation in service or post only when it is satisfied that the Department concerned exhausted all possible efforts including the method of deputation and exchange of [vacant posts]1 between

Scheduled Castes and Scheduled Tribes candidates, to fill up a reserved [vacant post.]1

9. Recruitment by Promotion

(1) The appointing authority while making a request to the Selection Committee/Selection Board/Departmental Promotion Committee for recommending candidates for promotion shall communicate to the Selection Committee/Selection Board/Departmental Promotion Committee the details about reservation for Scheduled Castes and Scheduled Tribes and shall also furnish details about the number of candidates required against reserved [vacant posts]1 and unreserved [vacant posts]1 in accordance with the provisions of the concerned service rules. Where there is no rules for the post or service to which promotion is to be made the appointing authority will furnish the details about the candidates within the zone of consideration according to normal procedure. The particulars about reserved [vacant posts]1 available shall be based on an inspection report of 100-point roster in respect of the concerned post or service to be furnished jointly by the [Director for Welfare of Scheduled Castes and Other Backward Classes]2 and by the [Director for Welfare of Scheduled Tribes]2 as mentioned in Rule 8(1).

(2) The Selection Committee/Selection Board/Departmental Promotion Committee will consider the suitability of the candidates, the details of whom are furnished by the appointing authority and

1. Substituted by the Second Amendment Rules, 2007
2. Substituted by the First Amendment Rules, 2000.

recommend a combined list of all categories of candidates found suitable for promotion in order of their merit which shall be the determining factor about the inter seniority of the candidates after promotion.

[Provided that a Scheduled Caste or Scheduled Tribe candidate who occupies on merit or seniority or seniority-cum-fitness etc. an unreserved point of the 100 –point roster in the combined list, shall not be shown against any reserved point.]1

[Provided further that at the time of recommending candidates for promotion to any post, the names against unreserved [vacant posts]2 shall first be recommended in order of their merit or seniority or seniority-cum-fitness etc., as the case may be, and then the names against reserved [vacant posts]2 shall be recommended.]1

(3) In addition to the combined list mentioned in Sub-Rule (2) the Selection Committee/Selection Board/Departmental Promotion Committee shall furnish separate lists of candidates belonging to Scheduled Castes and Scheduled Tribes and a list of candidates of unreserved category in order of their merit for promotion against the [vacant posts]2 shown as reserved or unreserved as the case may be.

(4) The inspection report of the 100 Point Roster as furnished by the [Director for Welfare of Scheduled Castes and Other Backward Classes]3 and t f Scheduled Tribes]3 shall

form a part of the record of the minutes/proceedings of the Selection Committee/Selection Board /Departmental Promotion Committee etc.

(5) The appointing authority shall consider the recommended list in accordance with the provisions of the respective service rules and shall, after consultation with the Commission where such consultation is necessary finally approve the list.

(6) The appointing authority shall thereafter make promotion in accordance with the 100 Point Roster as shown in the Schedule to the Act in order of merit /preference as indicated in the list. A Scheduled Caste or Scheduled Tribe candidate who occupies an unreserved point of the 100 – Point Roster in the combined list of candidates shall not be fitted against any reserved point.

1. Inserted by the First Amendment Rules, 2000
2. Substituted by the Second Amendment Rules,2007
3. Substituted by the First Amendment Rules, 2000.

(7) In case of non-availability of required number of Scheduled Caste or Scheduled Tribe candidates against the reserved vacancies, the vacancies shall be carried forward .In such case the appointing authority may take action under rule 8(8) and 8(9) if considered necessary.

10. Grouping of isolated Posts

Isolated individual posts and small cadres of the same class/group of service having ***[less than four posts***]1 and having the same status, salary and the same minimum qualifications prescribed for direct recruitment shall be grouped together for the purposes of reservation.

11. Reservation in appointment by deputation or transfer.

[(1) In filling up vacant posts by deputation or transfer, the names of deputationists or transferees shall not be entered into the100 point roster till they are permanently absorbed in the posts.]2

(2) Authorities forwarding names of staff for appointment to vacant poststo befilled up by deputation or transfer should also forward names of eligible Scheduled Caste and Scheduled Tribe candidates.

