

**Government of Jammu and Kashmir  
Department of Social Welfare  
Civil Secretariat, Jammu**

OM No: SW/PSP/04/2017

Dated:- 09.05.2020

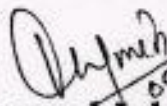
**Office Memorandum**

Sub:- Clarification regarding provisions of reservation to Economically Weaker Sections (EWS).

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The Jammu and Kashmir Reservation Act, 2004 and rules framed thereunder have been amended from time to time to provide reservation to the Economically Weaker Sections of the society. Vide Notification SRO 518 dated 2nd September, 2019 the Economically Weaker Sections have been defined to be the persons who are not covered under the scheme of reservation for SCs, STs and Socially and Educationally Backward Classes as defined under clauses (m), (n) and (o) of section 2 of the Jammu and Kashmir Reservation Act, 2004.

Office Memorandum F. No. 20013/01/2018-BC-II dated 17th January 2019 issued by Department of Social Justice and Empowerment, Ministry of Social Justice and Empowerment Government of India has expressly provided that every Educational Institution shall, with the prior approval of the appropriate authority, increase the number of seats over and above its annual permitted strength in each branch of study or faculty so that the number of seats available, excluding those reserved for the persons belonging to the EWSs, are not less than the total seats available in the academic session immediately preceding the date of the coming into force of the O.M.

To implement the provisions of the Jammu and Reservation Act, 2004 in its true spirit, the amendments made in the Jammu and Kashmir Reservation Rules, 2005 from time to time are to be read in juxtaposition with the clarifications issued by the Ministry of Social Justice and Empowerment from time to time. Therefore, to obviate any confusion, it is clarified that benefit of reservation under Economically Weaker Sections clause/category shall be available only in respect of those institutions where the intake capacity has been increased over and above its annual permitted strength in each branch of study and faculty so that the number of seats available, excluding those reserved for the persons belonging to the EWSs, are not less than the total seats available in the immediately preceding academic session.

  
09.05.2020  
**(Mohammad Iqbal Mir) KAS**  
Under Secretary to Government  
Social Welfare Department

No. SW/PSP/04/2017

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Copy to:

1. All Financial Commissioners
2. Director General of Police, J&K
3. Principal Secretary to Hon'ble Lieutenant Governor.
4. All Administrative Secretaries.
5. Divisional Commissioner, Jammu/ Kashmir
6. All Deputy Commissioners.
7. Chairman, Board of Professional Entrance Examination J&K
8. Director, Information J&K
9. Secretary, J&K Public Service Commissioner/ SSB.
10. Secretary J&K Commission for Backward Classes.
11. OSD to the Advisor(F) to the Lieutenant Governor.
12. General Manager, Govt. Press Jammu.
13. Private Secretary to Chief Secretary.
14. IC Website Social Welfare Deptt.
15. Stock file.