

The Tripura Act No. 15 of 2020

**THE TRIPURA SCHEDULED CASTES AND
SCHEDULED TRIBES RESERVATION
(FOURTH AMENDMENT) ACT- 2020**

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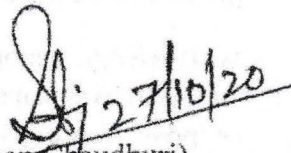
**GOVERNMENT OF TRIPURA
LAW DEPARTMENT
SECRETARIAT : AGARTALA**

No.F.8(24)Law/Leg-I/2020

Dated, Agartala, the 27th October,2020

NOTIFICATION

The following Act of the Tripura Legislative Assembly received the assent of the Governor of Tripura on the 22nd of October, 2020 and is hereby published for General information.


(Sopan Chaudhuri)
Deputy Secretary, Law

Government of Tripura

THE TRIPURA ACT NO. 15 of 2020

THE TRIPURA SCHEDULED CASTES AND SCHEDULED TRIBES RESERVATION (FOURTH AMENDMENT) ACT, 2020

**AN
ACT**

to further amend the Tripura Scheduled Castes and Scheduled Tribes Reservation Act, 1991 (The Tripura Act No.5 of 1991).

WHEREAS, the Tripura Scheduled Castes and Scheduled Tribes Reservation Act, 1991 was enacted to provide for reservation of vacancies in services and posts for the members of the Scheduled Castes and the Scheduled Tribes of the State and the Act exclusively deals with the reservation of Scheduled Castes and Scheduled Tribes in services and posts under the State and also for admission to educational institutions and undergoing any kind of training; and

WHEREAS, the Central Legislation, viz, "The Rights of Persons with Disabilities Act, 2016 and subsequence Office Memorandum No 36035/02/2017-Estt(Res) dated 15th January 2018 of Department of Personnel & Training under Ministry of Personnel, Public Grievances and Pensions of Government of India on 'reservation for the persons with disabilities (physically handicapped)', the provision for reservation of posts for physically handicapped (i.e. the persons with disabilities) are adequately dealt with and chances of contradiction of the State law with the said Central Law relating to the provision contained in the paragraph 14, 15 & 16 of the Schedule appended to the Tripura Scheduled Castes and Scheduled Tribes Reservation Act, 1991" and those appear to be irrelevant, redundant and repugnant to the provisions of the aforesaid central law; and

WHEREAS, accordingly, the Tripura Scheduled Castes and Scheduled Tribes Reservation Act, 1991 was amended by the Third Amendment Act, 2018, and the provision for reservation of posts for physically handicapped (i.e. the persons with disabilities) contained in the paragraphs 14, 15 & 16 of the Schedule appended to the Tripura Scheduled Castes and Scheduled Tribes Reservation Act, 1991 has been deleted and in the course of such deletion, the provision for reservation of posts for Ex-serviceman, along-with the reservation provision of physically handicapped (i.e. the persons with disabilities), was also wiped away, resulting therein there is no provision at present for reservation of posts for Ex-Serviceman in any Government service.

AND WHEREAS, as per policy of Govt. of India, reservation of 2% for Ex-serviceman is required to be maintained in all State Govt./PSU services. It is now expedient for the State Govt. to restore the provision by amending the relevant law, i.e., the Tripura Scheduled Castes and Scheduled Tribes Reservation Act, 1991 (hereinafter referred to as the Principal Act) to provide 2% reservation of posts for the Ex-serviceman in direct recruitment.;

BE it enacted by the Tripura Legislative Assembly in the seventy first year of the Republic of India, as follows:-

1. Short title and commencement:-

(i) This may be called the 'Tripura Scheduled Castes and Scheduled Tribes Reservation (Fourth Amendment) Act, 2020';

(ii) It shall come into force on the date of its publication in the Tripura Gazette.