12. Supersession of Scheduled Caste and Scheduled Tribe candidates.

In case of supersession of Scheduled Caste or Scheduled Tribe candidates in respect of promotion ,the appointing authority ,before making any appointment in supersession of Scheduled Caste or Scheduled Tribe candidates ,whether against a reserved point or unreserved point shall bring the matter to the notice of the [Department for Welfare of Scheduled Castes, Other Backward Classes and Minorities]3 in case of Scheduled Caste candidates and to Tribal Welfare Department in case of Scheduled Tribe candidates and make appointment after taking into consideration the views of the [Department for Welfare of Scheduled Castes, Other Backward Classes and Minorities]3 or Tribal Welfare Department as the case may be.

1. Substituted by the Second Amendment Rules.2007 2.
Substituted by the First Amendment Rules,2000. 3.
Substituted by the First Amendment Rules,2000

13. ` Maintenance of records /Roster Registers

[(1) Every appointing authority shall maintain 100-Point Roster in Form-3 as mentioned in the Schedule to the Act.

(2) In every seniority list the names of Scheduled Caste and Scheduled Tribe incumbents shall be made identifiable by "SC" and "ST" marks respectively against their names.

(3) As provided in para-5 of the Schedule to the Act, separate 100-Point Roster for each category of post or grade shall be maintained according to the source of recruitment or promotion as specified in the respective Recruitment Rules.

(4) Separate roster according to source of recruitment shall mean separate blocks for each source of recruitment in a roster, for example- if there are 50 posts of Supervisor, Social Welfare and fifty percent of the posts are to be filled by direct recruitment and the remaining fifty percent of the posts are to be filled by promotion from two sources, namely eighty percent from the posts of Jr. SEOs, and twenty percent from Anganwadi Workers, separate roster shall be as follows:-

(i) For fifty percent direct recruitment i.e.25 posts from roster point No.1 to 25.

(ii) For remaining fifty percent i.e. 25 posts by promotion -

(a) Eighty percent i.e.20 posts from the post of Jr. SEOs from roster point No.26 to 45.

(b) Twenty percent i.e.5 posts from the post of Anganwadi Workers from roster point No. 46 to 50.

(5) Roster shall be maintained for admission to Educational Institutions, selection of students for higher studies, in service training or any other kind of training.

Provided that in case of admission to any Educational Institution including professional / technical education or selection of the candidates for in-service training or any other kind of training roster shall be verified by the representative of the Department for Welfare of SCs, OBCs and Minorities and the Tribal Welfare Department to ascertain the actual number of reserved seats available prior to such admission or selection. However, the rule of carry forward shall not apply in case of admission to educational institutions.

(6) In case appropriate category of Ex-serviceman and Physically handicapped persons are not available in a recruitment year to fill up the posts reserved for them, the vacant posts would be carried forward to the next recruitment year. If no suitable candidate is available in the second recruitment year, the vacant post will again be carried forward to the third recruitment year. Even, if no

candidate is available in the third year, the post will be filled up by a person of appropriate category.] [1]

14. Submission of Annual Report.

An Annual Report showing the position regarding appointment of candidates belonging to the Scheduled Tribes [**and the Scheduled Castes]**[2] against direct recruitment and promotion shall be submitted by each appointing authority to the [Director for Welfare of Scheduled Castes and Other Backward Classes][2] and the [Director for Welfare of Scheduled Tribes][2] in the following manner:-

(a) The Annual Report shall be for a period of one year from the 1st day of April to the 31st day of March next.

(b) The Annual Report shall be submitted separately for the direct recruitment and promotion, separately for technical and non-technical posts and separately for each category of posts in

SCHEDULES

TRIPURA SCHEDULED CASTES AND SCHEDULED TRIBES RESERVATION RULES, 1992

[(c) In case of admission to Educational Institutions, the annual report shall be submitted Class-wise/Stream-wise/Branch-wise in

Form 5, as soon as admission process is over. Similar report shall be submitted for selection of candidate for in-service training or any other kind of training.] [3]

1. Substituted by the Second Amendment Rules, 2007
2. Inserted by the First Amendment Rules, 2000. 3.
Inserted by the Second Amendment Rules, 2007.

