

HARYANA VIDHAN SABHA

Bill No. 19—HLA OF 2023

THE HARYANA BACKWARD CLASSES (RESERVATION IN SERVICES AND ADMISSION IN EDUCATIONAL INSTITUTIONS) AMENDMENT BILL, 2023

A

BILL

further to amend the Haryana Backward Classes (Reservation in Services and Admission in Educational Institutions) Act, 2016.

Be it enacted by the Legislature of the State of Haryana in the Seventy-fourth Year of the Republic of India as follows :-

1. This Act may be called The Haryana Backward Classes (Reservation in Services and Admission in Educational Institutions) Amendment Act, 2023.

Short title.

2. In Schedule-I to the Haryana Backward Classes (Reservation in Services and Admission in Educational Institutions) Act, 2016,—

Amendment of Schedule-1 to Haryana Act 15 of 2016.

(i) in serial number 1, for the existing entry, the following entry shall be substituted and shall be deemed to have been substituted with effect from the 30th June, 2016, namely:—

“Naik”;

(ii) in serial number 31, for the existing entry, the following entry shall be substituted and shall be deemed to have been substituted with effect from the 4th July, 2023, namely:—

“Joginath, Jogi, Nath, Jangam, Yogi”;

(iii) in serial number 50, the existing entry shall be omitted and shall be deemed to have been omitted with effect from the 30th June, 2016.

STATEMENT OF OBJECTS AND REASONS

1. The Government of India included 7 castes i.e. Aheria, Aheri, Heri, Hari, Thori, Turi and Rai Sikh in the Schedule to the Constitution (Scheduled Castes) Order, 1950 vide notification gazette No. 27 dated 09.05.2016 on the recommendation No. 568-SW (1) 2014 dated 28.07.2014 of the State Government.

2. While including these communities in the list of Scheduled Castes, the Govt. of India also deleted these communities from the Central list of Other Backward Classes for Haryana vide notification no. 12011/15/2016-BC-II dated 30.06.2016 as list of scheduled castes and other backward classes are mutually exclusive and one community cannot be found in the list of Scheduled Castes as well as Backward Classes at the same point of time. Therefore, to clear the confusion being faced by the authorities concerned whether to issue Scheduled Caste certificate or Backward Class certificate to these castes and once these caste have been included in the Constitution Schedule Castes order, same are liable to be deleted from the list of Backward Classes. These castes Aheria, Aheri, Heri, Naik, Thori or Turi, Hari at serial number 1 may replaced with "Naik" word in the State Backward Classes list and "Rai Sikh" at Serial number 50 will be replaced with the "Omitted" word from the State Backward Classes list with effect from 30.06.2016 as the Govt. of India has also deleted these castes from the Other Backward Classes list of Haryana from the same date.

3. The Haryana Government vide notification no. 735-SW (1)-2016 dated 27.07.2016 decided to insert 'Jangam' caste separately at sr. no. 72 in the list of Backward Classes (Block-A) Schedule-I and at the same time, the word 'Jangam-Jogi' appearing at sr. no. 31 is to be deleted as Jogi is already mentioned there separately. The Haryana Backward Classes (Reservation in Services and Admission in Educational Institutions) Act, 2016 (Act No. 15 of 2016) came in force on 12.05.2016 before the issue of above notification regarding 'Jangam' and modification in the list of Backward Classes (Block-A) is to be carried out to insert 'Jangam' caste at sr. no. 72 separately. The CMM has approved the proposal on dated 04.07.2023 of the department with the following comments:-

"The proposal was approved with the amendment that instead of creating new entry at no. 72 for Jangam Caste, the entry in sr. no. 31 be amended as Jangam caste only."

4. The bill seeks to achieve the above objectives.

MANOHAR LAL,
Chief Minister, Haryana.

Chandigarh :
The 14th December, 2023.

R.K. NANDAL,
Secretary.

N.B.— The above Bill was published in the Haryana Government Gazette (Extraordinary), dated the 14th December, 2023, under proviso to Rule 128 of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly.

ANNEXURE**EXTRACT OF THE HARYANA BACKWARD CLASSES
(RESERVATION IN SERVICES AND ADMISSION IN
EDUCATIONAL INSTITUTIONS) ACT, 2016**

Section 2: (b) "Backward Classes" means such classes of citizens as specified in Schedule I, II or III;

(h) "Schedule" means the Schedules appended to this Act.

SCHEDULE-1**BACKWARD CLASS BLOCK 'A'**

1. Aheria, Aheri, Heri, Naik, Thori or Turi, Hari
2. XXX
3. XXX
4. XXX
5. XXX
6. XXX
7. XXX
8. XXX
9. XXX
10. XXX
11. XXX
12. XXX
13. XXX
14. XXX
15. XXX
16. XXX
17. XXX
18. XXX
19. XXX
20. XXX
21. XXX
22. XXX
23. XXX
24. XXX
25. XXX
26. XXX
27. XXX
28. XXX
29. XXX
30. XXX
31. Joginath, Jogi, Nath, Jangam-Jogi, Yogi

32. XXX
33. XXX
34. XXX
35. XXX
36. XXX
37. XXX
38. XXX
39. XXX
40. XXX
41. XXX
42. XXX
43. XXX
44. XXX
45. XXX
46. XXX
47. XXX
48. XXX
49. XXX
50. Rai Sikhs
51. XXX
52. XXX
53. XXX
54. XXX
55. XXX
56. XXX
57. XXX
58. XXX
59. XXX
60. XXX
61. XXX
62. XXX
63. XXX
64. XXX
65. XXX
66. XXX
67. XXX
68. XXX
69. XXX
70. XXX
71. XXX