

Punjab Civil Services (Reservation of Posts for Women) Rules, 2020

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Rule

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Punjab Civil Services (Reservation of Posts for Women) Rules, 2020Published vide Notification No. G.S.R. 87/Const./Arts.309 and 15/2020, dated 21.10.2020Last Updated 2nd January, 2021No. G.S.R. 87/Const./Arts.309 and 15/2020. - In exercise of the powers conferred by the proviso to Article 309 read with clause (3) of Article 15 of the Constitution of India, the Governor of Punjab is pleased to make the following rules for providing reservation in services for women in direct recruitment, namely: -Rules

1. Short title and commencement.

(1)These rules may be called The Punjab Civil Services (Reservation of Posts for Women) Rules, 2020.(2)These rules shall come into force on and with effect from the date of their publication in the Official Gazette.

2. Definitions.

- In these rules, unless the context otherwise requires, -(a)"establishment" means any office of the State Government, a local authority or a statutory authority constituted under any State Law for the time being in force, or a Board or Corporation in which not less than fifty-one per cent of the paid up share of capital is held by the Government of the State of Punjab and includes a university or college affiliated to the university, primary and secondary schools and other educational institutions, which are owned by the State Government and also includes an establishment in public sector; and(b)"establishment in public sector" means any industry, trade, business or occupation owned,

controlled or managed by, -(i)the State Government ; and(ii)Government Company as defined in sub-section (45) of section 2 of the Companies Act, 2013, in which not less than fifty-one per cent of the paid up share capital is held by the Government of the State of Punjab.

3. Scope and application.

- Without prejudice to the generality of the provisions contained in any Service rules, these rules shall apply to the filling up of posts by direct recruitment in all the establishments in Group 'A', Group 'B', Group 'C' and Group 'D' services.

4. Percentage and manner of reservation of posts.

- [(1) Notwithstanding anything contained in any Service rules, there shall be a thirty-three percent reservation, as per Annexure 'A', in favour of women, in all posts in Group 'A', Group 'B', Group 'C' and Group 'D' services under all the establishments at the stage of direct recruitment and this reservation shall be horizontal and compartmentalized] [Substituted by Notification No. G.S.R. 107/Const./Arts. 309 and 15/Amd.(1)/2020, dated 29.12.2020 (w.e.f. 21.10.2020).](2)Where a vacancy is filled by direct recruitment by a woman on the basis of merit, then such woman candidate shall be appointed against the horizontal reservation for women within their respective vertical reservation in any category.Explanation. - (i) "Vertical reservation" means reservation in favour of the Scheduled Castes, Backward Classes, Other Backward Classes and Economically Weaker Sections under clauses (4) and (6) of Article 16 of the Constitution of India.(ii)For the purposes of this rule, "horizontal and compartmentalised reservation" means reservation within each watertight category, namely, Scheduled Castes, Backward Classes, Other Backward Classes, Economically Weaker Sections and Open Category.

5. Procedure for reservation of posts.

(1)The reservation of posts for women set out in rule 4 shall be applied in the following manner, namely:-(i)firstly, to fill the quota of the Open Category in order of merit and thereafter;(ii)secondly, to fill up each of the vertical reservation quotas and thereafter;(iii)thirdly, to find out how many women belonging to specific vertical reservation have been selected on the above basis and thereafter;(iv)if the number of women candidates in each vertical is equal to or more than the thirty three percent reservation quota for women, then there shall be no further selection towards the reservation quota for women.(2)Only if there is any shortfall of women candidates in a vertical category, then the requisite number of women belonging to such vertical category shall have to be taken and adjusted or accommodated against their respective vertical reservation categories by deleting the corresponding number of candidates therefrom. This process of verification and adjustment or accommodation shall be applied separately to each of the vertical reservations. In such a case, the overall reservation of thirty-three percent in favour of women, may be satisfied or may not be satisfied.(3)If the posts remain unfilled due to lack of sufficient number of eligible women candidates, then the unfilled posts shall not be carried forward to subsequent years and such posts shall be filled from the other candidates of the respective vertical categories.Example. - If there are 200 vacancies and fifteen percent are reserved for Schedule Castes and twenty seven percent for

Other Backward Classes under vertical reservation; and thirty three percent are reserved for women under horizontal reservation, then, there are 116 seats in Open Category, thirty seats for Schedule Castes and fifty four seats for Other Backward Classes under vertical reservation. Since, thirty three percent seats in each vertical is the reservation quota for women, i.e. thirty eight seats for Open Category women, ten seats for Schedule Caste women and eighteen seats for Other Backward Classes women.

Step 1. - Candidates shall have to be first listed in accordance with merit, from out of the successful eligible candidates, in their respective vertical categories.

Step 2. - As such, thirty posts are reserved for Schedule Castes (of which the quota for women is ten), Schedule Caste candidates shall have to be first listed in accordance with merit, from out of the successful eligible candidates. If such list of thirty candidates contains ten Schedule Caste women candidates, then there is no need to disturb the list by including any further Schedule Caste women candidates. On the other hand, if the list of thirty Schedule Caste candidates contains only eight women candidates, then the next two Schedule Caste women candidates in accordance with merit, will have to be included in the list and corresponding number of candidates from the bottom of such list shall have to be deleted, so as to ensure that the final list of thirty selected Schedule Caste candidates contains ten women Schedule Caste candidates. But if the list of thirty Schedule Caste candidates contains more than ten women candidates, selected on own merit, all of them will continue in the list and there is no question of deleting the excess women candidates on the ground that Schedule Caste women have been selected in excess of the specified internal quota of ten.

Step 3. - Repeat this exercise for each vertical to fill vacancies. It is clarified that if there is a shortfall of women in any watertight vertical category e.g. two Schedule Caste women (above) are not available in the list then, -(i) the vacancy shall not be made available to women of any other vertical category i.e. Open Category Women or Other Backward Class women; and (ii) as such, the overall reservation of thirty three percent in favour of women, may be satisfied or may not be satisfied.

6. Power to remove difficulties.

- If any difficulty arises in giving effect to the provisions of these rules, it shall be referred to the State Government in the Department of Personnel, whose decision thereon shall be final. Annexure 'A' (See rule 4)

Serial No.	Category/Class	Roster Points 33% reservation
1	Scheduled Castes (8) 33% of 25%=8.25%=8	1,13,25,37,49,61,77,85
2	Backward Class (4) 33% of 12%=3.96%=4	8,42,64,88
3	Ex-servicemen (4) 33% of 13%=4.29%=4	7,28,60,67
4	Sportsperson (1) 33% of 3%=0.99%=1	23
5	Freedom Fighter (1) 1%	63 (By rotation)
6	Physically Handicapped (1) 4% As per the instructions dated 03.10.2019 (at Local reference) of Department of Social Security, Women and Child Development.	11,40,71 and 90 (By rotation)
	. Blindness and low vision-1%	

	. Deaf and hard of hearing-1%	
	. Locomotor Disability-1%	
	. Intellectual Disability-1%	
7	Economically weaker Section 33% of 10%=3.33%=3	10,39,99
8	General Category (11) 33% of 32%=10.56%=11	2,12,22,31,36,47,55,66,76,83,92
	Total	33