15. Appointment of Liaison Officer.

[(1) Every appointing authority [*or the Educational Institutions as the case may be*,] [1] **in consultation with the [Department for Welfare of Scheduled Castes, Other Backward Classes and Minorities]** [2] **and the [Tribal Welfare Department,]** [4] **shall appoint one responsible officer, if possible from Group-A category and preferably from one belonging to Scheduled Caste or Scheduled Tribe to look after the matter relating to reservation for Scheduled Castes and Scheduled Tribes. The Officer so appointed shall be called "Liaison Officer".**

(2) The appointing authority shall obtain the views of the Liaison Officer in each case of appointment/promotion to any post or service and all other matters relating to reservation for Scheduled Castes and Scheduled Tribes.] [3]

[15 A. The duties and responsibilities of a Liaison Officer shall be-

(a) to ensure that reservation for Scheduled Castes and Scheduled Tribes in services and posts as per provisions of the Act, these rules and other orders/instructions etc. issued by the State Government from time to time in this regard, is strictly followed.

(b) to scrutinise properly all proposals for de-reservation and to certify after due satisfaction that such de-reservation is inevitable and that all steps to fill up the post(s) by reserved category of candidates have been taken.] [3]

(c) to liaise between the Administrative Department and the [Department for Welfare of Scheduled Castes, Other Backward Classes and Minorities] [2] **and the [Tribal Welfare Department]** [4] **for transmission of required information.**

(d) to ensure prompt submission of annual statements to the [Department for Welfare of Scheduled Castes, Other Backward Classes and Minorities] [2] **and the [Tribal Welfare Department.]** [4]

(e) To exercise proper supervision over the maintenance of 100 point roster, to carry out inspections from time to time either of his own initiative or on instructions from the

1. Inserted by the Second Amendment Rules, 2007.
2. Substituted by the First Amendment Rules, 2000.
3. Inserted by the First Amendment Rules, 2000.
4. Substituted by the Second Amendment Rules, 2007

[Department for Welfare of Scheduled Castes, Other Backward Classes and Minorities]1 and the [Tribal Welfare Department.]2

[(f) to bring promptly to the notice of the appointing authority, the Director for Welfare of Scheduled Castes, OBCs and the Director for Welfare of Scheduled Tribes, cases of negligence or lapses which may come to light on inspection of the 100 point roster carried out by the Liaison Officer himself or by the representative of the [Department for Welfare of Scheduled Castes, Other Backward Classes & Minorities]1 and the [Tribal Welfare Department]2 and to take prompt follow up action thereon.

(g) to extend necessary assistance to the [Department for Welfare of Scheduled Castes, Other Backward Classes and Minorities]1 and the [Tribal Welfare Department]2 in discharge of their duties and functions.

(h) to ensure prompt disposal of representation submitted by Scheduled Caste/Scheduled Tribe employees/Officers.

(i) to ensure, in consultation with the [Department for Welfare of Scheduled Castes, Other Backward Classes and Minorities]1 and the [Tribal Welfare Department]2, submission of prompt reply in respect of Court cases touching reservation for Scheduled Castes and Scheduled Tribes.]3

16. Inspection of Records.

(1) The Government in the [Department for Welfare of Scheduled Castes, Other Backward Classes and Minorities]1, or in the [Tribal Welfare Department]2, as the case may be, may at any time call for any record or information relating to reservation for Scheduled Castes and Scheduled Tribes for inspection or cause an inspection of the same by an officer not below the rank of Deputy Director authorised in that behalf as provided under ***[Section 7 of the Act.]2*** and may take such decision or issue such order as it may deem fit and proper.

(2) An appointing authority may also request the [Director for Welfare of Scheduled Castes and Other Backward Classes and the Director for Welfare of Scheduled Tribes for inspection of 100 Point Roster or Rosters as provided ***[under rules 8(1)]2*** and 9(1) of these rules. On such request the Director for Welfare of Scheduled Castes and Other Backward Classes and the Director for Welfare of Scheduled Tribes will arrange a joint inspection of the

1. Substituted by the First Amendment Rules, 2000. 2. Substituted by the Second Amendment Rules, 2007. 3. Inserted by the First Amendment Rules, 2000.

100-Point Roster by authorising their representatives not below the rank of Deputy Director.