2. Amendment of the Schedule:-

The following paragraph are inserted below the paragraph-13 of the Schedule appended to the Principal Act:-

“14. (i) There shall be 2% reservation for the Ex-serviceman in direct recruitment only. Separate roster for Ex-Serviceman accommodating the Ex-serviceman of Scheduled Castes category, Scheduled Tribes category and un-reserved category shall be prepared in accordance with the 100 Point Roster provided in the Schedule appended to the Tripura Scheduled Castes and the Scheduled Tribes Reservation Act, 1991 as below;

(a) When the cadre strength is less or up-to 100, the roster point for Ex-serviceman shall be extended up-to 100, and replacement roster shall be followed between SC Ex-servicemen and ST Ex-servicemen on alternative basis, e.g.- the first 50th post shall be reserved for UR Ex-Serviceman and the 99th roster point reserved for ST category, the immediate post before the 100th post shall be reserved for ST Ex-servicemen. In the next cycle the 50th roster point shall be reserved for UR Ex-servicemen and the 97th roster point shall be reserved for SC category, the immediate post before the 100th post shall be reserved for SC Ex-servicemen on replacement basis. and

(b) When the cadre strength is more than 100, the roster point shall be extended up-to 500th posts roster i.e. to covered 10(ten) reserved post for Ex-Serviceman as per 100 point roster. According to 100 points roster as provided in the Schedule appended to The Tripura Scheduled Castes and Scheduled Tribes Reservation Act, 1991:-

*the first reserved post for Ex-serviceman shall be for UR category
the second reserved post for Ex-serviceman shall be for ST category
the third reserved post for Ex-serviceman shall be for UR category
the fourth reserved post for Ex-serviceman shall be for SC category,
the fifth reserved post for Ex-serviceman shall be for UR category,
the sixth reserved post for Ex-serviceman shall be for ST category,
the seventh reserved post for Ex-serviceman shall be for UR category,
the eighth reserved post for Ex-serviceman shall be for ST category, ,
the ninth reserved post for Ex-serviceman shall be for UR category and
the tenth reserved post for Ex-serviceman shall be for SC category as
roster given below:*

<i>Reservation position</i>	<i>Category-wise Reservation Roster Point</i>
<i>1st reserved post for Ex-servicemen (50th post)</i>	<i>50th roster point unreserved post shall be reserved UR Ex serviceman.</i>

<i>2nd reserved post for Ex-servicemen (99th post)</i>	<i>99th roster point reserved for ST category, the immediate post before 100th post, shall be reserved for ST Ex serviceman.</i>
<i>3rd reserved post for Ex-servicemen (150th post)</i>	<i>150th roster point unreserved post shall be reserved UR Ex serviceman.</i>
<i>4th reserved post for Ex-servicemen (197th post)</i>	<i>197th roster point reserved for SC category, the immediate post before 200th post, shall be reserved for SC Ex serviceman.</i>
<i>5th reserved post for Ex-servicemen (250th post)</i>	<i>250th roster point unreserved post shall be reserved UR Ex serviceman.</i>
<i>6th reserved post for Ex-servicemen (299th post)</i>	<i>299th roster point reserved for ST category, the immediate post before 300th post, shall be reserved for ST Ex serviceman.</i>
<i>7th reserved post for Ex-servicemen (350th post)</i>	<i>350th roster point unreserved post shall be reserved UR Ex serviceman.</i>
<i>8th reserved post for Ex-servicemen (399th post)</i>	<i>399th roster point reserved for ST category, the immediate post before 400th post, shall be reserved for ST Ex serviceman.</i>
<i>9th reserved post for Ex-servicemen (450th post)</i>	<i>450th roster point unreserved post shall be reserved UR Ex serviceman.</i>
<i>10th reserved post for Ex-servicemen (497th post)</i>	<i>497th roster point reserved for SC category, the immediate post before 500th post, shall be reserved for SC Ex serviceman.</i>

14 (ii) Separate record shall be maintained for the Ex-serviceman to give effect to the reservation policy as enumerated in paragraph 14(i) above;

14(iii) Except as provided under paragraph 14(i) and 14(ii) above, all other matters relating to reservation of the Ex-serviceman shall be governed exclusively by executive instruction to be issued by the Government from time to time and not according to the provisions of this Act."

*(SOPAN CHAUDHURY)
DEPUTY SECRETARY, LAW
GOVERNMENT OF TRIPURA*