

# **Telangana Reservation of Seats in the Educational Institutions and of Appointments or Posts in the Public Services Under the State to Muslim Community Act, 2005**

TELANGANA

India

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### **Act 21 of 2005**

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Telangana Reservation of Seats in the Educational Institutions and of Appointments or Posts in the Public Services Under the State to Muslim Community Act, 2005(Act No. 21 of 2005)Last Updated 16th January, 2020The Andhra Pradesh Reservation of seats in the Educational Institutions and of appointments or posts in the Public Services under the State to Muslim Community Act, 2005 received the assent of the Governor on the 23rd October, 2005. The said Act in force in the combined State, as on 02.06.2014, has been adapted to the State of Telangana, under section 101 of the Andhra Pradesh Reorganisation Act, 2014 (Central Act 6 of 2014) vide. the Telangana Adaptation of Laws Order, 2016, issued in G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.

### **1. Short title, extent and commencement.**

(1)This Act may be called the [Telangana] [Substituted by G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.] Reservation of seats in the Educational Institutions and of appointments or posts in the Public Services under the State to Muslim Community Act, 2005.(2)It extends to the whole of the State of [Telangana] [Substituted by G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.].(3)It shall be deemed to have come into force with effect from the 20th June, 2005.

## **2. Definitions.**

- In this Act unless the context otherwise requires:-(a)"Educational Institutions" means a college, a school imparting education upto and inclusive of tenth class or other institution by whatever name called, whether managed by Government, private body, local authority or University and carrying on the activity of imparting education therein, whether technical, professional including medical or otherwise, and includes a Polytechnic, Industrial Training Institute and Teachers' Training Institute;(b)"Government" means State Government of [Telangana] [Substituted by G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.];(c)"Muslims" means any person professing the faith of Islam but does not include for the purpose of this Act, persons belonging to Dudekula, Laddaf, Pinjari/Noorbash and Mehator groups who are already included in the list of Backward Classes in the State;(d)"Notification" means a notification published in the [Telangana] [Substituted by G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.] Gazette and the word "Notified" shall be construed accordingly;(e)"Public Service" means public service as defined in the [Telangana] [Adapted in G.O.Ms.No.16, Finance (HRM.I) Department, dated 26.02.2016.] (Regulation of Appointments to Public Services and Rationalisation of Staff Pattern and Pay Structure) Act, 1994 (Act No.2 of 1994).

## **3. Declaration of Muslims as Backward Classes.**

- Having regard to the social, educational and economic backwardness, the members of the Muslim Community residing in the State are hereby declared as Backward Classes and be included in the lists of Backward Classes prepared by the Government from time to time.

## **4. Reservation of seats for Muslims in the Educational Institutions.**

- Notwithstanding anything in any other law for the time being in force, there shall be reservation of five percent of seats for admission into educational institutions in favour of Muslims residing in the State:Provided that the members belonging to the creamy layer amongst Muslim Community shall not be entitled to such reservations.

## **5. Reservations in appointment or posts in the public services.**

- Notwithstanding anything in any other law for the time being in force, there shall be reservation of five percent in appointments or posts in Public Services under the State in favour of Muslims residing in the State:Provided that the members belonging to the creamy layer amongst Muslim Community shall not be entitled to such reservations.Explanation. - For the purpose of this Act the creamy layer shall be such as may be determined by the State Government and till such determination takes place, the guidelines issued by the Government of India from time to time shall be followed.

## **6. Power to make provision by notification.**

- The Government may, by notification, make provision for carrying out all or any of the purposes of this Act.

## **7. Power to remove difficulties.**

- If any difficulty arises in giving effect to the provisions of this Act, the Government may make such order not inconsistent with the provisions of the Act as may appear to them to be necessary or expedient for the purpose of removing such difficulty: Provided that no such orders shall be issued after expiry of two years from the date of commencement of this Act.

## **8. Repeal of Ordinance 13 of 2005.**

- The Andhra Pradesh Reservation of seats in the Educational Institutions and of appointments or posts in the Public Services under the State to Muslim Community Ordinance, 2005 is hereby repealed.