[(3) on the basis of inspection of records, the State Government may, if so required, issue directions/guidelines to the concerned

authority for meeting the requirement of the provisions of the Act and these Rules.][1]

[17.][2] Department administering the Act and the Rules.

For the purpose of administering the Act and the Rules Government will mean the Government in the Department for Welfare of Scheduled Castes, Other Backward Classes and Minorities in respect of reservation for Scheduled Castes in services and posts and the Government in the Tribal Welfare Department in respect of reservation for Scheduled Tribes in services and posts.

[**18.**][3] Repeal and Saving.

(1) On the commencement of these rules, every order, notification, memorandum, office memorandum etc.(hereinafter referred to in this rule as the old order) in force immediately before such commencement shall in so far it provides for any of the matters contained in these rules cease to operate.

(2) Notwithstanding such ceaser of operation, anything done or any action taken under the old order, shall be deemed to have been done or taken under the corresponding provisions of these rules.

1. Inserted by the First Amendment Rule,2000.
2. Rule -17 substituted by Rule-18 and renumbered as Rule-17 by the Second Amendment Rules, 2007
3. Rule -18 substituted by Rule 29 and renumbered as Rule-18 by the Second Amendment Rule, 2007

21

[19.][1] Interpretation

If any doubt arises in regard to interpretation of any of the provisions of these Rules the matter shall be referred to the Government in the [Department for Welfare of Scheduled Castes, Other Backward Classes and Minorities][2] or [Tribal Welfare Department][3], as the case may be ,and the interpretation given by the Department for Welfare of Scheduled Castes, Other Backward Classes and Minorities or Tribal Welfare Department shall be final.

[19. Deleted][4]
[20. Deleted][4]
[21. Deleted][4]
[22. Deleted][4]
[23. Deleted][4]
[24. Deleted][4]
[25. Deleted][4]
[26. Deleted][4]
[27. Deleted][4]
[28. Deleted][4]

1. Rule 19 substituted by Rule 30 and renumbered as Rule 19 by the Second Amendment Rules, 2007
2. Substituted by the First Amendment Rules, 2000.
3. Substituted by the Second Amendment Rules,2007
4. Deleted by the Sec 07.

By order of the Governor,

(K .R. Das)
Secretary to the
Government of Tripura

FORM – 1

FORM OF CASTE / TRIBE CERTIFICATE

(See Rule-3)

This is to certify that Sri/Smti/ Kumari……. S.O, D/O, …. …….. …….of Village/Town……... ……..under……....Block/ Notified Area /Municipality of……. Sub-Division in……Tripura District of the State of Tripura belongs to the……... Community which is recognised as Scheduled Caste/Scheduled Tribe under:

The Constitution (Scheduled Cates) order, 1950 (As amended from time to time in the manner and to the extent specified in the FIRST SCHEDULE).

The Constitution (Scheduled Tribes) order, 1950 (As amended from time to time in the manner and to the extent specified in the SECOND SCHEDULE).

Shri/Smti/Kumari…….and or his/her family ordinarily resides in Village/ Town …… …… …… under…… Block/Notified Area/Municipality of …… Sub-Division in…… Tripura District of the State of Tripura.

Place: Signature, Name, Designation
Date : and seal of the Officer.

Please delete the words
which are not applicable

Note: The term ‘ordinarily resides’ used here will have the same meaning as in Section 20 of the Representation of the people Act,1950.

FORM – 2

(See Rule - 8(1))

PROFORMA FOR INSPECTION OF 100 POINT ROSTER.

1. Name of the Department :-
   Public undertaking /local Bodies etc.
2. Date of present inspection :-
3. Name of service, grade or post and the scale of pay attached to-indicating the group :-
4. Whether permanent/temporary/ Ad-hoc/Contingent :-
5. Sanctioned strength of the service/ grade/ post as on the date of inspection.:-
6. Mode(s) of recruitment and the percentage and number of posts against each mode.

