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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

Backward Classes Welfare Department
Administrative Buildings,
4th Floor, DJ-4, Sector-II, Salt Lake,
Kolkata-700 091

NOTIFICATION

No. 917-BCW/MR-33/2025 dated the 8th May, 2025.— WHEREAS “backward classes” have been defined in clause (a) of section 2 of the West Bengal Commission for Backward Classes Act, 1993 (West Ben. Act I of 1993) (hereinafter referred to as the said Act), for the purposes of the said Act, to mean such backward classes of citizens other than the Scheduled Castes and the Scheduled Tribes as may be specified by the State Government in the lists;

AND WHEREAS “lists” have been defined in clause (c) of section 2 of the said Act to mean lists prepared by the Government of West Bengal from time to time for the purposes of making provision for the reservation of appointments or posts in favour of backward classes of citizens which, in the opinion of that Government, are not adequately represented in the services under the Government of West Bengal, and any local or other statutory authority within the territory of West Bengal or under the control of the Government of West Bengal;

AND WHEREAS the West Bengal Commission for Backward Classes (“Commission”) was set up under section 3 of the said Act for identification of these Other Backward Classes of this State;

AND WHEREAS in terms of section 9 of the said Act, the Commission considers inclusion, over-inclusion or under-inclusion of any such Other Backward Class and tenders such advice to the State Government as it deems appropriate and such advice of the Commission being ordinarily binding upon the State Government;

AND WHEREAS the Hon’ble Division Bench of High Court at Calcutta by judgment and order dated the 22nd May, 2024 in WPO 60 of 2011 and other connected matters (Amal Chandra Das & Ors. vs State of West Bengal & Ors.), set aside executive order No. 6309-BCW/MR-84/10 dated the 24th September, 2010, previously issued by the Government of West Bengal, sub-categorising the then enlisted classes in the State List of Other Backward Classes into “Category A” and “Category B” for the reasons contained therein and held that sub-categorisation of the relevant classes may be done by the Government only in consultation with the Commission;

AND WHEREAS a Special Leave Petition has been preferred by the State of West Bengal being SLP(C) No. 017751-017755/2024 (State of West Bengal vs Amal Chandra Das & Ors.) from the said judgment and order dated the 22nd May, 2024 of the Hon'ble High Court at Calcutta which is pending before the Hon'ble Supreme Court of India;

AND WHEREAS the West Bengal Commission for Backward Classes has commenced the process of conducting a fresh Benchmark Survey to ascertain the backwardness of the various classes who had applied afresh for inclusion into the State List for Other Backward Classes strictly without prejudice to the rights and contentions of the Commission in the aforesaid pending SLPs before the Hon'ble Apex Court;

AND WHEREAS the Hon'ble Supreme Court in its order dated the 18th March, 2025 has also recorded the fact of new exercise of examining the issue of backward classes afresh and fixed the appeals for hearing in the month of July, 2025;

AND WHEREAS the Government consulted the Commission in its 462nd Meeting held on 29th April, 2025 and the Commission for the several reasons contained in the said minutes of its meeting, has recommended to the State Government that the Other Backward Classes in the State may be sub-categorised into two categories being the "More Backward (Category-A)" and "Backward (Category-B)", to be based upon the Benchmark Scores obtained by the several classes in the respective benchmark survey;

AND WHEREAS the Government of West Bengal on the basis of consultation held and the recommendation provided by the Commission, has decided to sub-categorise the backward classes in the State List into two sub-categories as "More Backward (Category-A)" and "Backward (Category-B)";

Now, THEREFORE, in consideration of the recommendation of the Commission and in the public interest, the Governor is pleased hereby to sub-categorise the backward classes in the State List of Other Backward Classes for the purpose of the said Act into sub-categories being 'Category-A' and 'Category-B', wherein Category-A classes would mean 'More Backward' and Category-B classes would mean 'Backward' within the "backward classes".

By order of the Governor,

SANJAY BANSAL
Secretary to the Government of West Bengal