

F.No.1-1/2008-(III)-U.1(A)
Government of India
Ministry of Human Resource Development
Department of Higher Education

....

Shastri Bhavan, New Delhi
Dated 17th October 2008

OFFICE MEMORANDUM

Attention is drawn to OM No. 1-1/2008-(II)-U.1(A) dated 16th October 2008, wherein Central Educational Institutions (CEIs) were advised to fill reserved seats for the eligible Other Backward Classes (OBCs) candidates and if the same are not filled up by the 31st Oct., 2008, such seats shall be filled with general category candidates. The said OM was issued by way of advance intimation to CEIs in order to save on time and to ensure early action so that no seats are wasted, based on the advice from the legal Counsel because the orders of the Hon'ble Supreme Court in the matter of IA No. 3 of 2008 in Writ Petition (Civil) No. 35 of 2007 were not available with this Ministry at that time.

However, now the web-based orders of the Apex Court are available at the NIC website <http://www.judis.nic/supremecourt/casesres1.aspx>. The operative part of the order of the Apex Court is reproduced below :

1. ...“The Maximum cut-off marks for OBCs be 10% below the cut-off marks of general category candidates.”...
2. ...“We are told that in many of the central educational institutions the seats which are to be filled up by OBC candidates are still remaining vacant. These institutions may endeavour to fill up these vacant seats by other eligible students at the earliest i.e. at least by the end of October, 2008 observing inter se merit of the candidates. All other rules and regulations regarding admissions shall be strictly followed.”

Kindly ensure that seats reserved for OBCs are filled by other eligible students only if they are vacant after admitting all eligible OBC students i.e. after excluding ‘creamy layer’ as per OM No.1-1/2008-U1(A) dated 13.10.2008. A copy of which has already been forwarded to you and also available on this Ministry’s website <http://www.education.nic.in>. Each CEI shall ensure that the maximum cut off marks of OBCs are not kept lower than 10% from the cut off marks for general category candidates as directed by the Hon’ble Court.

Sd/-
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To

CEIs