	Percentage	**No. of Posts**
a) Direct recruitment		
b) Promotion		

7. Details about availability of Posts :-

		Distribution of Posts	Post Held	Post vacant
(i) Direct	:	SC		
		ST		
		UR		
(ii) Promotion	:	SC		
		ST		
		UR		
		Total :		

8. Total number of backlog posts available against reserved quota ;-

	SC		**ST**	
	Year of Vacancy	(Specify Roster Point No)		(Specify Roster Point No)
a) Direct				
b) Promotion				

9. Year-wise availability of regular vacant post(s) including posts filled up on ad-hoc basis (if necessary, separate sheet may be enclosed) for Direct recruitment/Promotion

Whether direct or promotion	Year	Availability of posts with Roster Point				Posts available for PH& Ex- S with category.		Remarks
		SC	ST	UR	Total	PH	Ex- S	
1	2	3	4	5	6	7	8	9

a) Direct :-

b) Promotion :-

10. Name, Designation and signature of the Liaison Officer :-

11. Comments/findings of the Inspecting officers :-

Signature, name & designation of the Roster Inspecting Officer (Representative of the Director for Welfare of Scheduled Tribes)

Signature, name & designation of the Roster Inspecting Officer (Representative of the Director for Welfare of SCs & OBCs)

Signature & Designation of the Roster Inspecting Officer

(Representative of Rajya Sanik Board)

(In case of direct recruitment, where reservation for Ex-serviceman is applicable)

FORM – 3
(SeeRule13 (1))
FORM FOR MAINTAINING 100 POINT ROSTER

1. Name of Establishment : 5. Direct recruitment or promotion:- 2. Designation of appointing 6. Permanent/Temporary. Ad-hoc authority : or contingent etc.

3. Name of Post & Scale of Pay and group : 7.Technical or non-technical : 4, Sanction strength :

(If source of recruitment(s) in direct/promotion are different as per R.R., separate roster for each of the sources to be maintained)

Roster point No. indicating reserved or	Name of the incumbent given appointment	Whether the incumbent SC,ST etc.	Date of joining	Signature of the appointing authority	Date of promotion/ resignation/ retirement	Signature of the appointing authority
1	2	3	4	5	6	7

1. UR
2. ST
3. UR
4. S C

and so on

- 26 -

FORM-4

See Rule 14(b)

FORM FOR ANNUAL REPORT SHOWING REPRESENTATION OF SCHEDULED CASTES AND SCHEDULED TRIBES IN THE POSTS AND SERVICES FOR THE RECRUITMENT

Year…….ending on 31st March, 20…… Name of Establishment :-
Name & designation of appointing authority :-
Whether the statement is in respect of

(i) Group –A/ Group – B/ Group – C / Group – D posts :- (ii) Technical or Non-Technical :-
(iii) Direct recruitment or Promotion :-
(iv) Permanent / temporary / ad-hoc, contingent or daily rated etc.

(The abbreviation SC, ST, PH and Ex stand respectively for Sch.Castes, Sch.Tribes, Physically handicapped and Ex-Serviceman)

Name of the Department / Establishment / Organisation				
Sl. No	Name of Post	No of Sanctioned Post	Post Physically occupied as on……	Vacancies available as on……

			SC	ST	UR	PH	EX-S	Total	SC	ST	UR	PH	EX-S	T
1	2	3	4	5	6	7	8	9	10	11	12	13	14	1
Backlog as on……			Vacancies filled up during the period from…….to										Remarks	

SC	ST	SC	ST	UR	PH	EX-S	Total	
16	17	18	19	20	21	22	23	24

Signature, name & designation of Appointing authority/Liaison Officer

Note : 1. Vacancies for PH and Ex-serviceman if any should be shown in Remarks Column specifying the number of Vacancies under each category of post. For example, if 1 ex-serviceman post-exists for SC this should be Ex-serviceman-1(SC) and similar indication for PH.

2. Sweeper under Group-D to be shown separately.

FORM- 5

(See Rule 14(c))

Annual Report showing representation of Scheduled Castes and Scheduled Tribes in admission to Educational Institution /Selection of candidates for in service training or any other kind of training during the year ending 31st March,200…..

Name of the Institution /Organisation

Name of the Department

Sl. No	Name of Course/Branch /Stream/Class	Total No of seats	No of seats available as per reservation policy			No. of candidates admitted/ selected			If there is any shortfall reasons thereof
			SC	ST	UR	SC	ST	UR	

Signature of
Head of the
Institution
/Organisation