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**Government of Jammu and Kashmir
Social Welfare Department
Civil Secretariat, J&K, Srinagar**

Clarification

Subject: Reservation for Pahari Speaking People-clarification thereof.

Dated: 16.07.2020

Whereas, section 2(o) of Jammu and Kashmir Reservation Act, 2004 defines the Socially and Educationally Backward Classes as category for providing reservation, which includes persons residing in the Backward Areas, Persons residing in the areas adjoining Actual Line of Control and Weaker and under Privileged (Social Caste) as declared under various notifications from time to time;

Whereas, the second proviso to section 2 (o) further provides for persons for persons to be excluded from the category of Socially and Educationally Backward Classes, and one of such category is person(s) whose annual income from all sources determined in the prescribed manner exceeds Rs. 8.00 lacs (as per SRO-07 dated 7th January, 2019).

Whereas, in exercise of powers conferred by section 23 of Jammu and Kashmir Reservation Act, 2004, vide S.O 127 dated 20.04.2020, rule 2(xi a) was inserted to provide reservation to the 'Pahari Speaking People' which includes persons belonging to Pahari Community, clan or Tribe having distinct cultural ethnic and linguistic identity to be identified in such manner as may be prescribed;

Whereas, notification S.O 127 dated 20.04.2020 also provides for certificate to be issued as per Form XV to the Pahari Speaking People by the Tehsildar concerned in terms of Rule 21 of the Jammu and Kashmir Reservation Rules 2005;

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Whereas, various representations have been received by the Social Welfare Department seeking clarification regarding issuance of certificates to Pahari Speaking People whose income from all sources is above Rs. 8.00 lacs;

Now, keeping in view the provisions of section 2(o) of the Jammu and Kashmir Reservation Act, 2004, it is reiterated that Proviso Second of clause (o) of section 2 of the Reservation Act, 2004 which provides for income ceiling up to Rs 8.00 lacs is applicable to all categories of the "socially and educationally backward classes" including Pahari Speaking People. As such it is clarified that the income slab of Rs 8.00 lacs as provided in Proviso Second of clause (o) of section 2 of the Reservation Act, 2004 is also applicable to Pahari Speaking People. However such income ceiling is not applicable to persons belonging to Schedule Caste and Schedule Tribes categories.

-Sd-

Principal Secretary to Government,
Social Welfare Department

Dated:- 16 .07.2020

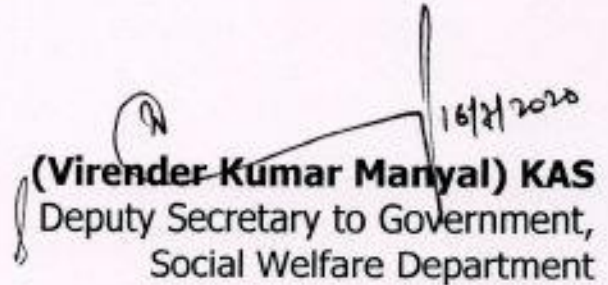
No.SW/PSP/04/2017

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14. Secretary, Public Service Commission/Vigilance Commission/Backward Classes Commission/SSB/BoPEE.
15. Director, Archives, Archaeology & Museums, J&K, Jammu.
16. Secretary, J&K Legislative Assembly.
17. General Manager, Government Press, Srinagar/Jammu.
18. Private Secretary to the Chief Secretary, J&K.
19. Private Secretary to Advisor (F) to the Hon'ble Lieutenant Governor.
20. Private Secretary to Principal Secretary to Government, Social Welfare Department.
21. I/c Website, Social Welfare Department.
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(Virender Kumar Manyal) KAS
Deputy Secretary to Government,
Social Welfare Department